The sixth regular meeting of the 2015/2016 Faculty Senate will be held on **Tuesday, February 23, 2016**, at 2:10 p.m. in the **Willis Building** (on 1st street).

Please note the change in meeting location.

**AGENDA**

I. **Call to Order**

II. **Approval of Minutes**  
   January 26, 2016

III. **Special Order of the Day**  
A. Roll Call

B. Announcements

C. Steve Ballard, Chancellor

D. Mark Matulewicz, Student Government Association President

E. Bill Koch, Associate Vice Chancellor with Campus Operations  
   Debi Garfi, Director of Parking Services  
   Annual Report on Parking and Transportation Services, including maps of proposed  
   parking adjustments and parking changes

F. John Stiller, Chair of the Faculty

G. Election of Five Members to the Faculty Officers Nominating Committee  
   (ECU Faculty Manual, Part II, Section II) (attachment 1).

H. Question Period

IV. **Unfinished Business**

V. **Report of Graduate Council**  
Graduate Council, Terry Atkinson  
Formal faculty advice on curriculum and academic matters acted on and recorded in the  
January 25, 2016 Graduate Council meeting minutes, which included Policy and Curriculum  
actions (GC 15-25), including revision to the Faculty Manual “Part II, Section IV” to allow  
Graduate Status for retired/emeritus faculty, revision to the Graduate Catalog policy on  
“Falsification of information on Graduate Application”; Curriculum actions within the Graduate  
Curriculum Committee meeting minutes from December 2, 2015 included packages submitted by  
the Department of Interdisciplinary Professions, Department of Elementary Education and Middle  
Grades Education, Department of Literacy Studies, English Education, and History Education,  
Department of Human Development and Family Services, Department of Foreign Languages and  
Literatures, Department of Kinesiology, Department of Mathematics, Science, and Instructional  
Technology Education, Department of Special Education, Foundations and Research, and the  
School of Art and Design.
VI. Report of Committees

A. Writing Across the Curriculum Committee, Susannah Berry
Curriculum and academic matters contained in the meeting minutes of February 8, 2016
including writing intensive (WI) course designation for HIST 3840 and AAAS 2500.

B. Committee on Committees, Crystal Chambers
1. Second reading of proposed revision to University Curriculum Committee charge
   (attachment 2).
2. First reading of proposed revisions to Foundations Curriculum and Instructional Effectiveness
   Committee charge (attachment 3).

C. University Curriculum Committee, Lori Flint
Curriculum and academic matters acted on and recorded in the January 14, 2016 meeting
minutes including curricular actions within the Classical Studies, Interdisciplinary Programs, and
Multidisciplinary Studies (all within College of Arts and Sciences), College of Education,
Department of Anthropology, Department of Biology, Department of Economics, Department of
English, Department of Geography, Planning and Environment, Department of Geological
Sciences, Department of History, Department of Mathematics, Department of Philosophy and
Religious Studies, Department of Physics, Department of Political Science, Department of
Psychology, Department of Sociology and the January 28, 2016 meeting minutes including
curricular actions within the Department of Interior Design and Merchandising, Department of
Health Education and Promotion, Department of Kinesiology (all within the College of Health and
Human Performance), Department of Political Science and College of Education.

D. Educational Policies and Planning Committee, Don Chaney
1. Curriculum and academic matters acted on and recorded in the February 12, 2016 meeting
   minutes including a request for authorization to establish a new distance education PhD in
   Nursing program within the College of Nursing and a request to change a degree title from
   BS in Merchandising to BS in Fashion Merchandising and Consumer Studies in the
   Department of Interior Design and Merchandising and Consumer Studies in the
   Department of Interior Design and Merchandising within the College of Health and Human
   Performance.
2. Approval of a Provisional Code of Operations for Laupus Health Sciences Library.
3. Formal faculty advice on proposed PRR on Centers and Institutes (attachment 4).

E. Faculty Welfare Committee, Jacqueline De Chabert-Rios
1. Formal faculty advice on proposed PRR on Volunteer Regulation (attachment 5).
2. Formal faculty advice on proposed PRR on Information Security Regulation (attachment 6).

