

**EAST CAROLINA UNIVERSITY
2013-2014 FACULTY SENATE**

The fifth regular meeting of the 2013/2014 Faculty Senate will be held on Tuesday, January 28, 2014, at 2:10 p.m. in the Mendenhall Student Center, Great Room.

Due to inclement weather, this meeting has been rescheduled for **Tuesday, February 4, 2014**, at 2:10 pm in the Mendenhall Student Center, room 244.

AGENDA

*Revised items

- I. **Call to Order**
- II. **Approval of Minutes**
[December 3, 2013](#)
- III. **Special Order of the Day**
 - A. Roll Call
 - B. Announcements
 - C. Steve Ballard, Chancellor
Report on Faculty Employment, to include a longitudinal profile of faculty tenure status and tenure status of permanent and temporary faculty (by unit).*
 - [Faculty FTE by Unit and Gender](#)
[Full and Part-Time Faculty by Unit and Tenure Status](#)
[Longitudinal Profile of Faculty Tenure Status](#) (includes Medicine)
[Longitudinal Profile of Faculty Tenure Status](#)
 - D. Marilyn Sheerer, Provost and Vice Chancellor for Academic Affairs
 - E. Bill Koch, Associate Vice Chancellor with Campus Operations and Deb Garfi, Director of Parking Services
[Report on Parking and Transportation Services](#)
[Resolution Requesting Annual Report](#)
 - F. Mark Sprague, Chair of the Faculty
 - G. Andrew Morehead, Faculty Assembly Delegate
Report on [January 17, 2014](#), UNC Faculty Assembly Meeting.*
 - H. Question Period
- IV. **Unfinished Business**
- V. **Report of Graduate Council**
Formal faculty advice on curriculum matters acted on and recorded in the [November 20, 2013](#) Graduate Curriculum Committee meeting minutes.

VI. Report of Committees

A. Committee on Committees, Britton Theurer

Election of UNC Faculty Assembly Delegates and Alternates* (attachment 1).

B. Admission and Retention Policies Committee, Allison Danell

1. Revisions to Transfer Admission Guidelines to remove MATH 1065 and ENGL 1200 from the required courses for admission of transfer students (attachment 2).
2. Addition to the *Undergraduate Catalog* regarding the timing of major declaration (attachment 3).
3. Addition to the *ECU Faculty Manual*, Part VIII, Section I, subsection II.B. Teaching Load (attachment 4).
4. Report on revisions to [Part VI, Section IV](#) of the *ECU Faculty Manual* relating to student privacy and conduct and the new General Administration policies on [student disciplinary proceedings](#) (attachment 5).

C. Calendar Committee, Mark McCarthy

1. Proposed additions to Summer 2014 University Calendar (attachment 6).
2. Resolution on Fall 2015 University Calendar (attachment 7).
3. Spring 2014 Snow [Make-up Day Proposal](#)* (NEW BUSINESS)

D. University Curriculum Committee, Donna Kain

Curriculum and academic matters contained in the meeting minutes of [November 14, 2013](#), including curricular actions within the Colleges of Nursing and Health and Human Performance and Departments of Mathematics and English.

E. Faculty Welfare Committee, Linda Crane-Mitchell

1. Formal Faculty Advice on proposed University Regulation Concerning Weapons on Campus (attachment 8).
2. Formal Faculty Advice on new and revised Interim Regulations Regarding HIPAA (attachment 9).

F. Service Learning Committee, Kylie Dotson-Blake

Curriculum matters acted on and recorded in the [December 10, 2013](#) meeting minutes, including requests for service learning (SL) designation for ART 3851: Art in the Elementary School, SL*, BIOL 3150: Plant Biology, SL*, ENGL 3880: Writing for Business and Industry, SL*, and ENGL 4950: Children's Literature, SL*. (The asterisk indicates that only some sections will be designated as SL which is consistent with catalog procedures.)

G. Writing Across the Curriculum Committee, Elizabeth Swaggerty

Curriculum matters acted on and recorded in the [December 9, 2013](#) meeting minutes, including requests for writing intensive (WI) designation for ECON 4700: Applications of Economic Analysis, ENGL 3875: Peer Tutoring, and ENGL 3290: Asian-American Literature and removal of WI designation for COMM 4905: Media Ethics.

