Faculty Senate Resolution #12-40
Approved by the Faculty Senate: March 27, 2012
Approved by the Chancellor: May 2, 2012 (with changes noted in <mark>highlight</mark>)

Proposed Revisions to the *ECU Faculty Manual*, Appendix L. ECU Code

In March 2011, the Faculty Senate approved revisions to Appendix L (#11-45) that are currently being held for further study and pending approval by the Chancellor. The below proposed new section addresses code units and two of the remaining three sections left in Appendix L. The current text in Appendix L would be deleted and is shown here in ~~strikethrough~~.

Remove referenced text in Appendix L and create a new section in the Faculty Manual.

Guidelines for creating and changing code units and for the creation and revision of unit codes.

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Guidelines for creating and changing code units and for the creation and revision of unit codes.

I. Code Units

A.   Definition of Code Unit
~~In~~ <mark>By</mark> virtue of their professional disciplinary and inter-disciplinary expertise, East Carolina University faculty members are responsible for creating and implementing degree programs, associated curricula, and for performing numerous other activities essential to educating students, advancing knowledge and serving the university and the community. To fulfill this responsibility effectively, faculty members organize into self-governing departments, schools or colleges. The resulting organizational boundaries are neither arbitrary nor a reflection of individual interests. Disciplinary and interdisciplinary boundaries derive naturally from differences in the subjects studied and the methods required to generate new knowledge of these subjects. The operations of a faculty group organized around shared subject matters and research methodologies are governed by a document referred to as a "unit code." ECU uses the expression "code unit" to refer to a department, school or college whose operations are governed by a unit code. Differences between unit codes arise because of the subject matter and research methods of different code units. These differences require unique procedures that govern teaching, research, service and other assignments as well as the specific code unit's criteria for appointment, reappointment, promotion and tenure, for example. The unit code

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document is created by a group of faculty members and approved by the appropriate tenured faculty, the Unit Code Screening Committee, the Faculty Senate, and the Chancellor. In this process, the administrator to whom the unit administrator reports (a dean, vice-chancellor or provost) reviews a draft code and may provide advice.

B. Organizing as a Code Unit

Requirements: To be eligible to organize as a Code Unit, a new or existing department, school or college, (or departments, schools or colleges created by splitting or combining existing code units), shall satisfy the following requirements:

1. Code Units shall contain sufficient faculty members to create and sustain one or more degree programs and their associated curricula (excepting the libraries). What suffices in any given case will be decided by the appropriate Provost or Vice Chancellor for Health Sciences in consultation with the tenured and tenure-track faculty who will be members of the Code Unit if established, the chairperson(s) or director(s) and the appropriate dean.
2. Code units shall be organized so as to distribute faculty and administrative responsibilities as follows (this list is not exhaustive of the duties of faculty members and administrators):

    (a) Faculty: Faculty members are responsible for providing course instruction in one or more degree programs and in Foundations courses as appropriate, for advising majors, for supervising graduate theses and dissertations and for initiating recommendations on curriculum, degree program requirements, personnel actions, evaluation criteria, the unit's strategic plan, the unit's assessment activities, student, faculty and staff awards and the unit's code of operations.

    When the code unit is a college and the college contains departments or schools, some or all of the responsibilities of the code unit's faculty members may separately be performed by the faculty members of each department or school.

    If the code unit is a school and the school contains departments, some or all of the responsibilities of the code unit may separately be performed by the faculty members of each department or school.

    If the code unit is a department and the department contains separate disciplines, some or all of the responsibilities of the code unit may be performed separately by the faculty members of each discipline.

    (b) Administration: The lead administrator is responsible for faculty evaluation, for assigning duties to the unit's faculty members, for recommendations regarding initial faculty salaries and salary increments, for the use of the unit's budget, for fundraising, for maintaining the unit's contracts, records and reports, for managing the unit's support staff, for the unit's compliance with all university policies, rules and regulations and for the unit's compliance with all actions required by higher administration.