F. Faculty Governance Committee, Kylie Dotson-Blake
Proposed revisions to the ECU Faculty Manual, Part IX, Section I. Tenure and Promotion Policies
and Procedures of East Carolina University, subsections I. – IV. (attachment 7).

VII. New Business
Faculty Senate Agenda
February 23, 2016
Attachment 1.

Election of Five Members to the Faculty Officers Nominating Committee

ECU Faculty Manual, Part II, Section II states:

“At the second regular meeting of the spring semester the elected members of the Faculty Senate shall nominate and elect a nominating committee to consist of five members. The nominating committee shall be elected from the ranks of elected members of the Faculty Senate by a majority of those present and voting. Voting for members of the nominating committee shall be by written, secret ballot. The nominating committee elected by the Faculty Senate shall submit to the Secretary of the Faculty a slate of candidates for each office of the Faculty Senate at an organizational meeting to be held on a Tuesday following the last regular meeting of the spring semester but before the beginning of the examination period.”

Faculty Senate Agenda
February 23, 2016
Attachment 2.

COMMITTEE ON COMMITTEES REPORT
Second Reading of Proposed Revision to the University Curriculum Committee Charge

(Deletion is noted in strikethrough and addition in bold print.)

1. Name: University Undergraduate Curriculum Committee

2. Membership:
8 elected faculty members.
Ex-officio members (with vote): The Chancellor or an appointed representative, the Provost or an appointed representative, the Vice Chancellor for Health Sciences or an appointed representative, the Chair of the Faculty, one faculty senator selected by the Chair of the Faculty, and one student member from the Student Government Association.
The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
A. The committee considers undergraduate courses (through 4000-level) and programs and has the responsibility of assuring the quality of course offerings regardless of mode of course delivery.
B. The committee recommends policies and procedures governing the acceptability of programs and courses.
C. The committee reviews requests for permission to establish new degree programs, certificates, and minors.
D. The committee reviews and acts on proposals for new courses and course revisions.
E. The committee reviews and acts on proposals for new degree programs, certificates, and minors and on revisions to established degree programs, certificates, and minors.

F. The committee reviews and acts on revisions to the standards and requirements for admission to and retention in degree programs, certificates, and minors.

G. The committee considers other items that affect the curriculum of undergraduate programs.

H. The committee acts on recommendations from the Council for Teacher Education regarding proposed changes in teacher education requirements.

I. The Committee reviews at least annually those sections within the University Undergraduate Catalog that correspond to the Committee’s charge and recommends changes as necessary.

J. The chair or appointed representative serves as a member on the Academic Program Development Collaborative Team, and as appropriate, any university-wide administrative committee that involves undergraduate curriculum.

5. To Whom The Committee Reports:
The committee makes its recommendations to the Faculty Senate. The committee reports on its review of requests to establish new degree programs and requests to establish new minors to the Educational Policies and Planning Committee.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to report on its review of requests to establish new degree programs and requests to establish new minors to the Educational Policies and Planning Committee.

8. Standard Meeting Time:
The committee meeting time is scheduled for the second and fourth Thursday of each month.

Faculty Senate Agenda
February 23, 2016
Attachment 3.

COMMITTEE ON COMMITTEES REPORT
First Reading of Proposed Revisions to the Foundations Curriculum and Instructional Effectiveness Committee Charge

(Deletions are noted in strikethrough and additions in bold print.)

