

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

The eighth regular meeting of the 2013/2014 Faculty Senate will be held on  
**Tuesday, April 15, 2014**, at 2:10 pm in the Mendenhall Student Center, Great Room.

AGENDA

**Revised 4/11/14**

(where **highlighted** below)

- I. Call to Order**
- II. Approval of Minutes**  
[March 18, 2014](#)
- III. Special Order of the Day**
  - A. Roll Call
  - B. Announcements
  - C. Steve Ballard, Chancellor
  - D. Marilyn Sheerer, Provost and Vice Chancellor for Academic Affairs
  - E. Mark Sprague, Chair of the Faculty
  - F. Charles Boklage, UNC Faculty Assembly Delegate  
Report on [April 4, 2014](#) UNC Faculty Assembly meeting
  - G. Question Period
- IV. Unfinished Business**
- V. Report of Graduate Council**
  - 1. Formal faculty advice on curriculum and academic matters contained in the [February 17, 2014](#) and [March 17, 2014](#) Graduate Council meeting minutes.
  - 2. Formal faculty advice on curriculum and academic matters contained in the [February 5, 2014](#), [March 5, 2014](#) and [March 19, 2014](#) Graduate Curriculum Committee meeting minutes.
- VI. Report of Committees**
  - A. Faculty Welfare Committee, Linda Crane-Mitchell
    - 1. Addition to *ECU Faculty Manual*, Part XI, Section V. relating to Weapons Policy (attachment 1).
    - 2. Formal Faculty Advice on Proposed Regulation on Responding to Complaints of Sexual Harassment, Sexual Misconduct and/or Discrimination on the Basis of Sex (attachment 2).
    - 3. Formal Faculty Advice on Proposed Revisions to the Faculty Serious Illness and Parental Leave Policy (attachment 3).
  - B. Foundations Curriculum and Instructional Effectiveness Committee, George Bailey
    - 1. Curriculum matters included in the [March 17, 2014](#) meeting minutes, including approval of domestic diversity credit for HGMT 1500 and [March 31, 2014](#) meeting minutes, including approval of domestic diversity credit for HIST 1050, HIST 1051, HIST 3210, BUSS 2200, NURS 4906, SOCI 1010, SOCI 2110, SOCI 2111, SOCI 3100, SOCI 3219, SOCI 3326, SOCI 3400, SOCI 4327, SOCI 4341, SOCI 4345, SOCI 4347 and approval of global diversity credit for HIST 1031, HIST 3610, HIST 3614 HIST 3620, HIST 3630, GEOG 2100, GEOG 4320, NURS 4905, RELI

- 1690, RELI 2400, RELI 2500, RELI 2692, RELI 2693, RELI 2695, RELI 2696, RELI 3692, RELI 3698, RELI 3800, RELI 3896, RELI 3796, SOCI 3235.
2. Recommendations on COAD 1000 (attachment 4).
- C. Research/Creative Activities Committee, Jason Brinkley
1. Formal Faculty Advice on REG 01.30.01 Institutional Survey Administration (attachment 5).
  2. Proposed Revisions to the *ECU Faculty Manual*, Part VII Faculty Research and Scholarship, Section II. Scholarship/Research/Creative Activity, and Scholarship, subsection VI. Copyrights (created work) (attachment 6).
  3. Recommendation on *ECU Faculty Manual*, Part VI, Section I. subsection XII. Use of Copyrighted Works) Use of Copyrighted Works (attachment 7).
- D. University Budget Committee, Jeff Popke
1. Introduction to a '[Budget Primer](#)'.
  2. Results from a study of salary increases for the 2013 calendar year.
- E. Admission and Retention Policies Committee, Allison Danell
1. Proposed Revisions to *ECU Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures and Academic Program Development, Section I. Teaching Regulations and Guidelines Related to Faculty, subsection V. Course Expectations and Requirements (attachment 8).
  2. Proposed Revisions to *ECU Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures and Academic Program Development, Section I. Teaching Regulations and Guidelines Related to Faculty, subsection X. Class Attendance and Participation Regulations (attachment 9).
  3. Proposed Creation of a New **WE** Grade, Withdrawal with Extenuating Circumstances and Revisions to Related Policies (attachment 10). **NEW**
- F. Faculty Governance Committee, Edson Justiniano  
Report of the [Subcommittee on Unit Code Policy](#) (attachment 11). **NEW**
- G. Unit Code Screening Committee, Christine Zoller
1. Revised [Department of Political Science's](#) Unit Code of Operation
  2. Revised [Department of History's](#) Unit Code of Operation
  3. Revised [School of Music's](#) Unit Code of Operation
  4. Revised [Department of Sociology's](#) Unit Code of Operation
  5. Revised [College of Education's](#) Unit Code of Operation
- H. Calendar Committee, Ralph Scott
1. Resolution on Academic Conflicts with Fall 2014 Thursday Home Football Games (attachment 12).
  2. Revised Policy for Making Up Missed Class Days (attachment 13).
- I. Educational Policies and Planning Committee, Ed Stellwag
1. Curriculum and academic program matters included in the [April 11, 2014](#) meeting minutes, including:
    - a. Request to establish a [Graduate Certificate in Criminal Justice Education](#) within the Department of Criminal Justice;
    - b. Request to establish a [Certificate in Entrepreneurship](#) within the College of Business;
    - c. Request to move the [International Management Certificate](#) from the College of Business to the International Studies Program within the College of Arts and Sciences;
    - d. Request to [discontinue the Tax Certificate](#) within the College of Business;
    - e. Request to move the General Business Concentration from within the Department of Finance to the Department of Management (remaining within

- the College of Business);
- f. Request to establish a [Business Foundations Certificate](#) within the College of Business;
  - g. Request to establish a new distance education [BS degree program in Family and Consumer Sciences](#), within the Department of Child Development and Family Relations;
  - h. Request to establish a [PhD program in Epidemiology](#), within the Department of Public Health within the School of Medicine;
  - i. Request to add a [non-thesis option to the MS Biology program](#) within the Department of Biology;
  - j. Request to establish a new [Graduate Registered Health Information Administrator \(RHIA\) Certificate Program](#) within the College of Allied Health Sciences;
  - k. Request to [change MS degree title](#) from MS in Recreation and Park Administration (RPA) to MS in Recreation Services and Interventions within the College of Health and Human Performance;
  - l. Request to create two concentrations - Recreation and Park Administration and Recreational Therapy Administration – in the MS in Recreation and Park Administration within the College of Health and Human Performance;
  - m. Request to create a Cohort Didactic Program in [Dietetics Concentration](#) in the BS degree in Nutrition and Dietetics within the Department of Nutrition Science;
  - n. Request to create a [Nutrition with Science Concentration](#) in the BS degree in Nutrition and Dietetics within the Department of Nutrition Science.
2. Committee Recommendations for Bachelor of Science in University Studies (BSUS) Program Faculty Oversight Committee (attachment 14). **NEW**
  3. Proposed revisions to the *ECU Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures and Academic Program Development, Section VII. Academic Program and Curriculum Development (attachment 15). **NEW**
- J. University Curriculum Committee, Lori Flint  
Curriculum and academic matters contained in the meeting minutes of [February 27, 2014](#) including curricular actions within the Departments of Psychology and Political Science and Colleges of Health and Human Performance and Education; [March 6, 2014](#) including curricular actions within the Departments of Foreign Languages and Literatures, English, and Criminal Justice, College of Business, and School of Art and Design; and [March 27, 2014](#) including curricular actions within the Departments of Chemistry, Economics, Philosophy and Religious Studies, Mathematics, Geography, Planning and Environment, Schools of Hospitality Leadership and Theatre and Dance, and Colleges of Education and Technology and Computer Science.

## VII. New Business

## Faculty Senate Agenda

April 15, 2014

Attachment 1.

### FACULTY WELFARE COMMITTEE REPORT

Addition to *ECU Faculty Manual*, [Part XI, Section V.](#) relating to Weapons Policy

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

The General Assembly recently amended the law about weapons on campus, and as a result ECU has revised their weapons policy. Formal faculty advice on the proposed interim [University Regulation Concerning Weapons on Campus](#) was provided to the Chancellor via the Faculty Senate on February 4, 2014 (#14-10).

Until such time that an amended statute is published and/or ECU revises its University regulation, the committee proposes that both the NC General Statute and University regulation be referenced in Part XI, Section V. of the *ECU Faculty Manual* as noted below.

#### II. Weapons Policy

It is a violation of University policy for a member of the University community to possess and/or use a weapon on any university owned or controlled property, or at extracurricular events sponsored by the university. Any faculty member who violates this policy may be subject to serious sanctions imposed by the university in accordance with due process as outlined in the university's tenure and promotion policies and procedures, as well as punishment in accordance with state criminal law. For further details and certain exceptions, see North Carolina General Statute § 14-269.2 located online at: <http://www.ncqa.state.nc.us/> or the [University Regulation Concerning Weapons on Campus](#) (FS Resolution #11-20, February 2011)

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## Faculty Senate Agenda

April 15, 2014

Attachment 2.

### FACULTY WELFARE COMMITTEE REPORT

Formal Faculty Advice on Proposed Regulation on Responding to Complaints of Sexual Harassment, Sexual Misconduct and/or Discrimination on the Basis of Sex

(Additions are noted in **bold** print and deletions in ~~strike through~~.)

Authority: Chancellor

History: Approved January 17, 2014.

Related Policies: Sexual Harassment, Discrimination, and Conflicts of Interest Policies and Procedures of East Carolina University: <http://www.ecu.edu/cs-acad/oed/policies.cfm>; Student Conduct Process (specifically 2.3-2.4.1.2); <http://www.ecu.edu/PRR/11/30/01>; Campus Security Authorities, [http://www.ecu.edu/studentlife/police/security\\_report.cfm](http://www.ecu.edu/studentlife/police/security_report.cfm); ECU Police General Order 700-13. ***ECU Faculty Manual, Part XII, Section II. Harassment and Discrimination Policies and Procedures of East Carolina University: <http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/part12section2.pdf>; *ECU Faculty Manual, Part XII, Section IV. 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: <http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/part12section4.pdf>.****

Additional References: Title IX OCR provisions

<http://www2.ed.gov/policy/elsec/leg/esea02/pg107.html>; Dear colleague letter April 2011;  
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf> Text of Title IX (20 U.S.C. §§ 1681-1688); <http://www.dol.gov/oasam/regs/statutes/titleix.htm>; U.S. Department of Education Office for Civil Rights Title IX General Information;  
[http://www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html); Title IX Regulations;  
<http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>; U.S. Department of Education Office for Civil Rights Dear Colleague Letter: Sexual Violence;  
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>; U.S. Department of Education Office for Civil Rights, Dear Colleague Letter: Sexual Violence Background, Summary, and Fast Facts; <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201104.pdf>; U.S. Department of Education Office for Civil Rights, Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go to School; <http://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.pdf>; U.S. Department of Education Office for Civil Rights, Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students or Third Parties; <http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>; U.S. Department of Education Office for Civil Rights, Sexual Harassment: It's Not Academic;  
<http://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf>; U.S. Department of Justice The Campus Sexual Assault (CSA) Study, Christopher P. Krebs, Ph.D.; Christine H. Lindquist, Ph.D. ; Tara D. Warner, M.A. ; Bonnie S. Fisher, Ph. D. ; Sandra L. Martin, Ph.D.;  
<https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>;

**Add link to information about “Clery” referenced in section 7. Educational Programs.**

Contact for Info: Associate Provost for Equity and Diversity, Office of Equity and Diversity, 328-6804

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## 1. Introduction.

- 1.1. Sexual harassment, sexual misconduct and/or discrimination on the basis of sex are illegal and endanger the environment of tolerance, civility, and mutual respect that must prevail if the University is to fulfill its mission. ECU is committed to providing and promoting an atmosphere in which students can engage fully in the learning process and employees can realize their maximum potential in the workplace. **Supervisors and managers will have mandatory training in sexual harassment, sexual misconduct and discrimination upon appointment and annually thereafter.**
- 1.2. ECU prohibits any acts of sexual misconduct and/or related retaliation. When an allegation of such misconduct or retaliation is brought to a Campus Security Authority as referenced in section 2.1 or an otherwise obligated employee, and a Respondent is found to have violated this regulation, sanctions up to and including termination and/or expulsion will be imposed to reasonably ensure that such actions are not repeated by the accused within the University community. ECU is committed to eliminating sexual misconduct in all forms to include but not limited to, domestic violence, relationship violence, sexual assault, sexual harassment, stalking, and will take appropriate remedial action against any individual found responsible for an act or acts in violation of this regulation. Acts of sexual violence or sexual misconduct may also constitute violations of applicable criminal or civil law, or other applicable ECU policies that may require separate proceedings. To further its commitment against sexual violence and/or sexual misconduct, ECU provides reporting options, an investigative process, and

appropriate disciplinary processes, and prevention training and other related services as appropriate.

- 1.3. ECU students, employees, and/or visitors are encouraged to report sexual harassment, including sexual assault, sexual violence or other sexual misconduct, to the Title IX Coordinator in the Office for Equity and Diversity, the ECU Deputy Title IX Coordinator (“Deputy Coordinator”) in the Dean of Students Office, the Office of Student Rights and Responsibilities, and/or the ECU Police.
- 1.4. University policy and federal and state laws prohibit the taking of retaliatory measures against any individual who files a complaint in good faith and/or participates in any investigation related to an allegation of prohibited harassment or discrimination. If University officials learn of such behavior the University reserves the right to take appropriate disciplinary action, as well as to act to protect the reporting parties.