C. Creating New Code Units and Making Changes to Existing Code Units
1. Proposals recommending the creation of a code unit or units, or changes to an existing code unit: Proposals shall be initiated by a Code Unit Proposal Committee. A Code Unit Proposal Committee may be self-constituted by action of at least one-fourth of an existing code unit's faculty members (but no fewer than three faculty members) or may consist of at least three faculty members appointed by a chairperson, director, dean, the vice-chancellor for health sciences, the provost or the chancellor. The faculty members appointed to the committee will be

some or all of the faculty members who will be members or the new or changed unit(s) except in a case when the people who will constitute the faculty of a new unit are not yet employed by ECU. In the case of the creation of a new code unit or changes to an existing code unit, proposals will include a provisional code of operations for the new or changed unit(s).

2. A Provisional Code will conform to the ECU Faculty Manual and, as much as is practicable, to the guidelines and requirements for Unit Codes that are set forth in this document [see II.D below]. A Provisional Code will be approved by the Educational Policies and Planning Committee, the Faculty Senate and the chancellor, and will be used for a maximum of three semesters after the formal development of the new unit. No later than three semesters after the creation of a new code unit having a Provisional Code, the faculty of the unit will develop and have approved an official Unit Code.

3. In the case of a provisional code that has been in use for three semesters in a code unit in which there are fewer than three full-time tenured faculty members who have been employed for at least twelve consecutive months in the unit, the deadline for developing and having approved an official unit code shall be extended until there are three faculty members in the unit who are eligible to vote on the unit's code (see II.C below).

    If faculty members will be displaced by the creation of new code units or by changes to existing code units, the proposal must address this situation.

    In addition to creating new code units, some of the changes to existing code units that proposals may address include but may not be limited to:

    a. dissolving a code unit without terminating the employment of the faculty members in the unit,
    b. dividing a code unit into two or more code units,
    c. merging a code unit with one or more other units,
    d. moving a code unit to another school or college,
    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, or the reverse,
    f. renaming a code unit, (changes in unit name nomenclature shall be approved by UNC General Administration),
    g. moving groups of faculty and/or disciplines from one coded unit to another. (This type of move does not require UNC General Administration approval.) (Faculty Senate Resolution #98-28, November 1998)
    h. any combination of the above.

    Changes in all code units will not be implemented 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)

4. Procedures for creating or changing code units:
    a. The Code Unit Proposal Committee will provide copies of its proposal to all of the faculty members and administrators of the departments, schools or colleges addressed by the proposal.
    b. Within 15 working days after the proposal has been distributed, the Code Unit Proposal Committee will meet to discuss the proposal with the faculty members of affected departments, schools and/or colleges or with representatives elected by each affected unit,

with the unit administrators, and with 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, including the unit administrator(s), will meet and vote their approval or disapproval of the proposal in its original form or as amended by their action.

d. Within 10 working days the chair of the Code Unit Proposal Committee will forward to the next higher administrator the results of the unit's action.

e. Within 10 working days the next higher administrator will communicate in writing to the Code Unit Proposal Committee and to the appropriate vice-chancellor(s) the following items: the unit faculty's action and his or her concurrence or non-concurrence with that action.

f. The Code Unit Proposal Committee 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 proposal is approved by the Chancellor (and higher authority if necessary), implementation of the proposal will be overseen by the next higher administrator(s) over the new or changed code units.

Upon approval of new unit codes, the old unit code of a unit that has undergone a change of the sort listed above will become null-and-void.

If faculty members in code units that meet the conditions for splitting into separate code units do not choose to split into separate code units, faculty in individual departments or schools (as appropriate) may democratically develop written rules for their internal organization and operation. These rules will be housed in the department's or school's administrative office.

II. Unit Codes

A.   Definition of Unit Code
Each Code Unit shall develop a Unit Code of Operations that will provide for the conduct of the unit's affairs according to *Robert's Rules of Order, Newly Revised* and the requirements set out below at "D". A new or revised Unit Code shall be approved by a majority of the "Code Unit Voting Faculty Members" of the unit, as defined herein (see B "C" below). A copy of each Unit Code, after approval, is housed within the Faculty Senate Office, the Code Unit Office, and is available for review by faculty and administrators within the unit.