1. Name: Foundations Curriculum and Instructional Effectiveness
   General Education and Instructional Effectiveness

2. Membership: 8 elected faculty members. Ex-officio members (with vote): The Chancellor or an appointed representative, the Provost or an appointed representative, the Vice Chancellor for Research, Economic Development and Engagement and Graduate Studies or an appointed
representative, the Vice Chancellor for Student Affairs or an appointed representative, the Chair of the Faculty, one faculty senator selected by the Chair of the Faculty, and one student member from the Student Government Association. The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee recommends policies to improve and advance faculty teaching and student learning.
   B. The committee promotes teaching excellence and recommends means to identify faculty teaching success, including development of peer review instruments for teaching face-to-face and distance education courses. The committee assists units requesting aid in developing teaching evaluation instruments for personnel decisions. The committee recommends policies and programs to improve the physical environment in which teaching occurs. The committee provides a forum for faculty opinion concerning the design of new academic buildings and renovation of existing academic buildings.
   C. The committee makes recommendations regarding proposed changes, including individual courses, in the Foundations Curriculum general education and diversity curriculum. The committee makes recommendations to the Faculty Senate regarding proposed changes in the Foundations General Education Curriculum requirements.
   D. The committee reviews the annual report of the Director of the Writing Across the Curriculum Program and the Dean of The Honors College.
   E. The committee reviews honors seminar proposals for general education credit, diversity credit, or both.
   F. The chair or appointed representative serves as an ex-officio member of the University Athletics Committee and Honors College Advisory Committee.
   G. The Committee reviews at least annually those sections within the University Undergraduate Catalog and University Graduate Catalog that correspond to the Committee’s charge and recommends changes as necessary.
   G. The chair or appointed representative serves as ex-officio on the University Online Quality Council.

5. To Whom The Committee Reports:
The committee reports to the Faculty Senate its recommendations of policies, procedures, and criteria cited above. The committee recommends curricular changes in the Foundations Curriculum general education and diversity curriculum to the Faculty Senate.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
   None

8. Standard Meeting Time:
The committee meeting time is scheduled for the third Monday of each month.
EDUCATIONAL POLICIES AND PLANNING COMMITTEE REPORT
Formal Faculty Advice on Proposed PRR on Centers and Institutes

This document is a re-write of the original policy approved in February 2006.

Editorial changes were agreed upon during the meeting and all have been included in the below document. No further changes are being recommended.

Authority: Board of Trustees
History: Approved 2/24/2006 revised 1/11/2016
Contacts: Vice Chancellor of Research, Economic Development, and Engagement, 252-328-9471; Chair of the Centers and Institutes Committee

1. Introduction, Purpose, and Definitions

East Carolina University (ECU) encourages multidisciplinary and multi-institutional partnerships that maximize the ability to address complex problems of importance to North Carolina, the nation, and the world. Such partnerships may take the form of centers and institutes. Centers and institutes are particularly effective structures when efforts require cross-disciplinary or cross-unit coordination. Centers and institutes, when formed, should result in strengthened and enriched programs around the core missions of research, service, and instruction; enhanced opportunities for faculty, staff and students; heightened economic impact and societal well-being in Eastern NC and the State; increased efficiency; and reduced duplication of effort. Centers and institutes are expected to consolidate and coordinate activities across multiple entities or disciplines, or catalyze implementation of new multi-disciplinary initiatives, and therefore will encompass more than one department, office, or institution.

UNC Policy Manual 400.5[R] provides guidelines for establishing and managing institutional centers and institutes; defines University System Multi-Campus Centers or Institutes and the oversight role of UNC General Administration (UNC-GA); and outlines expectations for management oversight and reporting on centers and institutes. In accordance with these guidelines, the Chancellor approved the following Policy governing planning, establishing, reviewing and operating for Centers and Institutes with ECU as their administrative home.

1.1. Purpose

1.1.1. Providing guidelines for planning, establishment, management, and discontinuation of institutional centers and institutes;

1.1.2. Providing guidelines for management and oversight of centers and institutes at East Carolina University (ECU); and

1.1.3. Setting forth requirements for management oversight and reporting on centers and institutes.

1.2. Definitions

1.2.1. “Center or Institute.” For purposes of classification, there is no technical distinction
between the terms center and institute. In practice, an institute frequently refers to an entity having a broader scope of activity than a center. For example, an institute may create centers as separate units within its administrative structure. Centers and institutes may require new infrastructures to facilitate administration, fiscal management, and on-going activities. Centers and institutes may involve only units within the institution, or may include the participation of other institutions, agencies, or organizations, such as other colleges and universities, schools, hospitals, industry, foundations, or governmental bodies. Centers and institutes do not have jurisdiction over academic curricula, although they may offer courses in cooperation with academic units.

1.2.2. “General Fund sources” means financial resources originating from the State’s General Fund, including state appropriations and tuition receipts.

1.2.3. “Non-General Fund sources” means financial resources originating from sources other than the State’s General Fund, including fee receipts, endowment income, institutional trust funds, and outside grants.