## 2. Definitions

### 2.1. Campus Security Authority (CSA)

2.1.1. CSAs include ECU officials listed in the annual security report, linked in the related policies section, above, including but not limited to the Office for Equity and Diversity, the ECU Police, Office of Student Rights and Responsibilities, the Campus Living Conduct Office, any Campus Living coordinator or resident advisor, an advisor of a registered student organization, coaches and any official that has significant responsibility for student and campus activities. For compliance with the Campus Security Act, the Anonymous Crime Reporting Form is to be completed whenever any faculty or staff person with significant responsibility for student activities becomes aware of a crime that has taken place.

2.1.2. CSAs do not include professional counselors or other personnel, whose official responsibilities include providing mental health counseling, medical care, or religious counseling and those who are functioning within the scope of their license, certification or religious training. In addition, faculty members who do not have any responsibility for student and campus activity beyond the classroom and clerical staff are not considered CSAs. On campus, confidential reports can be made to the counselors in the Center for Counseling and Student Development and medical providers in Student Health Services.

2.2. Complainant- A Complainant is an individual alleging conduct prohibited under this regulation

2.3. Consent - Consent is explicit approval and permission to engage in sexual activity demonstrated by clear actions, words, or writings. Consent is informed, freely given and mutually understood by all parties involved. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the Complainant was mentally or physically incapacitated or impaired so that the Complainant could not understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious, or under the age of legal consent, or unable to give consent under current law. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the Respondent has taken advantage of a position of influence over the Complainant may be a factor in determining consent. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity.

2.4. **Employee – EPA, SPA, student workers, and administrators.**

2.5. Preponderance of the evidence –This standard will be used to evaluate the evidence for purposes of making findings and drawing conclusions for an investigation conducted under this regulation; meeting the standard constitutes a conclusion it is more likely than not that the alleged conduct occurred.



2.6. Respondent- A Respondent is an individual accused of violation under this regulation

2.7. Retaliation- Retaliation is any act by a University employee or student of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment against an employee or student for using the applicable policies responsibly.

2.8. Sexual Misconduct includes the following:

2.8.1. Sex Discrimination- actions that subject individuals to unequal treatment on the basis of their sex, including but not limited to the improper exclusion of individuals from meetings or University activities, **discrimination in hiring/admissions, performance evaluations and access to University resources.**

2.8.2. Sexual Assault- an actual, attempted, or threatened sexual act with another person without that person's consent. Sexual assault is often a criminal act that can be prosecuted under State law, as well as form the basis for discipline under applicable ECU policy or regulations. Sexual assault includes but is not limited to:

2.8.2.1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress, or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as "date rape" or "acquaintance rape." This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.

2.8.2.2. Involvement in any sexual act when the victim is unable to give consent.

2.8.2.3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).

2.8.2.4. Offensive, illegal sexual behavior that is directed at another such as indecent exposure or voyeurism.

2.8.2.5. Non-forcible sex acts, including unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by State law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

2.8.3. Sexual Harassment- The following constitute sexual harassment:

2.8.3.1. "Quid Pro Quo" - Making verbal remarks or committing physical actions that propose to people of either sex that they engage in or tolerate activities of a sexual nature in order to avoid some punishment or to receive some reward.

2.8.3.2. Hostile Environment - Conduct that is directed toward a particular person or persons based upon the person's race/ethnicity, color, creed, national origin, religion, sex, sexual orientation, age, veteran status, political affiliation, genetic information, gender-identity, or disability. The conduct is unwelcome; severe or pervasive; objectively offensive; and unreasonably interferes with the target person's employment, academic pursuits, or participation in University-sponsored activities as to effectively deny equal access to the University's resources and opportunities. Hostile environment is determined by looking at the totality of the circumstances, including the frequency of the allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, and whether the conduct unreasonably interferes with an individual's work performance, academic advancement, and participation in extracurricular activities or access to University services. Continuing verbal, nonverbal or physical conduct of a sexual nature when the person or persons the conduct is directed toward has indicated clearly, by word, writing, or action, that this conduct is unwanted also constitutes sexual harassment. This includes unwelcome sexual advances and requests for sexual favors. In some

cases, a single incident may be severe enough to constitute harassment. Examples of conduct that could create or contribute to hostile environment harassment may include but are not limited to:

- a. Unwelcome jokes about sex or sexual orientation;
- b. Offensive or degrading physical contact or coercive behavior, including stroking, patting or similar physical contact; or
- c. Pictures, posters, graffiti or written materials displayed in a workplace or classroom which are objectively, sexually offensive or obscene and that exceed the bounds of free speech protected by the Constitution **or has a reasonable academic purpose as outlined in course syllabi or as part of identifiable scholarship.**

2.8.4. Sexual violence - Sexual violence is a severe form of sexual harassment that includes sexual assault and any sexual act that is completed or attempted against a victim's will or when a victim is unable to consent. The act may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure.

2.8.5. Title IX- Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is an all-encompassing federal law that prohibits discrimination based on the sex: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance..." Sexual misconduct may be so severe, persistent/pervasive, and objectively offensive as to limit, deprive, or deny educational access, benefits or opportunities.

### 3. Investigation Principles

3.1. The University will investigate and act upon information that is provided to it about allegations of Sexual Misconduct and Title IX regulations

3.2. The University is committed to the following when investigating complaints:

- 3.2.1. Basing findings on the preponderance of the evidence standard;
- 3.2.2. Treating all parties fairly and equally;
- 3.2.3. Notifying all parties that the investigation will be impartial, prompt and thorough;
- and
- 3.2.4. Providing all parties an opportunity to be heard.

3.3. Conflict of Interest.

3.3.1. If a conflict of interest is identified before an investigation has begun, then the Investigator will provide the Complainant with a secondary individual to assist with or take over the investigation;

3.3.2. If a conflict of interest is identified after an investigation has begun, the Investigator can continue to investigate if, after full disclosure of a potential conflict of interest, the Complainant and the Respondent are given the opportunity to request a secondary individual to complete the investigation and decline to so request.

3.3.3. If the parties feel that the Investigator can remain unbiased they will be asked to sign a continuation agreement, to that effect before Investigator will continue.

### 4. Reporting and Investigation Process

4.1. For Allegations Against A a Student: Any individual who believes that, due to the conduct of another student, he/she has been the victim of sexual misconduct or who feels that he/she has been retaliated against for his/her good faith reporting of allegations or his/her participation in an investigation of alleged prohibited harassment or discrimination should file a



Title IX complaint with the Deputy Title IX Deputy Coordinator within the Dean of Students Office or the Office for Equity and Diversity to initiate an investigation.

- 4.2. For Allegations Against A a University Employee: Anyone who believes that, due to the conduct of a University employee, he/she has been the victim of Sexual Misconduct, or who feels that he/she has been retaliated against for his/her good faith reporting of allegations or his/her participation in an investigation of alleged prohibited harassment or discrimination should file a Title IX complaint with the Office for Equity and Diversity to initiate an investigation.
- 4.3. Any University faculty or staff member, other than a licensed counselor or other employee who is protected by statute (such as religious leaders or doctors) who becomes aware of allegations of Sexual Misconduct, should immediately report the behavior **to the Office for Equity and Diversity** to allow the University to conduct an investigation. Nothing in this paragraph is intended to change the obligations of the CSA as explained 2.1 and in other applicable University policies.
- 4.4. Complaints can be submitted in several ways.
  - 4.4.1. Submitting a complaint electronically using the Student Affairs complaint form, accessible at the Dean of Students' website (<http://www.ecu.edu/dos>) under "Title IX."
  - 4.4.2. Submitting a complaint electronically through the Office for Equity and Diversity complaint form, accessible at the OED website (<http://www.ecu.edu/cs-acad/oed>).
  - 4.4.3. Speaking with Dean of Students Office staff on the phone (252)328-9297 or in person at the Dean of Students Office, 362 Wright Building, Monday-Friday from 8:00 a.m.-5:00 p.m.
  - 4.4.4. Speaking with someone in the Office for Equity and Diversity at (252) 328-6804, Old Cafeteria Complex, Suite G 406, Greenville, NC 27858.
  - 4.4.5. Calling the anonymous ECU Cares line at (252)737-5555.
  - 4.4.6. Crimes can be reported to ECU Police through the Crime Tip Line at 737-8477, or electronically through the "Report a Crime" section of the ECU Police Department website ([http://www.ecu.edu/cs-studentlife/police/report\\_crime.cfm](http://www.ecu.edu/cs-studentlife/police/report_crime.cfm)). For emergencies or crimes in progress, dial 911 or ECU Dispatch at (252) 328-6787.

## 5. Confidentiality and Privacy

- 5.1. The University will protect Complainants' privacy to the extent possible under the law. In some situations, including those in which disciplinary action is a possible outcome, due process may require disclosure to persons accused.
- 5.2. The University may be required by law to investigate complaints under this regulation, but that investigation may be limited by the information provided by the Complainant and the Complainant's willingness to pursue a formal complaint.
- 5.3. The University will make every reasonable effort to abide by Complainants' wishes to remain anonymous; however, the University has to balance confidentiality with the safety of other members of the community.
  - 5.3.1. Factors that will be considered in determining whether to disclose a complaint or report of misconduct to a Respondent include: the seriousness of the alleged conduct; the Complainant's age; whether there have been other complaints about the same individual; and the alleged harasser's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.15
  - 5.3.2. If the University proceeds with an investigation or other response to the Report, then the Investigator will notify the Complainant before the Respondent is contacted. The Complainant will also be notified of the University's retaliation policy.

## 5.4. Handling of Confidential Reports

5.4.1. If the Complainant would like to remain anonymous, the Investigator will:

5.4.1.1. explain that the University endeavors to investigate the allegations as presented without revealing the Complainant's identity, but that the University cannot ensure complete confidentiality and it may be limited in its ability to take disciplinary action if the Complainant desires to remain anonymous;

5.4.1.2. explain that the University has an obligation to investigate and document the allegations, and advise the Complainant about the right to make a confidential report for statistical inclusion in the annual security report;

5.4.1.3. to the extent practicable, provide resources and internally manage the Complainant's situation, as the University would if the Complainant did not request anonymity; and

5.4.1.4. ask the Complainant to acknowledge and sign a document confirming that s/he has requested anonymity and that may mean that it is unable to take disciplinary action against the Respondent.

## 6. Coordination with Law Enforcement Investigation or Other Processes

6.1. A University investigation with respect to Title IX is separate from a criminal investigation (into complaints alleging harassment or sexual misconduct that constitutes a criminal offense, such as assault, battery, rape or another form of violence or sexual violence). A Complainant can file a police report at any time, including during the duration of a Title IX investigation under this regulation.

6.2. A University investigation with respect to Title IX is separate from the University's review of a Student Code of Conduct violation. A Complainant can file a report and/or a complaint to Office of Student Rights and Responsibilities at any time, including during the duration of a Title IX investigation under this regulation.

6.3. The Title IX Coordinator and Deputy Title IX Coordinator will coordinate with a criminal investigating agent and/or the Office of Student Rights and Responsibilities as permitted by law.

6.4. The Title IX investigation will continue to go forward during a criminal investigation. Reporting to the police and/or Office of Student Rights and Responsibilities does not end the Title IX investigatory responsibility for the University.

6.4.1. Information about on-campus and off-campus resources will be provided to both parties with respect to filing criminal charges, including numbers and contact information for the police department with jurisdiction over a matter.

6.4.2. If the reporting party needs assistance with filing a formal police report, University personnel will assist with this process as needed.

6.5. The standard of evidence for conviction in criminal cases is a higher standard than the University will use in a Title IX investigation

6.6. The Title IX Coordinator, Deputy Coordinator, and the ECU Police Department will communicate regularly regarding Title IX investigations and requirements.

## 7. Educational Programs

7.1 The University provides education on these issues in a variety of forms and forums.

7.2 Employees designated as Campus Security Authorities, shall complete enhanced discrimination, harassment and safety training every year, which, at a minimum, includes the requirements of Title IX and Clery, the proper method for reporting sexual harassment and sexual

violence and the University's responsibilities for responding to reports of sexual harassment and sexual violence.

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**Faculty Senate Agenda**  
**April 15, 2014**  
**Attachment 3.**

**FACULTY WELFARE COMMITTEE REPORT**  
Formal Faculty Advice on Proposed Revisions to the  
Faculty Serious Illness and Parental Leave Policy

(Additions are noted in **bold** print and deletions in ~~strike~~through.)

**History:** on Serious Illness and Disability Leave for Faculty first approved by ECU Board of Trustees effective May 6, 2005; Last revised: July 22, 2010. THIS POLICY WAS GOVERNED BY THE ECU FACULTY MANUAL THROUGH JUNE 30, 2011; THE EFFECTIVE DATE OF THE AMENDED POLICY WAS JULY 1, 2011.

**Related Policies:** UNC Policy Manual 300.2.11 Policy on Serious Illness and Disability Leave for Faculty ECU Faculty Manual, Part XI, Part VIII, Part IX federal Family and Medical Leave Act North Carolina Family Illness Leave Act, UNC Policy Manual 300.2.11

**Add link to the Federal Family and Medical Leave Act.**

**Additional References:**

[ECU Human Resources Benefits](#)

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1. Purpose

This policy provides leave with pay for eligible faculty (defined in Section 2 below) for cases of a serious health condition and/or parental leave (defined as birth, adoption, and foster care placement of a child). For further explanation, see the federal Family and Medical Leave Act (the "FMLA") link under additional references above.