B.   Approval Process for New and Revised Unit Codes
Each Code Unit will develop its own Unit Code of Operations, following the process described in this section of this document. Upon approval at the unit level, the unit administrator shall forward the new or revised Unit Code to the next higher administrator above the unit for advice. The Code Unit shall consider advice received and may amend its proposed code if this is the will of a majority of the Code Unit's voting Faculty. The Unit Code next is submitted to the Unit Code Screening Committee of the Faculty Senate for review. Upon being approved by the Unit Code Screening Committee, the Unit Code is submitted to the Faculty Senate for review and, if approved, to the Chancellor for final approval. If the Chancellor requires revisions, he or she shall so indicate in writing and shall return the Unit Code to the unit for the required revisions. After revision, the code shall be approved by a

majority of the "Code Unit Voting Faculty Members" of the unit and upon approval shall be dealt with as described above, up to and including receiving the chancellor's approval or request for further revisions.

C. Faculty Who May Vote on a Unit's Code of Operations

Responsibility for voting on a Unit Code rests with the permanently tenured faculty. A permanently tenured, full-time faculty member who is and has been employed for at least twelve consecutive months in a greater than 50% assignment in a unit counts towards a quorum and may vote on the unit's new or revised unit code. This includes administrators who meet these conditions. A faculty member on medical or other leave from a greater than 50% assignment in a unit may vote if the faculty member wishes to do so but does not count towards a quorum unless he or she is present at a vote. Faculty members with 50% or less assignment in a unit do not vote on the unit's code.

D. Minimal Unit Code Requirements

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 criteria for serving as a voting faculty member of the unit, and, where appropriate, its approved criteria for appointment to the graduate faculty
  c. criteria for emeritus status in the unit
  d. the administrative organization of the unit
  e. the membership, terms, and duties of standing committees
  f. current, updated, and approved guidelines, criteria, and weights governing the evaluation of tenured, and tenure-track faculty members annually and otherwise for all personnel actions, including recommendations for raises, merit awards, reappointment, promotion and the award of permanent tenure (*ECU Faculty Manual, Appendices C and D*).
  g. guidelines, criteria, and weights governing the evaluation of fixed-term faculty members annually and otherwise for all personnel actions, including new or subsequent appointments, performance evaluations and advancement in title
  h. standards for post-tenure review
  i. procedures for meetings within the unit
  j. procedures for the unit's voting faculty members to indicate in a timely fashion and by vote their approval or disapproval of the unit's major planning documents, assessment documents, Guidelines for Unit Academic Program Review, and other major reports prior to their submission in final form to person(s) outside the unit
  k. procedures for discussing with its unit administrator the unit's annual budget request and annual report
  l. amendment procedures.

E. Use of "Guidelines" by a Code Unit

When a Code Unit maintains separate guidelines stating procedures to be followed with regard to faculty evaluation and/or matters not addressed in the unit's code, the Faculty Manual, or the ECU Policy Manual, the guidelines shall be approved by a majority of the Code Unit's voting faculty members (see "C" above). Amendments to Guidelines shall be approved by a majority of the Code Unit's voting faculty members (see "C" above). Guidelines shall be referenced in the Unit Code, shall be in compliance with all policies in the *ECU Faculty Manual* and the *ECU Policy Manual*, shall be housed in the Code Unit's administrative offices, in the office of the next-higher administrator and in the Faculty Senate office. At the time of the mandatory review of a unit's code, a unit's guidelines, if any, shall also be reviewed by the Unit Code Screening Committee for compliance with university policy.

F. Five Year Review of a Unit Code
The Unit Code Screening Committee shall report to the Faculty Senate at its last regular meeting of the academic year on the status of each unit code reviewed during the academic year, noting whether each code meets the current Faculty Senate guidelines for codes and is in compliance with all university policies, rules and regulations.

G. Faculty Senate Office Records
A copy of each approved Unit Code shall be maintained in the Faculty Senate office. Included with the approved code shall be a page containing the signatures of the chair of each reviewing body and the Chancellor or the Chancellor's delegate.

H. Unit Code Training
The Chair of the Faculty and the Chancellor, or the Chancellor's delegate, shall include an introduction to unit codes and guidelines in the annual new faculty and new administrator orientation sessions.

I. Unit Code Availability
Every tenured, tenure-track and fixed-term faculty member in a Code Unit shall be provided with a copy of or link to the Unit Code and the unit Guidelines, if any, upon becoming a 51% FTE or greater member of the unit.

~~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.