H. Educational Policies and Planning Committee, Ed Stellwag
Curriculum and academic program matters included in the December 6, 2013 meeting minutes, including:

1. [Academic Program Review](#) of the Dance Program and [response](#) to the external review recommendations.
2. [Academic Program Review](#) of the Department of Psychology and [response](#) to the external review recommendations.
3. Request to [change the name](#) of the Department of Philosophy to Department of Philosophy and Religious Studies.
4. Request for authorization to establish a New Distance Education Program – MAEd in [Elementary Education](#) in the College of Education; Request for authorization to establish a New Distance Education Program – MAEd in [Middle Grades Education](#) in the College of Education; Request for authorization to establish a New Distance Education Degree Program – [MA in Communication](#) (emphasis on Health Communication) in the School of Communication, and Request to offer an [Accelerated Second Degree BS Nursing option](#) in the College of Nursing.
5. Request to create a [Minor in Creative Writing](#) in the Department of English; Request to [discontinue the Alternate Entry MS Nursing degree](#) in the College of Nursing; Request to [discontinue BM in Music Theory Composition](#) in School of Music; Request to [retitle BM in Performance to BM in Music](#) in the School of Music; and Request to add [three new concentrations](#) to the retitled BM in Music degree in the School of Music.

I. Faculty Governance Committee, Edson Justiniano
Proposed revisions to Part XII, Section IV, subsection II.B. of the *ECU Faculty Manual* relating to the Appellate Grievance Board and investigation record (attachment 10).

VII. New Business

Faculty Senate Agenda
January 28, 2014
Attachment 1.

COMMITTEE ON COMMITTEES
 Election of UNC Faculty Assembly Delegates and Alternates*
NEED three delegates and two alternates

Proposed Delegates:

Eduardo Leorri, Geological Sciences (2016 term)
 Cynthia Deale, Hospitality Leadership (2017 term)
 Britton Theurer, Music (2017 term)

Proposed Alternates:

Elizabeth Forrestal, Allied Health (2017 term)
 Nancy Winterbauer, Medicine/Public Health (2017 term)

Additional volunteers:

Mike Felts, Health and Human Performance
 Edson Justiniano, Physics

UNC FACULTY ASSEMBLY DELEGATION

<i>Faculty Assembly Delegates</i>	<i>Academic Unit</i>	<i>Term</i>	<i>Office Location</i>	<i>Tele #</i>
Mark Sprague Chair of the Faculty terms begin and end with term in office.	Chair of the Faculty/Physics	2014	Howell Science E310	328-1862
Charles Boklage	Medicine	2014	Brody 3N72	744-2301
Andrew Morehead	Chemistry	2014	Science & Tech 564	328-9798
Mark Taggart	Music	2015	Fletcher 366	328-4278
<u>OPEN</u>		2016		
<i>Faculty Assembly Alternates</i>	<i>Academic Unit</i>	<i>Term</i>	<i>Office Location</i>	<i>Tele #</i>
Britton Theurer	Music	2014	Fletcher 379	328-6248
James Holloway	Business	2014	Slay 330	737-1042
Robert Kulesher	Allied Health Sciences	2015	Health Sc 4340	744-6174
Ralph Scott	Academic Library Services	2016	Joyner 4106	328-0265

Cheryl McFadden	Education	2016	Ragsdale 123	328-6179
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Faculty Senate Agenda
January 28, 2014
Attachment 2.

ADMISSION AND RETENTION POLICIES COMMITTEE

Revisions to [Transfer Admission Guidelines](#) to remove MATH 1065 and ENGL 1200 from the required courses for admission of transfer students.

(Additions are highlighted and noted in **bold** print with deletions in ~~strikethrough~~.)

“Transfer Admission Guidelines

All transfer students must:

- Submit an online application
- Pay the \$70 nonrefundable application fee
- Submit ALL official transcripts (in signed/sealed envelopes) from each college/university attended
- ECU will accept official electronic transcripts from the eScripSafe and AVOW transcript services

Note: All applicants who have attended a post-secondary institution for any length of time since graduating high school are considered transfer students. Applicants must also meet all minimum transfer requirements

Only courses with a grade of C or higher from regionally accredited institutions are considered transferable

Please click [here](#) to access our Transfer Course Equivalency page.

Students under the age of 24 must also submit an official final high school transcript

The Office of Undergraduate Admissions will consider appropriate placement scores for college credits (i.e. CLEP, DANTE'S, AP).

Meeting the minimum admission qualifications does not guarantee admission. Offers of admission are extended on the basis of a competitive review process, and are subject to enrollment limits

Transferring with an AA, AS or AFA Degree or the 44-hr North Carolina Transfer Core Diploma

- Cumulative 2.5 GPA or higher on all attempted courses from the degree granting institution

Note: Completion of an AA, AS, AFA or the 44-hr NC Transfer Core Diploma will satisfy any Minimum Course Requirements (MCR) deficiency from high school.

Transferring with an Associate of Applied Science Degree

- Cumulative 2.5 GPA from all post-secondary institutions attended.
- Must have completed a minimum of 30 transferable credit hours including the equivalents to ECU's ENGL 1100 **Foundations of College Writing, Composition**, 1200 **Composition and MATH 1065 College Algebra**.