2. Eligibility

2.1 This policy applies only to faculty members who meet all of the following conditions:

2.1.1 have been continuously employed by East Carolina University for at least twelve (12) consecutive calendar months, and

2.1.2 have continuously held a permanent appointment of at least 75 percent of full-time, and

2.1.3 who participate in either the Teachers, and State Employees, Retirement System of North Carolina or the Optional Retirement Program, and

2.1.4 who do not accrue sick leave.

2.2 This policy does not apply to faculty members with temporary appointments or to faculty who are employed with less than 75 percent appointments.

2.3 A period of employment in a non-eligible status may not be used to partially meet the requirement for 12 consecutive months in an eligible capacity.

2.4 Leave benefits are available to faculty members who meet the eligibility requirements, and paid leave may be taken during the term of appointment.

2.4.1 For a twelve-month faculty member, the term of appointment is twelve calendar months (usually defined as July 1 through June 30).

2.4.2 For a nine-month faculty member, the term of appointment is the regular academic year that begins with Opening Day Convocation for Fall Semester in August and ends with Commencement at the end of Spring Semester in May.

2.4.2.1 An eligible nine-month faculty member may receive leave with pay for a documented qualifying event that begins during the regular academic term of appointment. If the documented qualifying event begins between Commencement in May and Opening Day Convocation in August, the faculty member may receive leave with pay after Opening Day Convocation up to a maximum of 12 calendar weeks from the date of the documented qualifying event.

2.4.2.2 Teaching duties in the summer terms by nine-month faculty members are covered under a separate contract, and paid leave under this policy is not provided for absence during a contracted summer term.

2.5 This policy applies only to faculty and not to other employment categories including, but not limited to, categories of Senior Academic and Administrative Officer (SAAO Tier I or Tier II), EPA Non-faculty (NF-EPA Instructional or Research), SPA/CSS, Postdoctoral Fellows, or student employees.

### 3. Description of Benefit

3.1 The total maximum leave benefit for an individual faculty member for all leave benefits (with or without pay) under this policy and in accordance with the FMLA is 12 calendar weeks within any consecutive 12 calendar month period regardless of the number of qualifying events that occur, except as stated in section 3.2.3.4 below. Note in section 3.3.1.2 below, under the North Carolina Family Illness Act, a faculty member is entitled to an extension of up to 52 weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse, or parent.

3.1.1 The start date of the first leave sets the clock for the 12-month period for leave with or without pay under this policy. [See section 5.3 regarding use of any accrued leave balance prior to utilizing paid leave benefits under this policy.]

#### 3.2 Leave with pay

3.2.1 For qualifying reasons as defined in the FMLA, leave with pay is available to a faculty member who meets the eligibility criteria defined in section 2 above.

3.2.2 Serious Health Conditions, For documented serious health conditions, as defined in the FMLA, a faculty member is eligible for leave with pay for a maximum of 12 calendar weeks in any consecutive 12-month period. See section 4.3.1 for certification requirements.

### 3.2.3 Birth, Adoption, or Foster Care Placement of a Child

3.2.3.1 Primary Caregiver: **The primary caregiver** is eligible for leave with pay for 12 calendar weeks beginning on the date of the documented qualifying event. **See section 4.3.2 for documentation requirements.**

3.2.3.2 Secondary Caregiver: **Secondary caregiver** is the term that applies in instances in which there are two (2) East Carolina University faculty members who are both eligible for leave pursuant to this policy (see section 2, above, for eligibility requirements) for the same birth, adoption, or foster care placement of a child (hereinafter referred to **as two eligible employees** for the purposes of this section 3.2.3). For such a documented qualifying event, the secondary caregiver is eligible for leave with pay for 21 calendar days (in addition to the leave with pay for the primary caregiver in section 3.2.3.1) any time within the 12 consecutive calendar month period immediately following the documented qualifying event.

3.2.3.3 **Two** eligible employees may choose to share the 12 consecutive calendar weeks of leave with pay for the same qualifying event, but in no case may two eligible employees each receive 12 calendar weeks of leave with pay for the same qualifying event. If two eligible employees choose to share the 12 consecutive calendar weeks of leave with pay for the same qualifying event, the secondary caregiver is eligible for the additional 21 calendar days of leave with pay as stated in section 3.2.3.2 above. Also see section 3.3 for maximum leave eligibility in a 12 calendar month period.

3.2.3.4 **A** faculty member shall not qualify as both primary and secondary caregiver for a single qualifying event. However, the secondary caregiver defined in 3.2.3.2 may be approved for a leave with pay for up to 12 calendar weeks for a separate qualifying event within the same 12 calendar month period.

3.2.4 Health/medical complications arising due to pregnancy and childbirth will be treated as any other serious health condition [see section 3.2.2 above].

3.2.5 Dependent Care or Care for a Family Member: **For** required care of an FMLA-designated dependent or immediate family member who has an FMLA-qualified serious health condition, the faculty member is eligible for leave with pay for a maximum of 12 calendar weeks in any consecutive 12-month period. See section 3.3.1.2 for additional family illness provisions. See section 4.3.1 for certification requirements.

### 3.3 Leave without pay

3.3.1 For qualifying reasons defined in the FMLA, leave without pay is available to faculty members who meet the eligibility criteria defined in section 2 above.

3.3.1.1 For qualifying events defined in section 3.2.1 above, after a period of approved leave with pay is exhausted, additional leave (without pay) up to a total maximum of 12 calendar weeks (including leave with and without pay) may be approved within any consecutive 12-month period. In no case will leave with or without pay under the FMLA be approved beyond a total of 12 calendar weeks within any consecutive 12 calendar month period, except as provided in section 3.2.3.4 above. [See section 4.6.]

3.3.1.2 After exhausting 12 calendar weeks of leave with or without pay pursuant to this policy, a faculty member with twelve (12) months of eligible service is entitled, under the North Carolina Family Illness Act, to an extension of up to 52 weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse, or parent.

#### 3.4 Intermittent and Reduced Leave

3.4.1 Leave may be taken intermittently or on a reduced leave schedule if the qualifying event has created a **documented need as allowable under the Family and Medical Leave Act** that may be best accommodated through ~~and~~ **an** intermittent or reduced leave schedule.

3.4.2 Intermittent leave is leave taken in blocks of time **due to a single qualifying event** rather than **for one continuous period of time** ~~taking the 12 weeks in its entirety~~. This allows employees to engage in work between leave periods without exhausting the requested leave time in a continuous span.

3.4.3 Reduced leave is ~~leave in which~~ a reduced schedule (e.g., shifting from full to part time) where **the documented need as allowable under the Family and Medical Leave Act is best addressed** ~~an employee may be best served~~ by partial return to work.

#### 3.5 Short-term Disability Benefits

3.5.1 Employees are eligible for short-term disability benefits **under the Disability Income Plan of North Carolina** after both of the following conditions are met:

3.5.1.1 ~~e~~ **One** year of contributing membership within the past 36 months in the Teachers' and State Employees' Retirement System of North Carolina or the Optional Retirement Program, and

3.5.1.2 ~~a~~ **A** 60 (sixty) calendar-day waiting period from the date of disability onset. More information about disability benefits can be found on the Human Resources Benefits web site [see link in additional references above].

3.5.2 Employees may purchase supplemental disability insurance coverage offered by plans approved and available **through the Human Resources Benefits Office**. [see **HR Benefits web link above**]

#### 4. Administration of Benefit

4.1 The faculty member's request for leave with pay must be made in writing to the Human Resources Benefits Office by completing the form entitled ***Request for Faculty Serious Illness and Parental Leave*** located on the Human Resources Benefits web site.

4.2 It is the faculty member's responsibility to inform the unit administrator in writing of the anticipated absence under this policy at least sixty (60) calendar days in advance of the leave or as soon as practicable after the need for leave is foreseeable so that qualified substitute personnel can be secured by the unit administrator as early as possible.

4.2.1 The unit administrator is responsible for securing, to the extent possible, substitute personnel for the duration of the faculty member's approved leave (with or without pay). Cost of substitute personnel will be supported by the academic unit when funds are available within the unit. When the academic unit is unable to provide the funds to support substitute personnel, the unit administrator



will submit a written justification to request funding from the next higher administrator up to the appropriate vice chancellor. Any adjustments in work schedules within the unit are at the discretion of the unit administrator, with the approval of the next higher administrator, and are subject to unit and institutional needs and resources.

4.2.2 Upon the faculty member's return to work after a period of approved leave (with or without pay) under this policy, the unit administrator and the faculty member will jointly determine the completion of assigned responsibilities during the remainder of the academic term. Similarly, when a faculty member will begin a period of approved leave (with or without pay) after the academic term has begun, the unit administrator and the faculty member will jointly determine the faculty member's assigned responsibilities for the period of the academic term not covered by approved leave (with or without pay).

#### 4.3 Certification and Documentation Requirements for Qualifying Events

4.3.1 Serious Health Conditions: Medical certification of the faculty member's serious health condition, including a statement from an eligible health care provider (as defined under the FMLA) about the probable length of absence from normal duties, is required. If the request is for the purpose of caring for a family member or dependent, the University also requires medical certification of that person's illness or disability and documentation of the circumstances which make it impossible or difficult for the faculty member to carry on with normal duties.

4.3.2 Birth, Adoption, or Foster Care Placement of a Child, Documentation of the qualifying event is required. Note that a faculty member who meets the eligibility requirements in section 2 above and who is an expectant mother may take leave pursuant to this policy before the birth of a child for prenatal care or if her condition makes her unable to work or requires a reduced work schedule in accordance with section 3.2.2. Also, leave pursuant to this policy may be granted before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.

4.3.3 Forms for certification and documentation of each category of qualifying event are located on the Human Resources Benefits web site and must be submitted by the faculty member within 15 calendar days after submitting the request for leave benefits.

4.4 The Human Resources Benefits Counselor will review the certification or documentation of the qualifying event and determine the eligibility of the faculty member for leave with pay under this policy. If the Human Resources Benefits Counselor determines that the employee is not eligible for leave with pay benefits under this policy, the Human Resources Benefits Counselor will notify the faculty member of the decision in writing, including the grounds for denial of the requested leave benefit. The faculty member may appeal this decision to the Director of Benefits. The decision of the Director of Benefits is final.

4.5 The Human Resources Benefits Counselor will provide the appropriate vice chancellor with written notification of the faculty member's eligibility for leave with pay under this policy. For approved leave with pay, the appropriate vice chancellor will issue a letter to the faculty member informing him or her of the beginning and ending dates of authorized leave with pay, with copies to appropriate unit administrators.

4.6 The FMLA entitlement of 12 weeks of leave without pay will run concurrently with any period of leave with pay under this policy. The period of leave with pay will also be designated as family medical leave under the FMLA.

4.7 Leave (with or without pay) applies to the faculty member's employment during a regular term of appointment as defined in section 2.4 above.

4.7.1 If the illness or disability requires an absence from faculty duties longer than 12 (twelve) calendar weeks within a 12 consecutive calendar month period, the faculty member may apply in writing to his or her unit administrator for a leave of absence without pay in accordance with provisions of the ECU Faculty Manual.

4.7.1.1 The faculty member may also apply to the Human Resources Benefits Office for salary continuation through the Disability Income Plan of North Carolina and through any other optional disability program(s) **in which he or she may be enrolled.**

4.8 In cases of serious illness of a child, spouse, or parent, the North Carolina Family Illness Act allows the faculty member to apply in writing for extension of up to 52 weeks of leave without pay during a five-year period. Application is made through the Department of Human Resources Benefits Office.

4.9 Any unused leave pursuant to this policy is not eligible for terminal leave payment when the faculty member leaves the employment of the University, and it may not be used to extend years of creditable state service for retirement benefits. However, it must be exhausted prior to participation in the Disability Income Plan of North Carolina available to eligible employees.

## 5. Use of Leave with Pay

5.1 Leave with pay provided under this policy may be used for serious health conditions, pregnancy, birth, adoption, or foster care placement of a child as defined in section 3.2 above. A faculty member who anticipates an absence from duties for longer than three (3) days for qualifying reasons as defined by the FMLA shall inform the unit administrator at least sixty (60) calendar days in advance of the leave or as soon as practicable after the need for leave is foreseeable. (See section 4.2 above.)

5.2 A faculty member will not be penalized because she requires time away from work caused by or contributed to by conditions such as pregnancy, miscarriage, childbirth, or recovery. Disabilities resulting from pregnancy shall be treated the same as any other covered disability. The type and nature of the faculty member's duties during pregnancy will be determined by the unit administrator in consultation with the faculty member and upon advice the faculty member receives from her eligible health care provider. Revisions to the faculty member's assignments will be documented in a written agreement signed by the unit administrator and the faculty member.

5.3 A faculty member who has an accrued balance of sick leave from a previous leave-earning employment status must exhaust this accumulated sick leave balance prior to utilizing the benefit of leave with pay provided by this policy. Sick leave that has accrued will be considered as part of the maximum 12 (twelve) calendar-week eligibility for leave with pay under this policy.