1.2.4. “In-Kind sources” means support that one or more constituent institutions provides to a center or institute in the form of space, services, graduate assistantships, faculty course buyout, or use of equipment or other materials, and for which it does not receive cash payment.

1.2.5. “Political activity” means, as described in Section 300.5.1 of the UNC Policy Manual, actions directed toward the success or failure of a candidate for public office, political party, or partisan political group including, but not limited to, campaigning, political management, and soliciting financial contributions for political purposes.

2. Policy Provisions for Centers and Institutes

2.1. The following provisions apply to centers and institutes with ECU as their administrative home.

2.1.1. Authority

2.1.1.1. Board of Trustees. The Board of Trustees approves campus level policies on centers and institutes and authorizes establishment and discontinuation of institutional centers and institutes consistent with regulations and the directions of the president or the Board of Governors. The Board of Trustees may delegate to the Chancellor the authority to approve the discontinuation of centers and institutes.

2.1.1.2. Chancellor. The Chancellor is ultimately responsible for the oversight and management of all centers and institutes at ECU. The Chancellor is responsible for carrying out the requirements of the applicable policies of the Board of Governors and Board of Trustees with respect to centers and institutes, and for ensuring that all requirements of this Policy are implemented and followed. The Chancellor delegates authority for division-level administration of centers and institutes to the Academic Council (Provost, Vice Chancellor for Health Sciences, and Vice Chancellor for Research, Economic Development, and Engagement).

2.1.1.3. Centers and Institutes Committee. The Centers and Institutes Committee oversees all centers and institutes at ECU and ensures operations are in compliance with the established policies and procedures. The Committee reports to Academic Council. It is charged with carrying out the following duties:

2.1.1.3.1. Establish the composition and membership of the Committee;
2.1.1.3.2. Ensure alignment between the University’s Centers and Institutes Policies
and Procedures and the UNC Policy Manual, and advise the Academic Council on changes to the institution’s policies and procedures to rectify discrepancies;

2.1.1.3.3. Authorize permission to plan for new centers and institutes;

2.1.1.3.4. Authorize or recommend, as appropriate, establishment of new centers and institutes;

2.1.1.3.5. Establish the processes for periodic review of centers and institutes and their directors for performance relative to their stated objectives, goals, and mission;

2.1.1.3.6. Oversee conduct of periodic reviews of the established centers and institutes and their directors;

2.1.1.3.7. Recommend discontinuation of centers and institutes when warranted; and

2.1.1.3.8. Liaise with UNCGA on issues related to centers and institutes.

2.1.1.4. Directors. Each center or institute must have a director, with a direct report to a senior academic officer appointed by the Chancellor. Directors are responsible for the day-to-day programmatic, fiscal, and personnel decisions associated with the center and institute mission and core personnel.

2.1.1.5. Boards and advisory committees. Each center and institute with ECU as its administrative home will maintain a board or advisory committee of at least four members that represent the primary constituents. The boards or advisory committees will report to the directors, providing advice and guidance, and helping coordinate. The board and advisory committees do not have authority to make hiring offers or to discontinue directors or other staff or to access, use, or otherwise control funds associated with the center or institute.

2.1.1.6. Bylaws, memoranda of understanding, and other governing documents. Commitments, responsibilities, and interactions of the constituent departments, colleges, schools, divisions, and institutions involved in activities of centers and institutes with their administrative home at ECU must be defined by bylaws, memoranda of understanding (MOUs), or other governing documents such as the original proposal that is signed by all parties. All documents defining the commitments, responsibilities, and working relationships of the above-referenced entities must be approved by the Chancellor or the Chancellor’s Designee. Centers and institutes that involve multiple campuses, but without such documents, are considered under the full authority of the administrative campus.