- If under the age of 24 on the first day of enrollment at ECU, student must have completed the Minimum Course Requirements (MCR) prior to high school graduation or have completed 6 transferable credit hours in each of the following: English, Math, Science, Social Science and Foreign Language at the college level.

Note: Completion of an AAS degree will not satisfy a Minimum Course Requirements (MCR) deficiency from high school.

Students transferring with an Associate of Applied Science Degree, earned at a North Carolina Community College, into one of the following programs: Bachelor of Science in Industrial Technology (BSIT) and Bachelor of Science in Construction Management (effective Spring 2013)

- Completed Associate in Applied Science (AAS) degree in approved technical area by the first day of enrollment at ECU. The approved AAS programs can be viewed at www.ecu.edu/tecs/bsit
- Cumulative 2.5 GPA from all post-secondary institutions attended.
- Must have completed a minimum of 30 transferable credit hours including the equivalents to ECU's ENGL 1100 **Foundations of College Writing, Composition**, ~~1200 Composition and MATH 1065 College Algebra.~~

*Note: Applicants with an approved AAS degree on the list located at www.ecu.edu/tecs/bsit will meet the 30 transferable hours required for admission, but still must have the equivalents to ECU's ENGL 1100 **Foundations of College Writing, Composition**, ~~1200 Composition and MATH 1065 College Algebra.~~*

- If under the age of 24 on the first day of enrollment at ECU, student must have completed the Minimum Course Requirements (MCR) prior to high school graduation or have completed 6 transferable credit hours in each of the following: English, Math, Science, Social Science and Foreign Language at the college level.

Note: Completion of an AAS degree will not satisfy a Minimum Course Requirements (MCR) deficiency from high school.

Transferring without a 2 Year Degree or with a GED*

- Cumulative 2.5 GPA from all post-secondary institutions attended
- Completion of minimum course requirements prior to high school graduation or completion of 6 transferable credit hours in each of the following: English, Math, Science, Social Science and Foreign Language at the college level.*
- Must have completed a minimum of 30 transferable credit hours including the equivalents to ECU's ENGL 1100, ~~1200 and MATH 1065~~
- Final High School Transcript unless 24 years of age or older/ or GED

Transferring with credits from foreign institutions

- Cumulative GPA of 2.5 or higher
- Official Final College Transcript from all institutions attended
- All official documents must be in English

- Evaluation of official documents from an accredited agency. [Click here](#) for a list of accredited agencies.
- All credits received from a foreign institution will be transferred as departmental electives unless you provide us with course descriptions. Course descriptions should be translated to English.

Deadlines: Transfer Applications for Admission

- Fall Semester: April 15
- Spring Semester: December 1
- Summer 1 & 11 week Session: May 1
- Summer 2 Session: June 1

IMPORTANT NOTE:

Admission of applicants residing outside the State of North Carolina to an online degree, certificate program or individual online course offered by East Carolina University, is dependent on ECU's ability to secure authorization from the applicant's state of residence, if such authorization is required.

Due to recent changes in higher education regulations, ECU will no longer be able to offer online programs or courses for students residing in Alabama, Massachusetts, Minnesota and Maryland. ECU will work with state authorities to allow students in these states who are currently enrolled in an ECU online or certificate program to complete their degree.

For questions specific to the state authorization process, call 252/737-1268 or email destateauth@ecu.edu."

**Faculty Senate Agenda
January 28, 2014
Attachment 3.**

ADMISSION AND RETENTION POLICIES COMMITTEE

Addition to the *University Undergraduate Catalog* regarding the timing of major declaration

Revise [University Undergraduate Catalog](#) as follows:

(Addition is noted in **bold** print.)

"Declaration or Change of Major and Minor

Students should declare the major by the time they have earned sixty (60) semester hours of credit. To earn a degree in a timely manner, several academic departments recommend that students declare their major even earlier in their academic careers. Students should consult their academic advisor regarding the process for declaring a major and/or minor.

Declaring a Major

To declare (to be admitted to) a major, a student must complete the admission requirements for the program and complete the formal admission process as specified by the program. Students may choose to earn a baccalaureate degree, two baccalaureate degrees simultaneously (dual degree), or a double major. Students who hold a baccalaureate degree and wish to pursue a second

undergraduate degree will follow the requirements for a dual or second major, below. (See Academic Requirements for Degrees and Minors.)

Student athletes and pre-health/pre-law students are assigned to academic advisors in their majors. Athletics and the Pre-Professional Advising for Allied Health, Medicine, Dentistry, and Law continue to provide monitoring and support in helping these students to meet their program requirements.

