

**East Carolina University
Faculty Manual**

**APPENDIX L
EAST CAROLINA UNIVERSITY CODE**

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Preamble

In order to establish a mutual understanding which produces an essential joint effort in the government of East Carolina University, the faculty, administration, and trustees adopt the following code of regulations of university government.

A. Voting Faculty Member

[Please refer to interpretations [#00-13](#), [#198-9](#), [#196-6](#), and [#194-3](#).]

As pertains to faculty voting for the unit's nominating committee for appointment of administrative officials, for making recommendations on code content to the permanently tenured unit faculty members, in quadrennial evaluations of the effectiveness of unit programs, and in quadrennial evaluations of the effectiveness of unit administrators, a voting faculty member is someone who is appointed to a full-time faculty position; who is a permanently tenured or probationary term faculty person; who has been employed in any faculty position for at least 12 consecutive months at East Carolina University; who has regular academic faculty rank (*ECU Faculty Manual, Appendix D, Tenure and Promotion Policies and Procedures of ECU*); and who must, except as noted below for faculty on leaves of absence, be carrying at East Carolina University, at the time of the voting, not less than half the normal teaching/research program as practiced in the unit of appointment. (Faculty Senate Resolution #00-20)

The teaching/research requirement does not apply to unit administrators, librarians, or other university officers who may hold tenured positions in home units. Voting rights within individual units on matters addressed in their codes, other than those referred to in this document, should be a topic addressed in individual unit code development. The School of Medicine may define voting faculty for the purpose of this code in accordance with their unique structures, subject to the approval of the Faculty Senate.

A faculty member on leave of absence who satisfies the aforementioned criteria for a voting faculty member shall be eligible to participate in the election of the unit's nominating committee for appointment of administrative officials, in making recommendations on code content to the unit's permanently tenured faculty, and in quadrennial evaluations of the effectiveness of unit programs and/or administrators, provided that the absence of the member on leave shall not have exceeded twelve months duration at the time of the voting and provided that the member on leave returns to East Carolina University to participate.

In the event that return to the East Carolina University campus is impractical, the member on leave shall be eligible to participate only in quadrennial evaluations of the effectiveness of unit programs and/or administrators. In either case, the member on leave shall be informed of the nature of the pending issue by the unit administrator, who shall forward by registered mail to the member on leave appropriate reports, information, date and time of the vote, and, whenever the pending issue is a quadrennial evaluation, ballot(s). In the event that the member on leave is unable to return to the campus to participate, then the ballot(s) must be returned by the member within a thirty-day period from the time that the ballot(s) had been posted in Greenville, NC. If the member chooses to return to the campus to participate, then the member shall destroy the posted ballot(s).

B. Appointment of Administrative Officials

Each administrative official (exclusive of the Chancellor, the Vice Chancellor for Academic Affairs, the Vice Chancellor for Health Sciences, the Vice Chancellor for Research, the Vice Chancellor for Business Affairs, the Vice Chancellor for Student Life, the Vice Chancellor for Institutional Advancement, the Director of Athletics, and their assistants) whose direct concern is with academic matters will be appointed according to the following procedure:

1. The immediately superior administrative official will convene a nominating committee which will be formed in the following way:
 - a. The officer will designate a committee of at least five persons.
 - b. At least three-fifths of this committee will be faculty members belonging to the entire constituency of the office to be filled, elected by secret ballot by a majority of the members of that constituency present and voting at a meeting called for that purpose by the convening officer.
 - c. The remainder of the committee will be chosen from permanently tenured faculty members or administrators in a manner designated by the appointing officer. [Please refer to interpretation [#105-20](#).]
2. This nominating committee shall:
 - a. establish criteria that the new official must meet,
 - b. solicit and screen applicants for the position, and
 - c. submit to the appointing officer one or more nominees. The committee shall determine by secret ballot that the nominees are acceptable to a majority of the permanently tenured faculty of the school, department, or college.
3. The appointing officer may accept one of the committee's nominees or may reject all of them. If the appointing officer should reject them, the committee must produce an additional nominee or nominees.