## 6. Record-Keeping

6.1 This policy provides an important financial benefit; therefore, accurate records must be maintained. The Human Resources Benefits Office and the appropriate vice chancellor will maintain all official records, and the vice chancellor will make an annual report on the use of leave under this policy to the Chancellor and to the Chair of the Faculty no later than August 1 each calendar year.

## 7. Coordination with Other Policies

7.1 ~~Partial leaves of absence are not permitted under this policy. However, at the faculty member's discretion and with approval of his or her health care provider, where health conditions suggest that the faculty member may continue to perform some but not all of his or her assigned faculty responsibilities during an academic term,~~ **When a faculty member takes intermittent or reduced leave in accordance with section 3.4 above,** the relative weights among teaching, research, service, and clinical care may be revised [see Part VIII of the Faculty Manual] so long as the reassignment of responsibilities is completed in a manner that minimizes the impact on academic program quality.

7.2 Consistent with Part IX of the Faculty Manual, an untenured, probationary term (tenure-track) faculty member who is granted leave under this policy may be eligible for an extension of the probationary term. If the faculty member wishes to request an extension of the probationary term on the basis of leave granted under this policy, he/she must submit a written request to the unit administrator, subject to approval by the Chancellor, at the time the paid leave is granted.

7.3 The leave with pay provided under this policy shall have no effect on the faculty member's other employment benefits.

7.4 Consistent with the Faculty Manual, Part XI and Part VIII, the faculty member may not engage in other employment or compensated arrangements during the period of leave with or without pay under this policy.

7.5 If a faculty member granted leave under this policy wishes to request that his or her five-year post-tenure review be delayed, he/she must submit a written request to the unit administrator. The terms of such an agreement will be stated in writing, signed by the faculty member, and approved by the unit administrator, dean (or other appropriate administrator), and the appropriate vice chancellor.

## 8. Confidentiality

Communications and documentation concerning leave requested or approved pursuant to this policy shall constitute confidential records in accordance with North Carolina law.

## 9. Effective Date

This policy is effective July 1, 2011, and shall supersede any previous policies granting leave to faculty members for qualifying events as defined by the FMLA. A faculty member who is absent on approved leave at the time this policy becomes effective will continue to receive the leave benefits approved for that absence until the period of approved leave expires.

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**FOUNDATIONS CURRICULUM AND INSTRUCTIONAL EFFECTIVENESS COMMITTEE REPORT**  
Recommendations on COAD 1000

1. The Committee notes the following concerns that need to be addressed by both administrators and faculty:
  - a. Appropriateness of giving academic credit for non-academic content
  - b. Lack of oversight of a for-credit course by an academic unit (when the course was created, an academic unit had oversight)
  - c. Learning and other “life” needs of new students (“first year experience needs”).
  - d. Evidence for or against the effectiveness of COAD 1000 vs. other approaches to addressing first year experience needs.

2. The Committee recommends that the Faculty Senate support the implementation of Section VI., “Primary Conclusions and Recommended Steps Forward,” of the [“Final Report of the University 1000 Committee”](#), specifically, the report’s recommendations not yet implemented (highlighted below).

“VI. Primary Conclusions and Recommended Steps Forward

What is known (from the literature in the field and from the experience of other universities) is that engaging students from the beginning of their academic careers is essential to their success and that engagement with faculty is most crucial. A first-year seminar program that ensures such active engagement, coupled with a robust assessment program designed to determine the effectiveness of that program, is essential for the future of our university.

Although this committee did not reach an agreement as to the specific model that would be best for East Carolina University and our students, we did agree – without dissent – that a high-quality first-year seminar is an important component of a strong first-year program, an important key to enhancing student success, and important to some performance metrics. The committee also agreed that, because the curriculum is the purview of the faculty, the final decision about how to implement a required first-year seminar must be handed over to the normal faculty governance channels, namely to the academic units, the Faculty Senate, and the various curriculum and academic standards committees on campus.

The committee hopes that this report will be used as jumping off point for a campus-wide discussion concerning enhancing student success via first-year programs. Further, the members of the committee would welcome the opportunity to continue to participate in this important discussion and decision-making processes.

The primary conclusions of this effort are intended to offer a path forward for utilizing the first-year seminar to improve key performance metrics while at the same time focusing on academic quality and introducing students to the life of the mind.

The committee recommends that ECU take the following *next steps* toward an integrated first-year program:

1. *Pilot several academic/hybrid seminars, along with the currently offered COAD 1000 course (with minor modifications as highlighted in this report), during the fall 2012*

*semester*. Under any future scenario, it will be necessary to continue teaching multiple types of seminars as we transition into the final first-year seminar model or models.

2. *Ensure that all first-year seminars have the following underlying objectives:*
  - *to help students become oriented to the intellectual life,*
  - *to assist students with life skills,*
  - *to engage students in university and academic life, and*
  - *to provide opportunities for active academic engagement from the first course at the university.*
3. *Immediately begin a robust, longitudinal study of the effectiveness of first-year seminars at ECU.* All sections of both the pilot academic/hybrid seminar and COAD 1000 should be assessed in a manner similar to other courses on campus, and a controlled longitudinal study of the seminar program (based on well-defined outcomes/objectives) should be undertaken. Participation in the Pirate CREWS project would facilitate development of high quality assessment and evaluation instruments and appropriate use of the resulting data.
4. *Begin in the fall 2012 semester, the process of review of the models proposed herein and of the curriculum implications of requiring a first-year seminar of all incoming students.* The UNIV 1000 committee offers this report as a starting point for that review and welcomes the opportunity to continue to participate in the important campus-wide discussion and decision-making. Because these are curricular proposals, this process must proceed through the existing curriculum review and implementation procedures as overseen by the Faculty Senate. A challenging first-year seminar that achieves the objectives outlined above would benefit all students; however, many degree programs leave students with no free electives that would allow for the additional requirement of a multi-credit first-year course. Creative solutions to this problem could involve a reassessment of program requirements, the use of existing course designations, and other issues that are within the purview of the faculty.
5. *Before mandating that all students take a first-year seminar, a campus-wide decision must be made whether to offer a single or multiple seminar models.*

3. The Committee recommends that the Faculty Senate support ECU taking the following *next steps* toward an integrated first-year program, specifically:

1. ***Immediately begin a robust, longitudinal study of the effectiveness of first-year seminars at ECU.*** All sections of both the pilot academic/hybrid seminar and COAD 1000 should be assessed in a manner similar to other courses on campus, and a controlled longitudinal study of the seminar program (based on well-defined outcomes/objectives) should be undertaken. Participation in the Pirate CREWS project would facilitate development of high quality assessment and evaluation instruments and appropriate use of the resulting data.
2. ***Begin in the fall-2012 FALL 2014 semester, the process of review of the models proposed herein and of the curriculum implications of requiring a first-year seminar of all incoming students.*** The UNIV 1000 committee offers this report as a starting point for that review and welcomes the opportunity to continue to participate in the important campus-wide discussion and decision-making. Because these are curricular proposals, this process must proceed through the existing curriculum review and implementation procedures as overseen by the Faculty Senate. A challenging first-year seminar that achieves the objectives outlined above would benefit all students; however, many degree

programs leave students with no free electives that would allow for the additional requirement of a multi-credit first-year course. Creative solutions to this problem could involve a reassessment of program requirements, the use of existing course designations, **and other issues that are within the purview of the faculty.**

- 3. Before mandating that all students take a first-year seminar, a campus-wide decision must be made whether to offer a single or multiple seminar models.“**

4. The Committee recommends the formation of a subcommittee within the Foundations Curriculum and Instructional Effectiveness Committee to oversee the implementation of the *next steps* toward an integrated first-year program.

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## Faculty Senate Agenda

April 15, 2014

Attachment 5.

### RESEARCH/CREATIVE ACTIVITIES COMMITTEE REPORT

Formal Faculty Advice on REG01.30.01 Institutional Survey Administration

#### Background

After reading REG 01.30.01 and associated documentation, the Research/Creative Activities Committee (RCAC) met and discussed several points made in the document. That feedback was shared with Faculty Senate in December 2013. Faculty Senate tasked the committee with meeting with individuals from the Survey Review and Oversight Committee (SROC). A list of recommendations regarding REG 01.30.01 was sent to the SROC.

Linked below you will find SROC response to our recommendations (#1) which formed the basis for meetings between the groups. Updated documentation was sent to the RCAC on 2/20/14 from Dr. Susan Beck-Frazier. The RCAC met and made additional changes and suggestions (#2). A frequently asked questions document (#3) was created specifically in response to RCAC issues and concerns. The document will be available on the web with easy access to individuals who need to submit their surveys for approval.

1. [Response to RCAC feedback from December 2013](#).
  2. An update to REG 01.30.01 [Institutional Survey Administration](#) with RCAC feedback.
  3. A [frequently asked questions document](#) (FAQ) regarding the regulation and the SROC.
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## RESEARCH/CREATIVE ACTIVITIES COMMITTEE REPORT

Proposed Revisions to the *ECU Faculty Manual*, Part VII Faculty Research and Scholarship, Section II. Scholarship/Research/Creative Activity, and Scholarship, subsection VI. Copyrights (created work)

<http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/part7section2.pdf>

### Background

The Committee was tasked with bringing the *ECU Faculty Manual* subsection on Copyrights for a created work into closer alignment with the ECU PRR regarding Copyright creation. The following two reports are our proposed edits which circle on three basic themes:

1. Aligning definitions in *ECU Faculty Manual* with ECU PRR documentation.
2. Removing language regarding Staff or Student copyrights that do not involve faculty participation.
3. Changing information regarding the University Copyright Committee.

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

### “VI. Copyrights (created work)

#### A. Introduction

East Carolina University (hereinafter referred to as “the university”) has among its primary purposes teaching, research, and the expansion and dissemination of knowledge. Products of these endeavors include development and use of copyrightable materials. The creation of copyrightable materials in the form of literary, dramatic, and other intellectual works by the university community is encouraged as a measure of productivity and commitment to the dissemination of knowledge and creative activity for public benefit. It is the policy of this university that its faculty, staff, and students carry out their scholarly work in an open and free atmosphere that encourages publication without constraint, consistent with applicable laws and university policy. The Copyright Policy contained herein is consistent with the Copyright Use and Ownership Policy of the University of North Carolina, enacted by the Board of Governors on November 10, 2000. **Individuals who wish to examine the full set of policies, regulations, and rules regarding East Carolina University Copyright Regulation may find that documentation online at <http://www.ecu.edu/PRR/10/40/02>.**

#### B. Scope and Coverage

This policy applies to the faculty, staff, and students of the university. Compliance with the terms of this policy is a condition of employment for university faculty and staff, and of enrollment for university students. This policy is supplemental to the Copyright Use and Ownership Policy of the University of North Carolina **General Administration**, and is subject to any applicable laws and regulations and to specific provisions in grants or contracts that govern rights in copyrighted works created in connection with sponsored research.

#### C. Definitions

Assign - The transfer of one or more of the ownership rights in a work from the copyright owner to another person or organization.

~~Creator - Someone who originates or contributes copyrightable expression such as poetry, prose, computer programming, artwork, musical composition/work, recorded music, animations, video~~

~~footage, web pages, architectural drawing, and photographs.~~ **means the author of the original expression in a work.**

Copyright License - Written permission to use copyrighted material that is usually limited to a period of time and/or for a particular use.

~~Directed Works - Works that are specifically funded or created at the direction of the university, and which may include exceptional use of university resources.~~ **means a work(s) that is specifically funded or created at the direction of ECU. A Directed Work includes a work created as a specific requirement of employment or arising out of employment responsibilities at the University. In addition, a Directed Work shall include any Work produced as a collaborative effort initiated by a college or department, or a Works that is created and then developed and improved over time by a series of individuals, where authorship cannot be attributed to any one individual or group of individuals. Computer software created by non-faculty University programmers for use by the University constitutes Directed Works. A Directed Work also includes a work created by faculty, staff, or students in a University institute, center, or other unit that, with approval of the Vice Chancellor, has adopted rules providing that copyright in materials authored by such faculty, staff, or students in the course of their professional work or course study with that unit vests in the University and not in its author. Absent an Exceptional Use of University Resources (Subsection 2.6) or use of Sponsored Resources (Subsection 2.7), instructional materials or courseware created by faculty members or instructors required to teach face-to-face, distance education, or correspondence courses as part of their employment responsibilities shall not be deemed Directed Work.**

Derivative Works - Works based upon and substantially similar to a pre-existing work, that would infringe the pre-existing work without a license from the author of the pre-existing work.

EPA Non-Faculty Employee - Employees designated as exempt from the North Carolina State Personnel Act who hold an approved administrative or non-teaching position.