Declaring a Minor

If a degree program requires a minor, the minor must be identified at the time the student declares his or her major and must be approved by the major chairperson or dean or his or her designee. All BA degrees require a minor unless the degree requirements include a concentration and/or specified cognates. (See Academic Requirements for Degrees and Minors.)”

Faculty Senate Agenda January 28, 2014 Attachment 4.

ADMISSION AND RETENTION POLICIES COMMITTEE

Addition to the *ECU Faculty Manual*, Part VIII, Section I, subsection II.B. Teaching Load

The Committee was asked to review Part VIII, Section I, subsection II.B. Teaching Load of the *ECU Faculty Manual* in light of administrative PRR #02.07.01 [Definition of a Semester Credit Hour](#) and determine if a reference to this administrative policy should be included in the manual. The definition is tied to federal financial aid guidelines, and it is understood that faculty do not have much flexibility with this. It is noted that the professional opinion of the faculty of the program is what determines what is an "equivalent amount of work". The policy defines a credit hour as one hour of classroom work plus two hours of work outside the classroom, per week, for fifteen weeks (totaling 45 hours per semester) – or “at least an equivalent amount of work” for internships, practicums, etc.

(Addition is noted in **bold** print.)

II. Assignments of Faculty Workload

Faculty workload is governed by the [Faculty Workload Administrative](#) Regulation.

By the end of the Spring semester for 9 month faculty, and by the end of the summer session for 12 month faculty, and prior to making final faculty workload assignments and after soliciting faculty preferences, the unit administrator shall apprise each unit faculty member, in writing, of the duties and responsibilities for the coming academic year.

A. Assignment of Teaching Responsibilities

The unit administrator assigns teaching responsibilities. If changes in a faculty member's assignment become necessary, the faculty member shall be notified, when possible, at least two weeks prior to the beginning of each semester of such changes prior to the effective date of the amended assignment.

B. Teaching Load

The definition of a semester credit hour is governed by [Administrative Regulation #02.07.01](#).

Full-time faculty members whose primary responsibilities are teaching should not be required to teach more than 12 credit hours per semester or 6 credit hours per summer session, with the exception of faculty members who voluntarily teach directed readings

and similar courses. If exceptional circumstances require that a faculty member be assigned more than 12 credit hours in a semester, he or she should be appropriately compensated for the excess teaching load during that term or be given the equivalent reduced teaching load the following semester.

- C. Assignment of Released Time
 Assignments of released time are governed by [Faculty Scholarly Reassignment Administrative Regulation](#). Faculty members who are to be granted released time shall be informed in writing of the purpose of the reduced assignment.

**Faculty Senate Agenda
 January 28, 2014
 Attachment 5.**

ADMISSION AND RETENTION POLICIES COMMITTEE

Report on revisions to [Part VI, Section IV](#) of the *ECU Faculty Manual* relating to student privacy and conduct and the new GA policies on [student disciplinary proceedings](#)

The Committee believes that no changes are needed to the *ECU Faculty Manual*, [Part VI, Section IV](#) in order to conform with the new GA policies on [student disciplinary proceedings](#).

**Faculty Senate Agenda
 January 28, 2014
 Attachment 6.**

CALENDAR COMMITTEE REPORT

Additions to Summer 2014 University Calendar

(Additions are highlighted and noted in **bold** print.)

Summer Session 2014

First Session

(Actual days First Session: 5 Mondays, 5 Tuesdays, 5 Wednesdays, 5 Thursdays, 5 Fridays, 1 day for final examinations)

March 21, Friday	Early registration for special populations begins at 1:00 pm.
March 24, Monday	Registration for Summer Session begins.
May 16, Friday	New student registration; schedule changes.
May 19, Monday	Classes begin; schedule changes.
May 20, Tuesday	Last day for registration and schedule changes (drop and add) for first session by 5:00 pm.
May 20, Tuesday	Census Day (Official enrollment count taken at 5:00 pm).
May 26, Monday	State Holiday (no classes).
June 5, Thursday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
June 11, Wednesday	Last day for graduate students to drop courses without grades by 5:00 pm.
June 23, Monday	Classes end. Last day for submission of grade replacement requests.
June 24, Tuesday	Final examinations.
June 26, Thursday	Grades due at noon.