C. Development, Screening, and Implementation of Unit Codes

1. Each autonomous, self-governing unit shall democratically develop a code of operations. This code must be approved by a majority of the permanently tenured faculty members of the unit. The code will provide for the conduct of unit affairs

according to *Robert's Rules of Order, Newly Revised*. Each code will be submitted to the Faculty Senate and the chancellor for review and ratification. In the colleges and schools electing to organize into self-governing, autonomous units at the department level, codes shall be submitted to the appropriate dean for advice prior to submission to the Faculty Senate. After consultation with the Provost or Vice Chancellor for Health Sciences, the chancellor shall ratify a code or shall return the code document to the code unit for revision and appropriate approval.

2. The faculty may democratically decide to organize into self-governing, autonomous units at the department, school, or college level in accordance with [guidelines](#) established by the Faculty Senate. A school's or college's proposal to organize into self-governing, autonomous units will be reviewed by the Faculty Governance Committee. If the Faculty Governance Committee finds the proposal conforms to the guidelines, the proposal will be forwarded to the Faculty Senate for their consideration. If the Faculty Senate acts favorably, the proposal will be forwarded to the Chancellor. With the Chancellor's approval, codes of operation for the individual units shall be democratically developed. Upon approval of the codes, the code of the school or college will become null-and-void. Said school or college may democratically develop a constitution as a governance document. However, this constitution may not conflict with the authorities, responsibilities, and characteristics of the constituent units. If faculty members of schools or colleges do not choose to organize into self-governing, autonomous units, faculty in individual departments may democratically develop rules for the internal organization and operation of their departments.
(Faculty Senate Resolution #03-51, December 2003)
3. To provide consistency unit codes should be developed following an approved outline that includes at least:
 - a. a preamble
 - b. definitions of the unit's faculty, its voting faculty, its graduate faculty
 - c. the administrative organization of the unit
 - d. the membership, terms, and duties of standing committees
 - e. a section that states regulations, criteria, and weights governing the evaluation of faculty members annually and otherwise for all personnel actions, including recommendations for merit awards, reappointment, promotion, and the award of permanent tenure (*ECU Faculty Manual, Appendices C and D*).
 - f. procedures for meetings within the unit
 - g. procedures for the unit's faculty members to indicate in a timely fashion and by vote their approval or disapproval of the unit's major planning documents, assessment documents, and other major reports prior to their submission in final form to person(s) outside the unit (Faculty Senate Resolution #03-37, October 2003)
 - h. procedures for discussing with its unit administrator the unit's annual budget request and annual report
 - i. procedures for developing criteria for salary increases (Faculty Senate Resolution #05-08, April 2005)
 - j. amendment procedures.
4. Each faculty member within a unit should have the most recent version of the unit's code.
5. With each quadrennial evaluation the unit administrator and the appropriate committee reviewing the unit's code should report to the Faculty Senate that the unit's code meets the current Faculty Senate guidelines for codes.
6. Unit codes that have been reviewed and approved by the Unit Code Screening Committee, the Faculty Senate, and the Chancellor should be deposited in the Faculty Senate office. The original should include a page containing the signatures of the chair of each reviewing body and the Chancellor or the Chancellor's delegate. If the Chancellor upon reviewing the unit's code requires changes in the code, the document should be returned to the unit for the required revisions and should continue through the review cycle until no further changes are required.
7. Immediately prior to the unit's quadrennial evaluation of its unit administrator, the Chancellor shall remind the unit's faculty and administrator that they must follow the unit's code.
8. The Chair of the Faculty and the Chancellor, or the Chancellor's delegate, shall arrange and schedule an orientation program for newly appointed administrators, to be conducted during the fall semester of each academic year.