~~Exceptional Use of University Resources - Resources provided by the university for the creation of a work that is of a degree or nature not routinely made available to university employees. An example of exceptional use would be the use of support staff for graphics design, or computer programming, that is not normally provided to university employees. Ordinary use of computers, FAX machines, laboratory space, libraries, office space or equipment, secretarial services at routine levels, telephones, and other informational resources, such as the virtual reality system or other special computing equipment, shall not be considered exceptional use of university resources. Whether an individual work has been created through exceptional university resources shall be determined initially by the chair or director of the department in which the creator has principally been involved or from which he or she has received resources to fund the work, taking into account the nature and amount of resources customarily made available to faculty or staff in that department. At the time that exceptional resources are approved, the unit administrator of that particular area of research shall inform that faculty member.~~ **The University has provided support for the creation of the work with resources of a degree or nature not routinely made available to faculty, other EPA employees, SPA or CSS staff, or students. Except as is otherwise permitted by the University's policies on Conflicts of Interest and Commitment, University resources are to be used solely for University purposes and not personal gain or personal commercial advantage, nor for any other non-University purposes. Exceptional Use of University Resources may include, but is not limited to: waiver of fees normally required to use specialized facilities such**

as equipment, production facilities, service laboratories, specialized computing resources, and studios; University funding or gifts in support of the work's creation; or reduction in levels of teaching, service, or other typical University activities (e.g., course, load, student advising, division/department meetings, office hours, administrative responsibilities) specifically to facilitate creation of the work. In addition, use of the University's name in connection with a personal work, other than by way of identification of the Creator as a faculty member, researcher or other employee or student at ECU, is itself Exceptional Use of University Resources. However, ordinary use of computers, laboratory space, libraries, office space or equipment, Distance Learning resources, limited secretarial or administrative services, or professional development activities shall not be considered Exceptional Use of University Resources. For students enrolled in a course of study, use of course laboratory, computing and library facilities, software, supplies and materials at a level ordinarily provided to students in the course are not considered to be Exceptional Use of University Resources.

Faculty - Employees designated as exempt from the North Carolina State Personnel Act (EPA Employee) who hold one of the professorial ranks of instructor, assistant professor, associate professor, or professor, or whose title is lecturer, visiting professor, clinical professor, adjunct professor, research associate professor, post-doctoral fellow or the like.

Fair Use - A use of copyrighted material for purposes of criticism, comment, news reporting, teaching, scholarship, or research, which is not an infringement of a copyright. Fair Use is further discussed in Section IV of this document.

Publication - The public distribution of copies of a work or the original work by sale or other transfer of ownership, including rental, lease or loan.

Royalty - A payment made to the owner of a copyrightable work for use of the work.

SPA Staff (to include CSS employees) - Employees designated by the North Carolina State Personnel Act who generally perform a support role for the university.

Shop Right - A non-exclusive, non-transferable, royalty-free right to use a copyrightable work for educational or research purposes.

Sponsored Work - Funds supplied under a contract, grant, or other arrangement between the university and a third party, including a sponsored research agreement.

Student - ~~Any individual currently enrolled in the university or its extension programs in undergraduate, graduate or other academic classes. Teaching, research and graduate assistants are included for the purposes of this Copyright Policy.~~ **Any person from the time s/he accepts admission to ECU through the date of her/his graduation. This includes new students at Orientation, persons not currently enrolled but who are still seeking a degree from ECU, any person enrolled in a credit earning course offered by ECU, and teaching, graduate, and research assistants.**

Student Works - ~~Papers, computer programs, theses, dissertations, artistic and musical works, and other creative works made by students.~~ **A paper, computer programs, thesis, dissertations, artistic and musical works, and other creative works made by University students that are produced outside any University employment, and are not Sponsored or Externally**

**Contracted Works. Notes of classroom and laboratory lectures and exercises taken by Students shall not be deemed a Student Work.**

~~Traditional or Non-Directed Works - Pedagogical, scholarly, literary, or aesthetic (artistic) works originated by faculty or EPA non-faculty employees who maintain creative control over the work~~ **A pedagogical, scholarly, literary, or aesthetic (artistic) work originated by a faculty or other EPA employee or Post-Doctoral Scholar resulting from non-directed effort. Examples of these works may include a textbooks, manuscripts, scholarly works, fixed lecture notes, Distance Learning material not falling into one of the categories of this Regulation, works of art or design, musical scores, poems, films, videos, audio recordings, or other works of the kind that have historically been deemed in academic communities to be property of their Creator. A Traditional or Non-Directed Work shall also mean any work created in the course of outside activities resulting from a contract between the individual directly and a third-party.**

~~Works for Hire - A work prepared by an employee within the scope of his or her employment or a work specifically commissioned where the contractual agreement clearly specifies the work shall be considered a work made for hire.~~ **Either (a) a work prepared by an SPA or CSS employee within the course and scope of his or her employment, or (b) a work specially ordered or commissioned for use as a contribution to a collective work, as part of a motion picture or audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. Works created in the course of a student's employment by the University shall be considered Works Made for Hire.**

**D. Copyright Ownership**

Ownership of copyright in copyrighted works shall depend on the category of the work in question and its creator.

~~Works by Faculty and EPA Non-Faculty Employees~~

The ownership of traditional or non-directed works shall remain with the creator except in the following circumstances:

1. **Directed Works**  
Ownership of directed works shall remain with the creator and the university shall retain a shop right for use of the work. Upon written agreement between the university and the creator, the university may release or transfer its rights in the work to the creator provided; however, the university maintains a shop right to use of the work. Expense reimbursement and income sharing with the university shall be considered.
2. **Works Involving Exceptional Use of Institutional Resources**  
Ownership shall remain with the university except, upon written agreement between the university and the creator, the university may release or transfer its rights in the work to the creator provided, however, the university maintains a shop right for use of the work. Expense reimbursement and income sharing with the university shall be considered.
3. **Sponsored Works Requiring the University's Ownership**  
Ownership shall be decided in accordance with the terms of the sponsored programs agreement with the university:
  - a. **Institutional Ownership:** In the case of institutional ownership, provided there is no conflict with a sponsored agreement, the university may:
    - i. Release or transfer its right to the creator under an agreement with the creator;
    - ii. Negotiate with the creator for joint ownership of the work;

- iii. Require a shop right for the university's use of the work;
- iv. Require expense reimbursement upon commercialization of the work; and/or
- v. Require income sharing upon commercialization of the work.

b. Ownership Not Addressed in Agreement: Provided the sponsored agreement does not expressly require copyright ownership by the university or a third party, ownership shall remain with the creator subject to disclosure to the university provided, however, the university shall, if practical, be assigned a shop right for use of the work.

4. ~~Works by SPA Staff~~

~~Works for hire made by SPA staff, working within the scope of their employment, shall be owned by the university except the university may enter into a written agreement in advance to transfer copyright ownership to the SPA staff employee.~~

5. ~~Works by Independent Contractors~~

~~Works developed by independent contractors shall be owned in accordance with the contract under which the work was created. The university unit entering into arrangements for work to be produced by an independent contractor shall insure that the written contract specifies institutional ownership. Any exceptions shall be approved by the appropriate Vice Chancellor or designee.~~

6. ~~Works by Students~~

~~Students may produce works while carrying out activities related to their enrollment at the institution or while employed by the institution. Examples of student works are papers, computer programs, theses, dissertations, artistic works, and musical works. Copyright ownership of student works shall remain with the student except in the following circumstances:~~

~~a. Sponsored or Externally Contracted Works~~

~~Ownership shall be in accordance with Section 4.iii of this Copyright Policy, Sponsored Works Requiring the University's Ownership, hereinabove.~~

~~b. Works for Hire~~

~~Student works created in the course of employment with the university shall be considered Works for Hire and shall be owned by the university.~~

~~c. Derivative Works~~

~~The sale or commercial use of derivative works without the express written permission of the author may violate the copyright rights of the author. Commercial exploitation of these materials (which may include faculty lectures, notes from faculty lectures, syllabi, and other course materials) without express written permission of the instructor may result in disciplinary action in accordance with university policies.~~

E. Joint Ownership

Copyright holders, including faculty, EPA non-faculty employees, SPA staff employees and students may enter into written joint ownership agreements with one another at their discretion, with the approval of the Chancellor or his designee.

F. Administration

~~University Committee on Copyrights~~

**University Copyright Committee**

~~The University Committee on Copyrights~~ **University Copyright Committee** is hereby established and shall have such

responsibilities as the Chancellor may specify, including but not limited to the following:

1. Monitor trends in such areas as institutional copyright use policies, changes in copyright ownership models, and guidelines for fair use information;

2. Identify areas in which policy and guideline development or revisions are required, and make recommendations to the Chancellor;
3. Cooperate with the administration to propose university policies and guidelines regarding ownership and use of copyrighted or licensed scholarly works;
4. Assist in identifying educational needs of the faculty and others related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs; and
5. Under procedures specified herein, hear and recommend resolution of disputes involving copyright ownership.

~~The committee shall consist of 13 members: representatives of the student body, EPA non-teaching employees, SPA employees, the libraries, the Office of the University Attorney, the Office of Technology Transfer, the Copyright Management Officer, the Vice Chancellor for Research and Graduate Studies or designee who shall chair the Copyright Committee, and five faculty members who will be elected by the Faculty Senate. Student representatives shall serve for one-year renewable terms. Other representatives shall serve for three-year renewable terms.~~

**The Copyright Committee shall consist of eleven (11) voting members, appointed by the Vice Chancellor, which shall serve as an advisory body to him or her and the Copyright Officer. The voting members of the Copyright Committee shall consist of five (5) faculty members, three (3) staff members, one post-doctoral scholar, one graduate student, and one representative of the Vice Chancellor, chosen for their familiarity with or involvement in copyright or other intellectual property matters. The Faculty Senate shall nominate to the Vice Chancellor five (5) faculty members to serve on the Copyright Committee. The faculty representative nominees shall include at least the Chair of the Faculty or his or her delegate, one Faculty Senator, one member of the Distance Education and Learning Technology Committee, one member of the Research/Creative Activity Grants Committee, and one at-large member elected by the Faculty Senate. The Staff Senate shall nominate to the Vice Chancellor three Staff Senate Members to serve on the committee. The Graduate School shall nominate to the Vice Chancellor one graduate student and one post-doctoral scholar to serve on the Committee. The Vice Chancellor may also appoint ex officio non-voting members of the Committee from offices such as Technology Transfer, Libraries, ITCS, University Counsel, and the Divisions of Academic Affairs, Health Sciences, Research and Graduate Studies, and Student Affairs. The Copyright Officer shall serve as a non-voting ~~nonvoting~~ ex officio member of the Copyright Committee.**

#### G. Copyright Management Officer

The position of Copyright Management Officer is hereby established to advise faculty, EPA-non-faculty employees, SPA employees, and students who have fair use and copyright permission questions related to university business or student works.

The Copyright Management Officer's duties shall also include the following:

1. Assist in identifying educational needs of the campus community related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs;
2. Serve as a member of the University Committee on Copyrights.

#### H. Works Subject to Both Copyright and Patent Protection

Works subject to protection under both patent law and copyright law shall be reviewed by the Office of Technology Transfer and the University Committee on Intellectual Property/Patents. If the university elects to retain title to its patent rights, the inventor/creator shall assign



copyright and patent rights to the university. The inventor/creator shall be compensated in accordance with university policy.

I. Disclosure to the University Committee on Intellectual Property/Patents

Whenever faculty, EPA non-faculty employees, SPA staff or students of the university create copyrightable material which is or may be owned by the university or a third party and which may also have commercial application, a disclosure of the existence of the material should be made, in writing, to the University Committee on Intellectual Property/Patents. The written disclosure should be made as soon as practical prior to or after creation of the work.

J. Dispute Resolution

1. Jurisdiction

Any university faculty, EPA non-faculty employee, SPA staff employee, or student may seek resolution of a dispute regarding ~~fair use or~~ copyright ownership of a work governed by this Copyright Policy, including a dispute over whether use of university resources is an exceptional use, by filing a written request with the Chair of the University Committee on Copyrights. The chair shall appoint a 5-member panel to hear the dispute with **at least** 3 panel members being selected from the elected faculty members of **the University Copyright Committee**. Review of all matters related to copyright shall fall under the exclusive jurisdiction of the University **Copyright Committee** ~~on Copyrights~~, subject to the normal appeal processes.

2. Conduct of the Hearing

At its discretion, the panel may elect to conduct a hearing into the matters or may make a recommendation based upon the written record, provided that all parties to the dispute are given an opportunity to present evidence and arguments in support of their respective positions. The panel will make every effort to mediate these matters prior to any hearing. Each party shall provide the other party with a copy of any written materials submitted to the panel simultaneously with submission of such materials to the panel. Any hearing will be conducted following procedures set forth in writing by the panel or promulgated by the University **Copyright Committee** ~~on Copyrights~~. No party shall have the right to be represented by counsel before the panel, but any party may be accompanied at a panel hearing by an advisor of his or her choosing, who shall not participate in the hearing.

3. Disposition

Each panel shall report ~~its written~~ **in writing its** findings, conclusions and recommendations for disposition of the matter to the appropriate Vice Chancellor(s) on behalf of the Chancellor, within forty-five days of appointment of the panel by the Chair of the University Committee on Copyrights. The Chair of the Committee may extend the time period of such report by not more than thirty days for good and reasonable cause. Copies of such findings, conclusions, and recommendations shall be provided to all parties. Upon receipt of such findings, conclusions, and recommendations, the appropriate Vice Chancellor(s) shall issue a written decision in the matter. The decision shall be final, subject to appeal rights under The Code of the University of North Carolina.

(FS Resolution #12-39, March 2012)”

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## Faculty Senate Agenda

April 15, 2014

Attachment 7.