Second Session

(Actual days Second Session: 5 Mondays, 5 Tuesdays, 4 Wednesdays, 6 Thursdays, 5 Fridays, 1 day for final examinations)

June 25, Wednesday	New student registration; schedule changes.
June 26, Thursday	Classes begin; schedule changes.
June 27, Friday	Last day for registration and schedule changes (drop and add) for Second Summer Session by 5:00 pm.
June 30, Monday	Census Day (Official enrollment count taken at 5:00 pm).
July 4, Friday	State Holiday (no classes).
July 14, Monday	Last day to submit thesis to Graduate School for completion of degree in the summer session.
July 15, Tuesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
July 21, Monday	Last day for graduate students to drop courses without grades by 5:00 pm.
July 31, Thursday	Classes end. Last day for submission of grade replacement requests.
August 1, Friday	Final examinations.
August 4, Monday	Grades due at noon.

Summer Session 2014

11-Week Summer Session

(Actual class days: 9 Mondays, 11 Tuesdays, 9 Wednesdays, 11 Thursdays, 10 Fridays, 1 day for final examinations)

March 21, Friday	Early registration for special populations begins at 1:00 pm.
March 24, Monday	Registration for 11-Week Summer Session begins.
May 16, Friday	New student registration; schedule changes.
May 19, Monday	Classes begin; schedule changes.
May 20, Tuesday	Last day for registration and schedule changes (drop and add) by 5:00 pm.
May 20, Tuesday	Census Day (Official enrollment count taken at 5:00 pm).
May 26, Monday	State Holiday (no classes).
June 24-25, Tuesday and Wednesday	Midsummer Break (no classes).
July 4, Friday	State Holiday (no classes).
July 8, Tuesday	Last day for graduate students to drop courses without grades by 5:00 pm.
July 14, Monday	Last day to submit thesis to Graduate School for completion of degree in the summer session.
July 15, Tuesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
July 31, Thursday	Classes end. Last day for submission of grade replacement requests.
August 1, Friday	Final examinations.
August 4, Monday	Grades due at noon

CALENDAR COMMITTEE REPORT
Resolution on Fall 2015 University Calendar

- Whereas,** the UNC Policy Manual, chapter 400.1.6 states “All UNC campuses must ensure that every course offered for academic credit adheres to the standard of a minimum of 750 scheduled minutes of instructional time or the equivalent per credit hour. The time may include required examination periods, but may not include study days.”; and
- Whereas,** for ECU this policy means all three credit hour Tuesday-Thursday or Monday-Wednesday classes must have 28 class meetings and Monday-Wednesday-Friday classes must have 42 class meetings. Classes that meet once a week must have 14 class meetings; and
- Whereas,** in fall semesters, to make up for the Monday lost due to Labor Day, ECU traditionally makes the Tuesday following the holiday in effect a Monday class. Classes that meet once a week on Monday night, meet on Tuesday night. Tuesday day and night classes do not meet the week of Labor Day; and
- Whereas,** based on a review of the academic calendars of other major North Carolina large state universities, it appears that ECU is the only one to use the Monday make-up day on a Tuesday; and
- Whereas,** the Calendar Committee conducted a survey of the ECU faculty to get their feelings/perceptions of the ECU make-up day policy and 455 people responded. For the initial question respondents were asked if they were satisfied with the current approach using a make-up day during the semester to take the place of the missed day. Of the 455 respondents, 243 (53.4%) answered they were not satisfied with the current make-up day calendar; and
- Whereas,** the respondents were asked to rank in order their preference for alternatives to the current calendar and a Monday start was the most popular followed by a Wednesday start; and
- Whereas,** in order to eliminate the Monday make-up days the Tuesday after Labor Day in the fall semester, the Calendar Committee would like to propose classes start on Monday in August instead of Tuesday. This would eliminate the need for any make-up days; and
- Whereas,** with a Monday start, there would be 14 class meetings for all five weekdays, with classes ending on Monday and reading day and exams moved up one day; and
- Whereas,** with a Monday start, the University graduation ceremony could be held on Thursday instead of the traditional Friday and departmental ceremonies could be concluded by Friday instead of Saturday.

Therefore Be It Resolved, that the Faculty Senate supports the efforts of the Calendar Committee to eliminate Fall make-up days and requests that the Committee present this Spring a Fall 2015 academic calendar with a Monday start date.

[draft Fall 2015 University Academic Calendar](#)

Faculty Senate Agenda
January 28, 2014
Attachment 8.

FACULTY WELFARE COMMITTEE REPORT

Formal Faculty Advice on Proposed University Regulation Concerning Weapons on Campus

(Additions are highlighted and noted in **bold** print and deletions in ~~strikethrough~~.)