D. Code Unit Changes

1. The policies and procedures set forth in this section apply to the following code unit changes:
 - a. dissolving a code unit without terminating faculty members' employment,
 - b. dividing a code unit into two or more code units,
 - c. merging a code unit with one or more code units,
 - d. moving a code unit,
 - e. changing a code unit's status from a department in a college to a school, or from a school to one or more departments in a college,
 - f. renaming a code unit, in addition, changes in unit nomenclature shall be approved by UNC General Administration before such changes become effective. [Please refer to interpretation [#05-19](#).]
 - g. any combination of the above.Changes will not occur until the faculty members in the units affected and the Faculty Senate have the opportunity to recommend to the Chancellor approval or disapproval of the proposed changes as originally presented or as amended by the affected units or the Faculty Senate.
(Faculty Senate Resolution #98-28, November 1998)
2. Proposals recommending code unit changes of the sort listed above may be initiated by:
 - a. at least one-fourth of a code unit's faculty members or
 - b. by administrators holding faculty status.Proposals must include at least a vestigial code of operations reflecting the changes and detailed plans for any faculty who might be displaced by the change.
[Please refer to interpretation [#01-17](#).]

3. Procedures for making code unit changes are as follows:
 - a. The person(s) initiating a proposal will provide copies of the proposal to the faculty members and unit administrators of all code units to be altered by the proposed changes.
 - b. Within 15 working days after the proposal has been distributed the initiator(s) will meet to discuss the proposal with the faculty members of the unit(s) or with representatives elected by each affected unit, the unit administrators, and the appropriate deans and vice chancellors (or their representatives).
 - c. Within 10 working days after this meeting, the permanently tenured faculty members of each affected unit will meet and vote their approval or disapproval of the proposal in its original form or as amended and then will communicate in writing the results of their action to their unit administrator. The unit administrator will not participate in this vote. (Faculty Senate Resolution #00-20) (Faculty Senate Resolution #03-37, October 2003)
 - d. Within 10 working days the unit administrator will forward to the next higher administrator the results of the unit's action and his or her concurrence or non-concurrence with the unit's action.
 - e. Within 10 working days the next higher administrator will communicate in writing to the initiator(s) and to the appropriate vice-chancellor(s) the following: the unit faculty's action, the unit administrator's concurrence or non-concurrence with that action, and his or her concurrence or non-concurrence with that action.
 - f. The initiator(s) shall present copies of the proposal, the affected units' faculty recommendations, and the relevant administrators' concurrence or non-concurrence to the chair of the Educational Policies and Planning Committee. The committee shall consult with appropriate deans and vice-chancellors, and, if it deems necessary, with other faculty members and administrators. Within 40 working days (during the regular academic year), the committee will report its recommendations to the Faculty Senate.
 - g. The Faculty Senate will vote in a timely manner to recommend to the Chancellor the approval or disapproval of the proposal as originally received by the Educational Policies and Planning Committee or as amended by the Faculty Senate.
 - h. If the changes are approved by the Chancellor (and higher authority if necessary), implementation of these changes will be overseen by a committee including a faculty member appointed by the Chancellor, a faculty member appointed by the Chair of the Faculty, and a faculty member appointed by the Educational Policies and Planning Committee. The committee will provide timely reports on progress to the Educational Policies and Planning Committee.

E. Five-Year Unit Program Evaluation

1. Every fifth year, beginning with the 1998-1999 academic year, each unit shall complete a self-evaluation of its operation. The appropriate vice chancellor shall give notice to the voting faculty members of the unit that they shall meet and elect by secret ballot an evaluation committee. The committee shall supervise the unit evaluation ensuring full participation by all unit faculty members. The evaluation shall include, but not be limited to, all academic programs, budgets, teaching, research, creative activity, and service activities. Expressions of student opinion concerning academic programs and teaching shall be included.
2. The dean or unit administrator shall be ineligible to serve on the evaluation committee.
3. The unit faculty members shall meet to consider the report and recommendations of the evaluation committee not later than the end of January. The report and recommendations shall be distributed to the unit faculty members not later than one week prior to the meeting. The voting faculty members of the unit shall vote by secret ballot whether or not to accept the evaluation committee's report and recommendations. Acceptance shall require three-fifths of the voting faculty members of the unit. The report and recommendations, whether accepted or not, and the vote of the unit shall be submitted to the next higher administrative official not later than thirty calendar days prior to the completion of the spring semester. The next higher administrative official shall review the report and the vote, and then forward the report through higher administrative offices to the Chancellor for review and comment. If any administrator above the unit level fails to concur with the unit's recommendation that administrator shall inform the faculty of the unit in writing of the reasons for his or her decision.
4. The unit program evaluation shall be used in the development of the unit operational plan. (Faculty Senate Resolution #98-28, November 1998)