### RESEARCH/CREATIVE ACTIVITIES COMMITTEE REPORT

Recommendation on *ECU Faculty Manual*, Part VI, Section I.  
subsection XII. Use of Copyrighted Works) Use of Copyrighted Works

The Committee recommends that the documentation on the Use of Copyrighted Works (*ECU Faculty Manual*, Part VI, Section I. subsection XII. Use of Copyrighted Works) provided below be sent to the Administrative University Copyright Committee for alignment with University PRR documentation. The Committee believes that the appropriate use of copyright material is an important topic but does not fall under the purview of the Committee.

#### “Use of Copyrighted Works

##### 1. Appropriate Use of Copyrighted Works

The Copyright Act of 1976, as amended (Title 17, U.S. Code), generally protects certain rights and privileges of the copyright owner to exclude others from the right to reproduce and publicly distribute, display or perform a work, as well as revise or prepare a derivative work based upon a copyrighted work, without obtaining permission from the copyright owner. As an institution devoted to the creation, discovery and dissemination of knowledge, the University supports the responsible, good faith exercise of full fair use rights contained in the Copyright Act.

##### 2. Fair Use

The “fair use doctrine” of the Copyright Act allows certain statutory exemptions applicable to academia, recognizing the fundamental non-profit mission of universities to advance and disseminate knowledge for public benefit.

###### a. Elements of Fair Use

Individuals from the University community who wish to make fair use of a copyright work must consider in advance four statutory factors:

###### i. Purpose and Character of the Use

The purpose and character of the use, including whether the use is of a commercial nature or for non-profit educational purposes.

###### ii. Nature of the Work

The characteristics of the work being used, including whether it has been previously published and whether it is factual or fictional.

###### iii. Amount of Work to be Used

The amount, substantiality and qualitative nature of the portion used in relation to the entire copyrighted work.

###### iv. Effect on the Market

The effect of the use on the potential market for or value of the work.

###### b. Procedure for Making Fair Use Determinations

The University Copyright Committee, together with the Office of the University Attorney, shall issue and, as necessary, revise guidelines to assist University faculty, EPA non-faculty employees, SPA staff employees, and students in making fair use evaluations. The Chancellor shall also maintain copyright and fair use resources at the ECU libraries. The Copyright Management Officer shall advise faculty, EPA-non-faculty employees, SPA employees and students regarding fair use determinations pursuant to Section 2 of this policy as well as Research Information found in the *ECU Faculty Manual*.

(FS Resolution #12-38, March 2012)”

## Faculty Senate Agenda

April 15, 2014

Attachment 8.

### ADMISSION AND RETENTION POLICIES COMMITTEE REPORT

Proposed Revisions to *ECU Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures and Academic Program Development, Section I. Teaching Regulations and Guidelines Related to Faculty, subsection V. Course Expectations and Requirements

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

#### "V. Course Expectations and Requirements

High expectations for student achievement are important for all students and are a key aspect of student retention. The course syllabus informs students of the expectations and requirements of the course and reduces the likelihood of problems later in the semester. The syllabus is a tool that helps both faculty and students accomplish the universities' primary mission of teaching and learning. Faculty members are required to provide a course syllabus for students at the beginning of each semester. ~~The syllabus should make clear the goals and content of the course and what will be expected of students in the course. A course syllabus should specify the instructor's policies for class attendance, grading, civility in the classroom, and academic integrity. The syllabus should also include a schedule for tests, and assignments.~~

**The course syllabus presented on or before the day classes begin must make clear the instructor's policy on the following: textbook(s) and other required course materials, attendance, course learning outcomes, scheduled assignments, list of topics, grading scale and evaluation system, and accommodation for students with a disability.**

**It is highly recommended that faculty include in their syllabus a statement on academic integrity and civility in the classroom.**

For campus resources for students with disabilities, contact the Department for Disability Support Services (<http://www.ecu.edu/cs-studentlife/dss/>). For definitions of academic integrity and procedures for dealing with infractions, see Part VI, Section II of the *Faculty Manual* (<http://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/part6section2.pdf>) and the Office of Student Rights and Responsibilities (<http://www.ecu.edu/osrr/>). Faculty can also contact the Office of Equity and Diversity (<http://www.ecu.edu/cs-acad/oed/policies.cfm> for policies on equal opportunity and nondiscrimination. The University Writing Program can be contacted for consultation and support of writing activities and guidelines for writing-intensive courses (<http://www.ecu.edu/writing/>). The Office of Faculty Excellence (<http://www.ecu.edu/ofe/>) can provide assistance with the syllabus.

It is the responsibility of each unit administrator to have copies of syllabi for all courses taught in the school or department. (FS Resolution #10-08, February 2010)"

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## Faculty Senate Agenda

April 15, 2014

### Attachment 9.

#### ADMISSION AND RETENTION POLICIES COMMITTEE REPORT

Proposed Revisions to *ECU Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures and Academic Program Development, Section I. Teaching Regulations and Guidelines Related to Faculty, subsection X. Class Attendance and Participation Regulations

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

#### "X. Class Attendance and Participation Regulations

A student's participation in the work of a course is a precondition for receiving credit for the course. Students are expected to attend punctually all lecture and laboratory sessions and field experiences and to participate in course assignments and activities as described in the course syllabus. Absences are counted from the first class meeting after the student registers. Students registering late are expected to make up all missed assignments in a manner determined by the instructor.

Each instructor shall determine the class attendance policy for each of his or her courses as long as the instructor's policy does not conflict with university policy. The instructor's attendance policy, along with other course requirements, will be provided to the class on a syllabus **distributed presented** at the first class meeting. Class attendance may be a criterion in determining a student's final grade in the course if the instructor provides a written statement to this effect in the course syllabus. In determining the number of unexcused absences which will be accepted, the instructor should consider carefully the nature of the course, the maturity level of the students enrolled, and the consequent degree of flexibility included in the instructor's policy.

Students should consult with their instructors about all class absences. It is the responsibility of the student to notify the instructor immediately about class absences, to provide appropriate documentation for an absence, and discuss any missed class time, tests, or assignments. Except in the case of university-excused absences, it is the decision of the instructor to excuse an absence or to allow for any additional time to make up missed tests or assignments. Excused absences should not lower a student's course grade, provided that the student, in a manner determined by the instructor, is able to make up the work that has been missed and is maintaining satisfactory progress in the course.

Student Health Services does not issue official written excuses for illness or injury, but will, upon request at the time of the visit, provide a note confirming that the student has received medical care. In the event that the student is seriously ill or injured at the time of final examinations the Student Health Service or the Center for Counseling and Student Development, on request of the student, may recommend a medical incomplete. Instructors should normally honor written medical excuses from a licensed medical or psychological practitioner that states the student was too ill or injured to attend class and provides the specific date(s) for which the student was unable to attend class due to the medical or psychological problem.

The Dean of Students may authorize university-excused absences in the following situations:

1. Student participation in authorized activities as an official representative of the university (i.e. athletic events, delegate to regional or national meetings or conferences, participation in university-sponsored performances).
2. Participation in other activities deemed by the Dean of Students to warrant an excused absence, such as required military training.

3. An extreme personal emergency about which the student is unable to speak directly to the instructor.
4. The death of an immediate family member (such as parent, sibling, spouse or child)
5. Student participation in religious holidays.

It is the student's responsibility to obtain verification of a university-excused absence by contacting the Dean of Students. Faculty requests for university-excused absences should be submitted according to the timeline established by the Dean of Students. Requests submitted after the fact will be disapproved unless circumstances made prior approval impossible.

Instructors are expected to honor valid university-excused absences, and to provide reasonable and equitable means for students to make up work missed as a result of those absences. Students who anticipate missing 10% or more of class meeting time as a result of university-excused absences are required to receive approval from the instructor at the beginning of the semester. Student experiences that cannot be made up should be discussed at the onset of the course to ensure that continued enrollment is feasible while there is still the opportunity to drop the course within the schedule change period.

No instructor should urge a student to take part in an extracurricular activity at the expense of the student's class work or expect the student to appear at any practice or rehearsal if he or she has a scheduled class at that time. No class absences will be excused for practices or rehearsals. Only absences for performances and necessary travel to and from performances are excused.

A student who believes that he or she has been treated unfairly concerning absences or has been misinformed by the instructor regarding that instructor's absence policy shall have the right to appeal. The appeal shall be in writing to the instructor's department chairperson or school director, and in the event the resolution is not satisfactory, the final decision rests with the academic dean. (FS Resolution #12-62, April 2012)"

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**Faculty Senate Agenda**  
**April 15, 2014**  
**Attachment 10.**

**ADMISSION AND RETENTION POLICIES COMMITTEE REPORT**

Proposed Creation of a New **WE** Grade, Withdrawal with Extenuating Circumstances,  
and Revisions to Related Policies

UNC Policy Manual 400.1.5[R] can be found at

[http://www.northcarolina.edu/policy/index.php?pg=dl&id=s14927&inline=1&return\\_url=%2Fpolicy%2Findex.php%3Fpg%3Dtoc%26id%3D12](http://www.northcarolina.edu/policy/index.php?pg=dl&id=s14927&inline=1&return_url=%2Fpolicy%2Findex.php%3Fpg%3Dtoc%26id%3D12)

*Section C. Course Withdrawal.* states "Students are expected to complete all the courses for which they are registered at the close of the Course Adjustment Period...Campuses will develop policies that permit a student to withdraw from a course or courses at any time and without academic penalty for serious extenuating circumstances...Campuses may develop policies that allow students to withdraw from one or more courses without meeting the standards for withdrawals for extenuating circumstances."

According to UNC-GA, ECU’s withdrawal policy for students withdrawing under non-extenuating circumstances must set a maximum number of withdrawals “up to four courses or up to 16 semester credit hours.” Additionally, ECU “must include a deadline for such withdrawal at a date no later than the completion of 60% of the term.”

The consequences of withdrawing (from a course or a term) are almost identical in either set of circumstances; only the effect on tuition surcharge differs, as summarized in the table below:

Summary of UNC Policy Manual 400.1.5[R] Requirements for Withdrawal Policies		
Effect of Withdrawals on:	Extenuating Circumstances	Non-Extenuating Circumstances
Tuition Surcharge	None	Course(s) count in surcharge calculation
Transcript	Withdrawal must be noted on Transcript	
GPA	None	
Attempted Hours	Course(s) count as attempted hours	
Financial Aid	Course(s) subject to all financial aid and SAP rules	

In keeping with ECU’s implementation of the regulations for [Fostering Undergraduate Student Success](#) (FUSS), the Committee was asked to evaluate ECU’s compliance with the above course withdrawal policies.

Following discussion, the Committee proposes the following:

1. Use the existing grade, **W**, for withdrawal under non-extenuating circumstances.
  - **W** can be used for course or term withdrawal.
  - Process to request **W** is handled by the Office of the Registrar.
2. Create a new grade, **WE**, withdrawal under extenuating circumstances.
  - **WE** can be used for course or term withdrawal.
  - Process to request **WE** is handled through the Dean of Students Office, and appeal (if requested) is routed to the Student Academic Appeals Committee.
3. Change the course withdrawal policy (non-extenuating circumstances) from a 4-course allotment to a 16-credit hour allotment, and eliminate pro-rating drops. This change would accommodate students who might need to withdraw from the entire term and use all allowed withdrawals simultaneously, students who have transferred to ECU and would otherwise not have access to as many withdrawals as a native student, and students who withdraw from courses that do not carry three credit hours.
4. Extend the course withdrawal period from 50% of the term to 60%, the maximum allowed by the UNC-GA policy. The extended period will give students time to fully assess course performance and seriously consider the ramifications of course withdrawal on students’ progress and success (see UNC Policy Manual 400.1.5[R] Section II. A. Satisfactory Academic Progress and Good Academic Standing).

**FACULTY GOVERNANCE COMMITTEE REPORT**  
Report of the [Subcommittee on Unit Code Policy](#)

Subcommittee Members: Patricia Anderson (Education, Vice Chair of Unit Code Screening Committee), Charles Boklage (Medicine, member of Faculty Governance Committee), Edson Justiniano (Physics, Chair of Faculty Governance Committee), Andrew Morehead (Chemistry, Vice Chair of the Faculty and member of Faculty Governance Committee), and Edmund Stellwag (Biology, Chair of Educational Policies and Planning Committee).

Resource Persons: Derek Maher (Philosophy and Religious Studies, member of Faculty Governance Committee) and Mark Sprague (Physics, Chair of the Faculty and member of the Faculty Governance Committee)

On March 24, 2014, Prof. Mark Sprague, Chair of the Faculty, requested that the Faculty Governance Committee (FGC) appoint a subcommittee to review current policies and practices on Code Units and Unit Codes (included below and linked [here](#)). At its meeting of March 26, 2014, the Faculty Governance Committee appointed a diverse panel composed of faculty from several Colleges and with representation from the FGC, Unit Code Screening Committee (UCSC), and the Educational Policies and Planning (EPPC).

The subcommittee met on April 7, 2014 and, in what follows, we present the consensus reached.

It is the view of the subcommittee that any discussion about the adoption of unit codes of operation must begin by reviewing the history and principles that guide our current practices. Part IV of the *East Carolina University Faculty Manual*, “Academic Units, Codes, and Seven Year Unit Program Evaluation” provides an excellent rationale and justification for the partition of the faculty into code units:

*“By 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 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.”*



The highlighted sentences are particularly relevant to the issues that this subcommittee was asked to address. These principles in fact must instruct any discussion focusing on issues involving code units.