Related Policies:

ECU Faculty Manual, Part XI

<http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/part11section5.pdf>

Student Code of Conduct

<http://www.ecu.edu/PRR/11/30/01/>

Student Resident Handbook

<http://www.ecu.edu/cs-studentaffairs/campusliving/upload/Res-Handbook-13-14.pdf>

SPA/CSS Handbook

http://www.ecu.edu/cs-admin/humanresources/customcf/Policies/SPA_CSS_Policies/SPA-CSS-Employee-Handbook.pdf

Additional References:

N.C. Gen. Stat. §14-269.2

http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_14/GS_14-269.2.html

Session Law 2013-369, House Bill 937

<http://www.ncga.state.nc.us/Sessions/2013/Bills/House/HTML/H937v6.html>

Contact for Info: Associate Vice Chancellor, Environmental Health and Campus Safety 328-6166;
ECU Police Department, 737-7433;
Office of Student Rights and Responsibilities, 328-6824;
Campus Living Conduct Office, 328-4917.

1. Introduction

- 1.1 All university constituents, including students, faculty, staff, and visitors, should respect the institutional mission and help to ensure that a safe and secure environment, which is conducive to learning, is present at all times. Therefore, each constituent should respect and obey the following rules and regulations pertaining to weapons on university property.
- 1.2 This policy does not apply to an individual's legal right to possess or own a weapon off campus.
- 1.3 Any member of the university community who violates North Carolina General Statute 14-269.2, "Weapons on Campus or other educational property," may be subject both to prosecution and punishment in accordance with state criminal law and criminal procedures and to disciplinary proceedings by the university.

2. Weapons on Campus or Other Educational Property

2.1. G.S. 14-269.2 makes it unlawful and, in some circumstances, felonious conduct “for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property.”

2.2. The statute makes it a misdemeanor “for any person to possess or carry, whether openly or concealed, any BB gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework or any sharp pointed or edged instrument except instructional supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and maintenance on educational property.”

2.3. The statute does not apply to:

2.3.1. A weapon used solely for educational, **research, clinical** or school-sanctioned ceremonial purposes or used in a school-approved program **or activity** conducted under the supervision of an adult whose supervision has been approved by the school authority;

2.3.2. Armed forces personnel, officers and soldiers of the militia and national guard, law enforcement personnel, any private police employed by an educational institution, when acting in the discharge of the official duties, and armed armored car or courier service guards or hospital or health care facility guards acting in the discharge of the guard’s duties and with the permission of the University;

2.3.3. A person who has a concealed handgun permit issued in accordance with Article 54B of this Chapter, has a concealed handgun permit considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, provided the weapon is a handgun, is in a closed compartment or container within the person's locked vehicle, and the vehicle is in a parking area that is owned or leased by the University. A person may unlock the vehicle to enter or exit the vehicle, provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit;

2.3.4. An employee of the University who resides on the campus of the institution at which the person is employed when the employee's residence is a detached, single-family dwelling in which only the employee and the employee's immediate family reside, the weapon is a handgun and it is possessed in accordance with appropriate statutory criteria.

2.4. The director of the ECU Police Department is responsible for authorizing weapons on campus that meet either 2.3.1. or 2.3.2.

3. Penalties

3.1. Double Jeopardy. It is not “double jeopardy” for both the criminal law enforcement authorities and the university to proceed against and punish a person for the same specified conduct.

- 3.1.1. The university will initiate its own disciplinary proceedings against a student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interest of the university.
- 3.1.2. A resident student should also understand that he or she may be removed from the residence hall for violating the housing contract regulation pertaining to the possession or use of a weapon in the residence halls (see Sec. IV A.3. East Carolina University Campus Living Contract).
- 3.2. Penalties will be imposed by the university in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees. These safeguards are found in the East Carolina University Faculty Manual, the Board of Governors' policies applicable to employees exempt from the State Personnel Act, the policies and procedures of the East Carolina University Student Judicial System, and by the regulations of the State Personnel System.
- 3.3. Unless one of the exceptions enumerated in section 2.3, above, applies, the penalties to be imposed by the university may range from written warnings to expulsions from enrollment and discharges from employment. All mitigating and aggravating circumstances associated with an incident involving weapons, including threatening to use a weapon, will be taken into account when considering an appropriate penalty. However, the following penalties shall be established for the particular offenses described:
 - 3.3.1. Persons who possess or use a gun, rifle, pistol, or other firearm of any kind or powerful explosive* will be suspended for a period of not less than one year (student), or discharged (faculty member, administrator, or other employee). For a second offense, the student will be expelled;
 - 3.3.2. Persons who possess or use a BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, or any sharp pointed or edged instrument except instructional supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and maintenance, will be suspended from enrollment for a minimum period of at least one semester or its equivalent (student), or discharged (faculty member, administrator, or other employee). For a second offense, any student will be expelled.
- 3.4. In certain instances, established penalties may be reduced due to mitigating circumstances. The established penalty, however, may not be reduced if the violation involves use of a weapon in a manner where bodily harm or injury occurs or where the weapon was involved in another violation of university regulations. In cases where the penalty is reduced, the person should expect some penalty which may include probation, counseling, community service, or loss of certain privileges. A subsequent violation of this policy will result in a progressively more severe penalty, which includes suspension or expulsion of students and discharge of a faculty member, administrator, or other employee.