3. Obtaining Authorization to Plan Centers and Institutes

3.1. Units seeking permission to plan a center or institute will develop and submit a written proposal which includes the following required information:

3.1.1. Name of the proposed center or institute;

3.1.2. Relevance of the proposed center or institute to the mission of ECU and UNC;

3.1.3. Specific objectives and goals of the proposed center or institute and why the objectives and goals cannot be achieved within existing institutional or UNC structures, including individual schools, departments, and/or programs;

3.1.4. Discussion of differentiation from similar centers, institutes or units (if any) within ECU, UNC and the State, and proposed relationship with them;

3.1.5. Center/institute’s relevance to ECU’s mission, including a statement on the impact upon academic, research, and outreach programs of existing academic departments, schools, institutes and centers;
3.1.6. Names and credentials of participants in the proposed institute/center and criteria for inclusion of future participants/members;

3.1.7. Description of the expected benefit/value added to the campus or community anticipated within five years due to the existence of the center or institute;

3.1.8. Budget estimates for the first year of operation, and projections for the following four years, including the amount to be derived from General Funds, non-General Funds and in kind support, and the source of the required funds (i.e., department, institution, sponsor, etc.);

3.1.9. Statement of capital needs such as equipment and library resources and documentation of how these needs will be met, such as MOU’s, award notices, and letters of commitment from the sources of the resources;

3.1.10. Description of immediate space needs, projections of future space needs, and documentation of commitments from the parties committing the space for center and institute activities;

3.1.11. Plan for becoming self-sustaining and independent of General Funds and ongoing in-kind support including course buyouts and release time for center and institute directors, faculty, and staff; and graduate assistantships used to support operations. Any requirement for ongoing support from General Funds and in-kind support must be justified by the benefits derived from the activities of the center or institute;

3.1.12. When relevant, statements on the inter-institutional nature of the proposed center or institute, whether it be mission, leadership, activities, funding or other aspects;

3.1.13. Milestones, timelines, and responsible parties associated with center and institute planning periods.

3.1.14. Any additional supporting information; and

3.1.15. Signatures of administrators of all participating units.

3.2. Submission of Proposal to Plan

3.2.1. Proposals to plan centers and institutes must be submitted to the Vice Chancellor for Research, Economic Development, and Engagement for referral to the Educational Policies and Planning Committee and the Centers and Institutes Committee. The Centers and Institutes Committee reviews the proposals, considers input from the Educational Policies and Planning Committee, and recommends approval or disapproval of the proposal to plan to the Academic Council and the Chancellor. If the Chancellor authorizes the planning of a center or institute then the approval to plan shall be submitted to the Board of Trustees and the UNC Office of Research within 30 days of the Chancellor’s approval or by the next meeting of the Board of Trustees, whichever is later.

3.3. Obtaining Authorization to Establish Centers and Institutes

3.3.1. After receiving permission to plan a center or institute, units seeking permission to establish a center or institute will develop and submit the following required information:

3.3.1.1. Name of the proposed center or institute;

3.3.1.2. Identification of the proposed center or institute as either primarily research, service or instructional

3.3.1.3. Statement on the anticipated effects of the proposed unit on the instructional, research and/or public service programs of the administrative campus; and, when inter-institutional arrangements are involved, a statement on the impact upon academic, research, and outreach programs of existing academic departments, schools, institutes and centers of all participating campuses;
3.3.1.4. Organizational structure, including name of the proposed director, description of the membership, proposed organizational structure, and a description of proposed advisory or policy boards;

3.3.1.5. Statement on immediate financial needs, including the amount of General Fund, non-General Fund, and in kind support that will be required;

3.3.1.6. Statement on immediate operating needs, such as equipment, library resources, and space needs, and five-year projections of future space needs;

3.3.1.7. An accountability plan that complies with the policy of the home campus, noting specific dates for the initial director and center or institute reviews;

3.3.1.8. A schedule of milestones, timeliness, and responsible parties associated with establishment; and

3.3.1.9. When relevant, evidence that inter-institutional arrangements regarding leadership, governance, activities, or funding of other aspects have been reached by the cooperating chancellors or designees.

3.4. Submission of Proposal to Establish

3.4.1. Proposals to establish centers and institutes must be submitted to the Vice Chancellor for Research, Economic Development, and Engagement for referral to the Educational Policies and Planning Committee and the Centers and Institutes Committee. The Centers and Institutes Committee reviews the proposals, considers input from the Educational Policies and Planning Committee, and recommends approval or disapproval of the establishment of the center or institute to the Academic Council and the Chancellor. A proposed center or institute satisfying all the above-referenced criteria may be established after approval of the Chancellor and Board of Trustees and notification to the Office of Research at UNC General Administration.