Recommendations:

**1. The appropriate level for a code unit.**

Unit codes at the college level would not be appropriate except where there is significant disciplinary overlap in degree programs and Promotion and Tenure (P&T) and other personnel action criteria. Consider business, which has a BSBA with five concentrations and MBA and MSA degrees. There is a significant amount of overlap (the undergraduate degrees differ by 18-24 hrs. in the concentration) between degree requirements. Similarly, expectations for P&T and criteria for faculty evaluation are largely equivalent (and heavily influenced by the accrediting body). On the other hand, the overlap between Biology and English is non-existent beyond some chance the foundations courses overlap. Even sciences like Biology, Chemistry and Physics, which share cognates, only overlap by 12-18 hours at the undergraduate level and not at all in the required classes at the graduate level. Likewise, expectations for P&T, faculty evaluation and graduate faculty status are widely varied due to acceptable rates of publication for the field, presence or absence of a PhD program, differential teaching load, state support, and available federal support in the three fields.

There will be significant issues with a large enough school or college code to contain what will ultimately be embedded codes from the extant units. The inclusion of the diverse set of operating procedures, different committee structures, and different criteria for faculty status and evaluation will make the combined code quite unwieldy. There is also the not insignificant challenge of achieving quorum for votes of the faculty. English (HCAS) has more faculty members than a couple of ECU's colleges, and nearly as many as the College of Business.

For professional schools in which there is significant overlap in degree curricula and faculty expectations, code units at the college level make sense. For schools and departments in which the curricula and expectations are widely divergent, code units at the department or school level make more sense.

We find little likelihood of improvement in efficiency and uniformity via any of the changes suggested in the recently published University Committee on Fiscal Sustainability "*Draft Report with Proposed Recommendations*" or in the alternatives proposed in Prof. Sprague's memorandum. Such changes are unlikely to reduce administrative loads but more likely will increase them. If the real issue is quality control of P&T recommendations, deans have signature authority over such recommendations in the present configurations. If there are any situations in which that is not the case, changing that would be much more straightforward and efficient than changing the whole existing structure.

**2. Procedures for transfer of faculty members between departments within the same code unit.**

We recommend that ECU require code units at the School or College level to incorporate and apply the procedure currently specified for transfers of faculty between code units at the departmental level to transfers between departments within Schools or Colleges. Presently these procedures are described in the *East Carolina University Faculty Manual*, Part IV, Section I (III.3. and III.4.) The appropriate Faculty Senate committee(s) should review, in AY 2014-2015, the language in this section to ensure its clarity and applicability to all clienteles.

### **3. Should ECU implement college or school-level tenure and promotion committees?**

Several of the college level code units still designate their departments as code units for the purpose of P&T and other personnel actions. This reflects, even in closely aligned departments, the difficulty of arriving at uniform criteria for P&T and the difficulty of achieving quorum with larger units for the purpose of voting. Clearly, “super-units” created through the artificial amalgamation of current code units will not have common criteria, even leaving aside the issue of which departments have graduate programs and which do not. In addition, there is a wide diversity in resourcing of different programs.

Colleges and schools could have tenure and promotion committees above the unit code level, and such committees could make recommendations to the appropriate Dean or Director. The value of any such a higher-level committee would be in providing support for units to follow their own criteria, and would likely place pressure on departments not to recommend promotion or tenure for weaker candidates. However, for the same reasons we recommend against the artificial consolidation of the code units themselves we refrain from making a blanket endorsement of “super” P&T committees. It is patently evident that any such committee would face the impossible task of applying common criteria to faculty in disciplines with widely diverse scholarship methodologies. In addition, such a committee would only function effectively if representative and elected by the faculty.

As mentioned earlier, in item 1 above, deans and higher-level administrators possess signature power over all P&T decisions. These administrators can and must use this sizeable level of discretion to ensure that the academic code units under them strictly adhere to their own adopted criteria. During the AY 2014-2015 the proper Faculty Senate committee(s) should study the appropriateness of creating a mechanism by which the next higher level administrator could communicate to the UCSC any perceived weakness of the P&T criteria in a unit code under their purview when it comes for UCSC approval.

### **4. Guidelines and governance documents for programs that exist outside or between code units and for entities with faculty working outside academic code units.**

Unit codes provide the structures and mechanisms for managing all academic and personnel concerns within the university in accordance with ECU’s tradition of shared governance. Suitable guidelines and governance documents (following expectations expressed in Part IV of the *East Carolina University Faculty Manual*) must be prepared for programs that exist outside or between code units and for entities with faculty working outside or between academic code units. All academic programs that function without unit codes must prepare guidelines and governance documents that include a definition of voting faculty, specify how faculty are qualified and selected for inclusion in the program, and define the roles of administrators and committees of those programs. Any such program with academic offerings must establish a curriculum committee that will review curriculum and submit offerings to the Faculty Senate, and the Chancellor by way of the Undergraduate Curriculum Committee or the Graduate Curriculum Committee, as appropriate. Entities that preside over dedicated probationary-term or tenured faculty lines through joint appointments with academic code units must establish a personnel committee, procedures, and criteria for faculty evaluations, and clearly identify a mechanism for feedback to the home (tenure) units of the jointly appointed faculty.

# Request that Faculty Governance Committee (FGC) appoint a subcommittee to review current policies and practices on Code Units and Unit Codes.



## Faculty Senate

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**Mark Sprague**  
*Chair of the Faculty*  
Department of Physics

**Andrew Morehead**  
*Vice Chair of the Faculty*  
Department of Chemistry

**Cheryl McFadden**  
*Secretary of the Faculty*  
College of Education

**John Given**  
*Parliamentarian*  
Department of Foreign  
Languages and Literatures

## MEMORANDUM

**TO:** Members of the Faculty Governance Committee  
**FROM:** Mark Sprague, Chair of the Faculty  
**DATE:** March 24, 2014  
**SUBJECT:** Subcommittee on Unit Code Policy

For the last several years we have wrestled with many issues involving code units and unit codes. It is time for us to examine issues related to unit codes and make recommendations to guide us as we consider modifications to our *ECU Faculty Manual* policies on unit codes. Therefore, I am writing to charge the Faculty Governance Committee with forming a subcommittee on unit code policy. This subcommittee should consist of representatives from the Faculty Governance Committee, the Educational Policies and Planning Committee, the Unit Code Screening Committee, and the Faculty Officers. The subcommittee will make high-level policy recommendations through the Faculty Governance Committee to the Faculty Senate on the following matters and other unit code issues deemed necessary by the subcommittee:

*East Carolina University is a constituent institution of the University of North Carolina. An equal opportunity/affirmative action university, which accommodates the needs of individuals with disabilities.*

1. Recommend a process for the transfer of faculty members between departments within the same code unit. Many code units consist of multiple departments with departmental tenure and promotion committees as well as departmental criteria for tenure, promotion, and annual evaluation. Transferring faculty members between departments could affect their expectations and evaluations.
2. Recommend the appropriate level for a code unit. Some have suggested that for efficiency and uniformity all codes should be at the college level. Others have said that the differences between some departments necessitate separate codes. Consider both of these suggestions and determine what is best and most sustainable for ECU.
3. Make a recommendation on roles of a college or school consisting of separate code units in governance, and the promotion and tenure process. Can these “super-units” have criteria to which all of their constituencies must adhere? If so, how should these criteria be decided, and where should they be housed? Recommend whether these super-units should have college or school-level tenure and promotion committees.

**Memorandum**  
**March 24, 2014**  
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4. Recommend guidelines and governance documents for programs that exist outside or between code units (e.g. the Bachelor of Science in University Studies, the Ph.D. in Coastal Resources Management, the Interdisciplinary Doctoral Program in Biological Sciences, and the Multidisciplinary Studies Program).
5. Recommend the content of governance documents for entities with faculty that exist outside unit codes (e.g. the proposed School of the Coast and the Honors College). What defines the role the faculty of those entities, and how are these faculty members evaluated?

The subcommittee should present a report containing its recommendations to the full Faculty Governance Committee, who will present final recommendations to the Faculty Senate before the end of the 2013 -2014 academic year.

Please contact me at 328-1862 if you have any questions. Thank you.

c: Ed Stellwag, Chair of Educational Policies and Planning Committee  
Christine Zoller, Chair of Unit Code Screening Committee  
Faculty Officers

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**Faculty Senate Agenda**  
**April 15, 2014**  
**Attachment 12.**

**CALENDAR COMMITTEE REPORT**

Academic Conflicts with Fall 2014 Thursday Home Football Games

**Whereas,** the University Academic Calendar Committee is charged to consider calendar matters for university units and make recommendations on matters affecting the calendar; and

**Whereas,** the Fall 2014 University Academic Calendar was publicized following the Chancellor's approval in April 2013; and

**Whereas,** the publicized 2014 ECU Football schedule (noted below) includes two Thursday home games (October 23 and December 4) that will conflict with University academic activities.

**Therefore Be It Resolved,** that the Chancellor form a small working group to include Faculty Officers, Academic Council, University Registrar, and University Athletics and Staff Senate representation to address how best to plan for these two Thursday home games and widely publicize the plan in early May 2014 and again in early August 2014 to the University community (faculty, staff, students).

**Be It Further Resolved,** that the plan address how to consistently handle these yearly academic class conflicts with minimum negative impact to the University community.

Fall 2014 University Academic Calendar

<http://www.ecu.edu/cs-acad/fsonline/customcf/calendar/fall2014.pdf>

2014 ECU Football Schedule

Date	Opponent / Event	Location	Time
08/30/14	vs. North Carolina Central	Greenville, N.C.	TBA
09/06/14	at South Carolina	Columbia, S.C.	TBA
09/13/14	at Virginia Tech	Blacksburg, Va.	TBA
09/20/14	vs. North Carolina	Greenville, N.C.	TBA
10/04/14	vs. SMU *	Greenville, N.C.	TBA
10/11/14	at USF *	Tampa, Fla.	TBA
10/23/14	vs. Connecticut * <sup>TU</sup>	Greenville, N.C.	TBA
11/01/14	at Temple *	Philadelphia, Pa.	TBA
11/15/14	at Cincinnati *	Cincinnati, Ohio	TBA
11/22/14	vs. Tulane *	Greenville, N.C.	TBA
11/28/14	at Tulsa *	Tulsa, Okla.	TBA
12/04/14	vs. UCF * <sup>TU</sup>	Greenville, N.C.	TBA

**CALENDAR COMMITTEE REPORT**  
Revised Policy for Making Up Missed Class Days

The below proposed text would replace the existing [Policy for Making Up Missed Class Days](#) (linked and provided below) which distinguishes partial- and whole-day cancellations, establishing make-up days for the latter. The new policy makes no distinction, establishes no make-up days, and brings the University policy into conformity with the existing Adverse Weather Guidelines and Continuity of Instruction Plan. The language comes from Chancellor Ballard's correspondence of February 27, 2014, rescinding his approval of Faculty Senate Resolution #14-08, "Spring 2014 Snow Make-Up Day Proposal."

**Revised Policy for Making Up Missed Class Days**

"As stated in the Adverse Weather Guidelines (effective 7/1/00; revised 2/10):

6.4 If the Chancellor or designee announces that classes or other activities are cancelled – or that classes are being held under adverse weather advisory – and that this is an optional workday for faculty and staff, the following applies:

6.4.1 Students who miss scheduled activities will be allowed to make up any work missed.

6.4.2 Faculty members should make arrangements to complete all interrupted activities.

Class time that was missed should be made up by alternative assignments relevant to the classes missed, and chosen at the discretion of the affected faculty members. Suggestions for assignments and activities are detailed in the University's [Continuity of Instruction: During a Catastrophic Event Plan](#)."

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~~**Policy for Making Up Missed Class Days** (Faculty Senate Resolution #12-51, May 2012)~~

~~Entire missed days should be made up (in keeping with the 750 minutes per credit hour requirement set by the UNC General Administration). Class days where less than the entire day is canceled are considered Partial missed days. Faculties whose classes are affected on Partial missed days are encouraged to make up the missed class time with optional course assignments, readings, or other relevant activity. Faculty are also encouraged to consider utilizing various university online resources for this purpose as well.~~

~~Designated make-up days for Fall Semester Make-up days should be used in the following order: Reading Days at the end of the semester; Tuesday of Fall Break; Monday of Fall Break; Wednesday before Thanksgiving.~~

~~Designated make-up days for Spring Semester Make-up days should be used in the following order: Reading Days at the end of the semester; Good Friday.~~

~~If additional make-up days are needed, the Executive Council in conjunction with the Calendar Committee will decide how to make them up. Suggestions on how to make up missed time By meeting at the usual class time on the designated make up days (avoid giving tests on these days) or by some activity relevant to the class (outside the usual class time, but not necessarily on the designated make up days, as decided by the instructor following whatever procedures have been adopted by the unit).~~

**Faculty Senate Agenda**  
**April 15, 2014**  
**Attachment 14.**

**EDUCATIONAL POLICIES AND PLANNING COMMITTEE REPORT**  
 Committee Recommendations for Bachelor of Science in University Studies  
 (BSUS) Program Faculty Oversight Committee

**Faculty Senate Resolution #14-38**

*Proposed Responsibilities and authority* of the *BSUS* Program Faculty Oversight Committee

**Faculty Senate Resolution #14-39**

*Send the entire recommended list of Bachelor of Science in University Studies (BSUS) Program Faculty Oversight Committee members and the motion to include two additional members from the University Curriculum Committee and Faculty Senate to Educational Policies and Planning Committee to consider and report to the Faculty Senate in April 2014.*

**Committee Recommendations for Faculty Oversight Committee are:**

2014-15 Academic Year				
<i>Name</i>	<i>Academic Unit</i>	<i>College/School</i>		<i>Term</i>
<b>Member to be selected by the UCC on 4/24/14</b>			University Curriculum Committee	2015
<b>Derek Maher</b>	<b>Philosophy and Religious Studies</b>	Arts and Sciences	Faculty Senate	2015
<b>Mary Farwell</b>	Biology	Arts and Sciences	(rep #1) Natural Sciences/Mathematics	2015
<b>Susannah Berry</b>	Child Development and Family Relations	Human Ecology		2015
<b>Janice Neil</b>	Nursing	Nursing		2015
<b>Evelyn Brown</b>	Engineering	Technology and Computer Science		2015
<b>Lester Zeager</b>	Economics	Arts and Sciences	(rep #2) Social Sciences	2016
<b>Eric Kisling</b>	Information and Library Science	Education		2016
<b>Todd Fraley</b>	Communication	Fine Arts and Communication		2016
<b>Susan McGhee</b>	Recreation and Leisure Studies	Health and Human Performance		2016
<b>Marianne Montgomery</b>	English	Arts and Sciences	(rep #3) Humanities	2017
<b>Robert Kulesher</b>	Allied Health Service and Information Management	Allied Health Sciences		2017
<b>Mark McCarthy</b>	Accounting	Business		2017

The cycle of term membership will continue on the basis outlined above until any changes are made in college memberships or other circumstances. If a member is unable to serve a full 3 or 2 year term, a replacement member is selected to finish the term of the original member (regardless of whether it is for 1 or 2 years). A replacement member is eligible to serve a subsequent full term of 3 years if selected and agrees to service.