* This list is not intended to be inclusive of all items that would be considered weapons and, therefore, prohibited by the university.

Faculty Senate Agenda
January 28, 2014
Attachment 9.

FACULTY WELFARE COMMITTEE REPORT

Formal Faculty Advice on New and Revised Interim Regulations Regarding HIPAA

No changes are being recommended to the new and revised interim regulations regarding HIPAA that may be accessed in the University Policy Manual under the Health Affairs category at <http://www.ecu.edu/PRR/12/60/> and/or accessed individually below:

[ECU HIPAA Training](#)

[HIPAA Access to Protected Health Information](#)

[HIPAA Accounting for Disclosures of Protected Health Information](#)

[HIPAA Authorization to Use and Disclose Protected Health Information \(PHI\)](#)

[HIPAA Business Associates](#)

[HIPAA De-identified Information](#)

[HIPAA Designated Record Set](#)

[HIPAA Limited Data Set](#)

[HIPAA Minimum Necessary Uses and Disclosures of and Requests for Protected Health Information](#)

[HIPAA Notice of Privacy Practices](#)

[HIPAA Notification in the Event of a Breach of Unsecured Protected Health Information \(PHI\)](#)

[HIPAA Patient Request for Alternate Communication](#)

[HIPAA Permitted Uses and Disclosures of Protected Health Information \(PHI\)](#)

[HIPAA Privacy Complaint Process](#)

[HIPAA Request for Restrictions of Protected Health Information](#)

[HIPAA Right to Amend Records](#)

[HIPAA Sanctions](#)

[HIPAA Use and Disclosure of Protected Health Information \(PHI\) for Marketing](#)

[HIPAA Use and Disclosure of Protected Health Information for Fundraising](#)

[HIPAA Use and Disclosure of Protected Health Information for the Sale of Protected Health Information](#)

[HIPAA Use and Disclosure of Psychotherapy Notes](#)

Faculty Senate Agenda

January 28, 2014

Attachment 10.

FACULTY GOVERNANCE COMMITTEE REPORT

Proposed revisions to Part XII, Section IV, subsection II.B. Grievance Procedures for Complaints of Grievance Procedures for Complaints of Unlawful or Prohibited Harassment, Discrimination or Improper Relationships Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status

(Additions are highlighted and noted in **bold print** and deletions in ~~strikethrough~~.)

“II. Grievance Procedures

B. Level One Grievance Procedures

1. Reporting the Complaint to the East Carolina University Office of Equity and Diversity
 - a. To initiate the process, the complainant may contact the OED office or submit a grievance reporting form, available at <http://www.ecu.edu/cs-acad/edc/SubmitAGrievance.cfm>. If this is an appeal from the Dean’s decision as specified under II.A.3, the party making such an appeal is known as the complainant in this process.
 - b. Complaints concerning harassment, discrimination, or improper relationships submitted in writing to ECU’s EEO Officer, who is Vice Provost for Equity and Diversity, should contain at least the following: (a) the complainant’s description of the alleged event(s), including times, dates, places, and witnesses, if possible; (b) the complainant’s description of the effects, if any, of the alleged event(s); (c) the names of the individuals alleged to have subjected the complainant to harassment or discrimination, or alleged to be involved in a prohibited improper relationship; and (d) the identification and contact information for the complainant. The EEO Officer, or the Officer’s designee, is referenced hereafter, as “the Grievance Officer”.
 - c. The Grievance Officer shall immediately acknowledge receipt of the complaint and, within 14 calendar days from the submission of the complaint, shall schedule a meeting with the complainant to listen to and discuss the complaint. Any of the deadlines set at Level One Grievance, as enumerated in this II.B, may be extended by the Grievance Officer to accommodate delays not reasonably avoidable. Written notice of the new deadline and the reason for the extension shall be provided to the parties and to the Provost. Such extensions must be allowable under applicable law and shall not unduly delay the investigative process.
 - d. The Grievance Officer will be available to the complainant, the respondent (hereafter, “the respondent” is used in the singular form, even where it may stand for more than one person), and to possible witnesses to discuss their rights and procedural options, as well as the possible outcomes of these options.
 - e. The Grievance Officer shall determine whether evidence exists to sustain the complaint. In making this determination, the Grievance Officer may conduct an investigation. The confidentiality of both the complainant and the respondent will be preserved to the extent required by law.
 - f. If the complainant wishes to proceed or the Grievance Officer determines it necessary to proceed with an investigation, the Grievance Officer will provide a written description of the complaint, or a copy of the written complaint, to the respondent at the beginning of the investigation and not later than 14 calendar days following the complainant’s or Grievance Officer’s decision to proceed with an investigation.
 - g. The respondent shall have an opportunity to meet with the Grievance Officer and provide a response to the allegations, both verbally and in writing.