F. Quadrennial Unit Administrator Evaluation

[Please refer to interpretation [#00-13.](#)]

1. The voting faculty of each unit shall vote on the effectiveness of the unit administrator. During March of the unit administrator's fourth year of appointment and every fourth year thereafter, the voting faculty shall discuss and vote by secret ballot on the effectiveness of the unit administrator. Please refer to the ECU Policy on Review of Administrative Officers, dated 3-18-02.
2. Each unit will elect a Faculty Leader for the Quadrennial Unit Administrator Evaluation. For units with only one Personnel Committee, the elected chair of the Personnel Committee will serve as the Faculty Leader for the Quadrennial Unit Administrator Evaluation. For units with more than one Personnel Committee, the unit administrator will call a meeting of the chairs of the Personnel Committees during the fall semester preceding the Quadrennial Unit Administrator Evaluation. At that meeting, a voting faculty member of the unit will be nominated and elected by the chairs of the Personnel Committees within the unit to serve as the Faculty Leader for the Quadrennial Unit Evaluation.
3. The Faculty Leader of the Quadrennial Unit Administrator Evaluation will call a meeting of the voting faculty during March of the following semester. At that meeting, with the unit administrator absent, the faculty will discuss and vote by secret ballot on the effectiveness of the unit administrator. Absentee ballots must be made available for voting faculty members in advance of this meeting; ballots must be deposited with the Faculty Leader for the Quadrennial Unit Administrator

Evaluation prior to the meeting so that those ballots may be intermingled with and then counted along with ballots of faculty members present for the meeting. It is the responsibility of the Faculty Leader for the Quadrennial Unit Administrator Evaluation to ensure that absentee ballots and all other ballots are kept secret and confidential.

4. The balloting will be conducted by the Faculty Leader for the Quadrennial Unit Administrator Evaluation, assisted by members of the Personnel Committee(s) from the unit. They shall distribute, collect, and count the ballots after adding any absentee ballots cast prior to the meeting. The unit administrator shall not vote in this procedure.
5. Before adjourning the meeting, the Faculty Leader for the Quadrennial Unit Administrator Evaluation shall announce the results of the balloting to the voting faculty members. Immediately following the meeting, the Faculty Leader for the Quadrennial Unit Administrator Evaluation shall convey to the unit administrator the results of the balloting. A copy of this correspondence shall also be submitted to the next higher administrative official by the Faculty Leader for the Quadrennial Unit Administrator Evaluation.
6. A negative vote by a majority of the voting faculty, excluding the unit administrator, shall constitute a recommendation that the unit administrator be removed. A decision to terminate an administrative officer's appointment shall be made by the Chancellor. (Faculty Senate Resolution #03-05, March 2003)

G. Annual Evaluation of University Administrators

Faculty shall evaluate administrators annually, employing an instrument approved by the Faculty Senate and the Chancellor. The results of such evaluations shall be made available to the administrator, and the administrator's supervisor.

Approved: Faculty Senate Resolution #93-41
10 December 1993
East Carolina University Board of Trustees

Amended: Faculty Senate Resolution #96-5, March 1996
Faculty Senate Resolution #96-15, May 1996
Faculty Senate Resolution #98-28, November 1998
Faculty Senate Resolution #00-20, April 2000
Faculty Senate Resolution #03-05, March 2003
Faculty Senate Resolution #03-37, October 2003
Faculty Senate Resolution #03-51, December 2003
Faculty Senate Resolution #05-08, April 2005

Interpretations made to Section A. (2-11-98, 9-6-96, and 2-23-94)
Interpretations made to Section A. and F. (2-1-00)
Interpretation made to Section D.2. (Faculty Senate Resolution #01-12, February 2001)
Editorial revisions to Sections C and D (Faculty Senate Resolution #03-32, April 2003)
Interpretation made to Section D.1.f. (Faculty Senate Resolution #05-07, February 2005)
Interpretation made to Section B.1.c. (Faculty Senate Resolution #05-40, September 2005)