**Faculty Senate Agenda**  
**April 15, 2014**  
**Attachment 15.**

**EDUCATIONAL POLICIES AND PLANNING COMMITTEE REPORT**

Proposed revisions to the *ECU Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures and Academic Program Development, Section VII. Academic Program and Curriculum Development

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

“Program and curriculum development are faculty responsibilities. Program and curriculum changes may be initiated, prepared, and presented for review to all relevant ECU campus bodies voting faculty as defined in *ECU Faculty Manual*, **Part IV, Section II, subsections II and III**. Development of new academic degree programs and certificates is governed by the policies and procedures of the General Administration (GA). Consultation with the ECU Office of Academic Program Planning and Development, **including resources from institutional research**, is recommended before preparing program development requests. Instructions on specific procedures and documents for program and curriculum development proposals are available on the Office of Academic Program Planning and Development’s Web site.

The Academic Program Development Collaborative Team, an advisory body to the Academic Council, collaborates with units to strengthen program proposals and informs the Educational Policies and Planning Committee of its recommendations to the Academic Council and to the dean of the Graduate School concerning graduate programs under consideration. The Office of Continuing Studies processes requests to deliver new and existing academic programs through distance education. The chancellor has the final campus authority on academic program decisions.

In cases of financial exigency or the initiation of a discontinuation, curtailment, or elimination of a teaching, research, or public service program, the provisions of the *ECU Faculty Manual* will apply.

A. Definitions

1. Degree Programs

A degree program is a program of study in a discipline specialty that leads to a degree in that distinct specialty area at a particular level of instruction. All degree programs are categorized individually in the University's academic program inventory at the twelve-digit CIP code level. As a general rule, a degree program requires coursework in the discipline specialty of at least 27 semester hours at the undergraduate level and 21 semester hours at the doctoral level. A master's-level program requires that at least one-half of the total hours be in the program area. Programs with fewer hours are designated a concentration within an existing degree program. Degree programs require the approval of the GA and the Board of Governors (BOG). Minors and concentrations receive final approval at the campus level.

2. Certificates

A certificate program provides an organized program of study that leads to the awarding of a certificate rather than a degree. Certificate programs are offered at the pre-baccalaureate, post-baccalaureate, and post-master's levels. UNC-GA has indicated that post-baccalaureate and post-master's certificates must require a specified number of hours (18 s.h. for post-baccalaureate, and 24 s.h. for post-master's) to be reported to the Integrated Post-secondary

Education Data System (IPEDS). Program planners should be aware that not meeting these criteria may impact consideration of financial aid eligibility. Once a certificate is approved, ECU will submit it to the Department of Education to determine if the program is eligible for participation in the Title IV (financial aid) programs.

### 3. Teacher Licensure Areas (TLA)

These are specific course clusters that meet licensure requirements of the State Board of Education but do not lead to the conferral of a particular degree or a certificate. These may be at the entry level or advanced level of teacher licensure. When an institution receives authorization from the State Board of Education to offer a TLA, the senior vice president for academic affairs of UNC-GA must be notified. A current inventory of teacher licensure programs approved by the State Board of Education is available from the North Carolina Department of Public Instruction.

### B. Curriculum Approval Process

Curriculum development includes developing courses and requirements for new academic programs, and developing and revising courses and requirements for existing programs.

The following is the order for seeking campus approval for undergraduate curriculum changes (1000-4000-level):

- Curriculum committee of department/school in which the course(s) is/will be housed;
- Voting faculty of department/school in which the course(s) is/will be housed;
- Foundations Curriculum and Instructional Effectiveness Committee (if requesting Liberal Arts Foundations Curriculum credit **or Diversity credit**);
- Writing Across the Curriculum Committee (if requesting Writing Intensive credit);
- University Service Learning Committee (if requesting Service Learning credit);
- Communicate with the appropriate chairperson(s), director(s), or dean(s) of the units and programs that may be directly or indirectly affected by the curriculum;
- Chairperson/director of department/school in which the course(s) is/will be housed;
- Curriculum committee of the college in which the course(s) is/will be housed;
- Council on Teacher Education (for Teacher Licensure Areas);
- Dean of the college in which the course(s) is/will be housed;
- University Curriculum Committee;
- Faculty Senate;
- Chancellor

The following is the order for seeking campus approval for graduate curriculum changes (5000-level and above):

- Curriculum committee of department/school in which the course(s) is/will be housed;
- Voting graduate faculty of department/school in which the course(s) is/will be housed;
- Communicate with the appropriate chairperson(s), director(s), or dean(s) of the units and programs that may be directly or indirectly affected by the curriculum;
- Chairperson/director of department/school in which the course(s) is/will be housed;
- Curriculum committee of the college in which course(s) is/will be housed and TLA proposals to Council on Teacher Education;
- Dean of the college in which the course(s) is/will be housed;
- Graduate Curriculum Committee;
- Graduate Council;
- Chancellor

## C. Program Development Approval Process

Program development includes developing new academic degree programs, minors, certificates, and new concentrations within existing degree programs, as well as requesting degree title changes, and moving or discontinuing programs.

### 1. New Degree Programs

Proposals for new academic degrees must include a list of all UNC and private in-state institutions that offer the same or a similar degree. Program planners are expected to contact those institutions regarding their experience with program productivity (applicants, majors, job market, placement, etc.). Further, program planners are expected to identify opportunities for collaboration with institutions offering related degrees and discuss what steps have or will be taken to actively pursue those opportunities where appropriate and advantageous. To facilitate this portion of the planning process, the UNC-GA Division of Academic Affairs provides a link to the UNC Academic Program Inventory and a link to program inventories for other in-state institutions. In addition, proposals must include the Classification of Instructional Programs code under which the proposed program is to be classified. Faculty should allow ample time for review of proposals at all levels.

The approval process to plan or establish new undergraduate or graduate degree programs involves ~~three distinct~~ **two** phases:

Phase I: ~~Request for Authorization to Plan (RAP)~~ **Planning**

Phase II: ~~Request for Authorization to Establish (RAE)~~ **Development**

~~Phase III: Curriculum/Course Approval~~

In Phase I, the appropriate planning documents are submitted to the following academic bodies and officers in the following order for approval:

- Curriculum committee of department/school in which the program is/will be housed;
- Voting faculty of department/school in which the program is/will be housed;
- ~~Chairperson/director of department/school in which program is/will be housed;~~
- Curriculum committee of the college in which program is/will be housed; TLA proposals to Council on Teacher Education;
- Dean of the college in which the program is/will be housed;
- Appropriate Vice Chancellor ~~(for information purposes only);~~
- ~~University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level. The appropriate committees will consider the curriculum framework. The GCC also will consider the external reviewers' reports for master's and doctoral degree proposals.~~
- Graduate Council for master's or doctoral programs;
- Educational Policies and Planning Committee;
- Faculty Senate and Academic Council;
- Chancellor

In Phase II, a request for authorization to establish (RAE) a bachelor's, master's, or doctoral program **must be approved and submitted to UNC-GA within four months after the RAP is approved by UNC-GA and UNC-GA issues an invitation to submit the RAE. The RAE package** is developed in consultation with the **Academic Program Development Collaborative Team, the Office of Academic Program Planning and Development, and resources from institutional research.**

~~(The RAE document must be approved and submitted to UNC-GA within four months after the~~

RAP is approved by UNC-GA.)

**Curriculum development (in conjunction with new academic program development) is completed and is submitted with the RAE package to the following academic bodies and officers in the following order for approval:**

- **Curriculum committee of department/school in which the program is/will be housed;**
- **Voting faculty of department/school in which the program is/will be housed;**
- **For undergraduate curriculum only (with no RAE package required):**
  - **Foundations Curriculum and Instructional Effectiveness Committee (if requesting Liberal Arts Foundations Curriculum credit or Diversity credit);**
  - **Writing Across the Curriculum Committee (if requesting Writing Intensive credit);**
  - **University Service-Learning Committee (if requesting Service-Learning credit);**
- **Communicate with the appropriate chairperson(s), director(s), or dean(s) of the units and programs that may be directly or indirectly affected by the curriculum;**
- **Curriculum committee of the college in which program is/will be housed; TLA proposals to Council on Teacher Education;**
- **Dean of the college in which the program is/will be housed;**
- **Appropriate Vice Chancellor;**
- **External review (master's and doctoral programs only);**
- **Graduate or University Curriculum Committee (master's and doctoral programs only); as appropriate for degree level;**
- **Graduate Council for (master's or doctoral programs only);**
- **Educational Policies and Planning Committee;**
- **Faculty Senate and Academic Council;**
- **Chancellor**

~~In Phase III, the approval of new degree requirements and courses is completed as specified above in "Curriculum Approval Process" [Part VI, Section VII. (B)] for undergraduate and graduate programs. The curriculum approval process is separate from Phases I and II and may be initiated concurrently with Phases I or II. If BOG authorization to establish is received before the curriculum approval process has been completed, a moratorium will be placed on degree implementation until a quality curriculum has been finalized.~~

## 2. New Minors, Certificates, Concentrations; Degree Title Changes; Teacher Licensure Areas; and Discontinuing Degree Programs

The following is the order for seeking campus approval for undergraduate or graduate minors, certificates, concentrations, degree title changes, teacher licensure areas, and discontinuing a degree program. (Discontinuing minors, certificates, concentrations, and teacher licensure areas are considered curricular actions.) The Chancellor or his or her designee in consultation with the Chair of the Faculty may establish deadlines of not less than two weeks by which each person and/or committee listed must report its concurrence (approval) or non-concurrence with the proposed action. Failure to report by the established deadline shall be considered an abstention and the proposed action shall progress to the next level for consideration.

Curriculum committee of department/school in which the program is/will be housed;  
Voting faculty of department/school in which the program is/will be housed;  
~~Chairperson/director of department/school in which the program is/will be housed;~~  
Curriculum committee of the college in which the program is/will be housed; TLA proposals to Council on Teacher Education;

Dean of the college in which the program is/will be housed;  
Appropriate Vice Chancellor (for information purposes only)  
University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level;  
Graduate Council for graduate programs;  
Educational Policies and Planning Committee;  
Faculty Senate and Academic Council;  
Chancellor (Once new teacher licensure areas are approved by the North Carolina State Board of Education, they must be submitted to UNC-GA.)

### 3. Moving Degree Programs

The following is the order for seeking campus approval for moving a program.

Curriculum committee of department/school in which the program is currently and will be housed;

Voting faculty of department/school in which the program is currently and will be housed;

~~Chairperson/director of department/school in which program is currently and will be housed;~~

Curriculum committee of the college in which program is currently and will be housed; TLA proposals to Council on Teacher Education;

Dean of the college in which the program is currently and will be housed;

Appropriate Vice Chancellor (for information purposes only)

University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level;

Graduate Council for graduate programs;

Educational Policies and Planning Committee;

Faculty Senate and Academic Council;

Chancellor

### 4. Process Completion

The proposing academic unit, in collaboration with the Office of Academic Program Planning and Development, prepares the final version of undergraduate and graduate program requests for the chancellor's consideration. Once the chancellor has made an affirmative decision, the Office of Academic Program Planning and Development submits the new program request and chancellor's communiqué to UNC-GA.

### D. Academic Program Review

Every academic program is required to be reviewed as part of a seven-year unit program evaluation. The unit Academic Program Review will be conducted according **to the Procedures for Unit Academic Program Review**. Changes to these guidelines need to be approved by the Educational Policies and Planning Committee and the Faculty Senate. The unit Academic Program Review shall be used in the development of the unit's operational and strategic planning. (FS Resolution #12-50, March 2012)"