- h. During the investigation of a complaint the Chancellor or appropriate Vice Chancellor may take interim measures, up to and including suspension with pay, to prevent misconduct or retaliation.

2. Record

- a. The Grievance Officer will keep a record of the initial and any subsequent discussions between the complainant and the Grievance Officer, and of discussions between the Grievance Officer and respondent. This investigation record will include:
 - i) the documentation referenced in II.B.1.b;
 - ii) the reply of the respondent, if any;
 - iii) and any and all information collected in and relating to the investigation, ~~and, to~~ **To the extent allowed by applicable law, the portion of the investigation record referenced in II.B.2.a. (i) and (ii)** shall be provided by the Grievance Officer to all parties with all due speed, preferably within 14 calendar days of its compilation.
- b. Within 14 calendar days of receiving a copy of the **portion of the investigation record referenced in II.B.2.a. (i) and (ii)**, the complainant and the respondent may append to this record a written response to each of the factual claims ~~of the record therein~~. In any case where a written response is appended to the record, this will be noted in the **investigation record itself**.

3. Written Report and Conclusions

Within 21 calendar days after the procedures listed under II.B.1. are met and the **investigation** record as specified under II.B.2. is completed, the Grievance Officer will submit this record and the Grievance Officer's report of findings and conclusions to the appropriate Vice Chancellor. All parties, including the complainant, respondent, and supervisors, are notified regarding the results of the investigation at the same time **to include a report of the Grievance Officer's findings and conclusions, subject to any legally required redactions; provided,** however, if there are multiple respondents and/or multiple complainants, each party will receive only such information as is directly related to his or her case.

- 4. The Vice Chancellor shall issue a letter to all parties that may or may not initiate the disciplinary process or take disciplinary action in accordance with University procedures. **Each complainant and respondent may obtain by request to the Grievance Officer a copy of the investigation records, redacted to the extent required by law.**

5. Procedures To Be Followed Upon the Imposition of Sanctions

- a. The Chancellor or the Chancellor's designee may respond to substantiated claims by the imposition of serious sanctions ([The UNC Code, Section 603](#)) lists serious sanctions as discharge from employment, suspension, or demotion in rank) or lesser sanctions, provided that the conditions specified below are met prior to the imposition of sanctions. However, failure of the respondent to cooperate with the investigation (failure to respond to the allegations, or to accept a copy of the report of the investigation, etc.) will not preclude the University from imposing appropriate sanctions if all of the following have occurred:
 - i. The respondent was provided with a written statement or description of the complaint brought against the respondent, signed either by the complainant or the Grievance Officer;
 - ii. The complaint was thoroughly investigated by the Grievance Officer;

- iii. The reply of the respondent to the complaint was solicited in person and in writing by the Grievance Officer during the investigation of the complaint by the Grievance Officer;
 - iv. The reply of the respondent to the complaint obtained during the investigation of the complaint by the Grievance Officer is noted in the Grievance Officer's report of findings and conclusions; and
 - v. The respondent was provided with the Grievance Officer's written report of the findings and conclusions.
- b. When the disciplinary actions, if any, do not include a serious sanction, either party may, within 28 calendar days from the Vice Chancellor's issuance of a letter responding to the Grievance Officer's report, request an appeal to the Grievance Board in accordance with the Level Two Procedures as specified below in II.C.
 - c. When the disciplinary actions include a serious sanction they may -- pursuant to the *ECU Faculty Manual* -- be sequentially appealed to the Due Process Committee, **and the** East Carolina University Board of Trustees, **and,** Alleging that one or more specified provisions of *The UNC Code* have been violated, the Board of Trustees decision may be further appealed to the Board of Governors. [*The UNC Code, Section 603\(3\)*](#) warns that if, within 14 calendar days after receiving the notice of a serious sanction, the faculty member makes no written request for appeal, the faculty member may be discharged or serious sanction imposed without recourse to any institutional grievance or appellate procedure.

6. Options beyond Level One Grievance

When Level One procedures are terminated without being resolved to the satisfaction of either party, both the complainant and respondent have the option of initiating a Level Two Grievance (see II.C). However, if the disciplinary actions include a serious sanction and the respondent wishes to appeal it, such an appeal must be made to the Due Process Committee instead of the Grievance Board."