3.5. Reporting and Reviews

3.5.1. All centers and institutes must submit an annual report of activities to the Centers and Institutes Committee via the Vice Chancellor for Research, Economic Development, and Engagement for archiving and transmission to the Academic Council and the Chancellor. Annual reports must include:

3.5.1.1. Performance against the stated objectives;

3.5.1.2. Annual expenditures from General Funds, non-General Funds and in kind support;

3.5.1.3. Source of the expended funds (i.e., department, institution, and/or sponsor); and

3.5.1.4. Progress on the plan to self-sustaining and independent of General Funds and ongoing in-kind support including course buyouts and release time for center and institute directors, faculty, and staff; and graduate assistantships used to support operations. For centers and institutes that require ongoing support from General Funds and in-kind support the benefits derived from the activities of the center or institute relative to the funds expended must be clearly stated.

3.6. The Centers and Institutes Committee will report deficiencies in performance to the directors and ensure corrective actions are implemented annually.

3.7. Each center and institute must undergo a comprehensive review every 5 years to evaluate ongoing alignment with departmental, college and/or institutional missions and resources, success in accomplishing stated objectives, and sound fiscal status and practices, to include a self-study that is critically evaluated by reviewers not affiliated with the center or institute. Reviews of centers and institutes that receive more than $100,000 in General
Funds plus in-kind support annually, or that are authorized to receive distributions of indirect costs through the Division of Research, Economic Development, and Engagement, must include reviewers from outside the institution and onsite visits. The Centers and Institutes Committee will schedule, orchestrate, and document results of the reviews. Review criteria will include, but not limited to, the following:

3.7.1. Performance against specific objectives and goals as reported in annual reports;
3.7.2. Quality and quantity of scholarly activity (as appropriate per mission), teaching and other instructional activity (as appropriate per mission), and service (as appropriate per mission);
3.7.3. Budget required to continue operation, including the amount and proportion of funds received from General Fund and non-General Fund sources as well as in kind support;
3.7.4. Fiscal oversight;
3.7.5. Analysis and assurance that the entity does not duplicate other institutional, UNC, or State entities;
3.7.6. Analysis and consideration as to whether the entity’s work can be effectively accomplished by a single department or program;
3.7.7. Facilities, personnel, and operational needs;
3.7.8. Stakeholder feedback (stakeholder defined as appropriate per the unit’s mission)
3.7.9. Director performance, to include at a minimum:
   3.7.9.1. Performance against individual objectives and goals;
   3.7.9.2. Feedback on leadership and communication from center/institute staff, partners and/or clients; and
   3.7.9.3. Management of fiscal and human resources.
3.7.10. Standard practices and procedures for involving other UNC constituent institutions in review processes, when relevant; and
3.7.11. Clear plans for occasions when centers, institutes or directors do not meet minimum review expectations, including process, milestones, and responsible parties.

3.8. Results of the reviews will be reported to Academic Council and forwarded to the Chancellor.

3.9. Discontinuing
3.9.1. A center or institute may be discontinued for a variety of reasons, including but not limited to request by its director, its administrative unit, Academic Council, or Chancellor; lack of fiscal resources for sustainability; incompatibility with departmental, college, or institutional missions or objectives; failure to meet performance expectations; unsatisfactory performance as documented in the annual review process and confirmed in the 5 year comprehensive review; and completion of the mission. The Centers and Institutes Committee will make recommendations for discontinuation to the Academic Council for approval by the Chancellor. The Office of Research at UNC General Administration must be notified prior to discontinuation. A center or institute shall be considered discontinued if the discontinuation is approved by the Board of Trustees.
3.9.2. For those centers and institutes that require significant and sustained cooperation among more than one UNC campus, agreement must be reached and documented by the partner Chancellors or designee before the recommendation to discontinue goes before the Board of Trustees of the administrative campus. If such an agreement cannot be reached by partner Chancellors or designees, then UNC General Administration, through the Office of Research, will convene partners and
determine an acceptable solution.

3.9.3. The “phase-out” period for centers and institutes that are to be discontinued shall be sufficient to permit an orderly termination or transfer of contractual obligations and to allow an effort to find alternative employment for full-time staff. Normally, the “phase-out” period shall be no more than one year after the end of the academic year in which final approval is given to discontinue the center or institute.

4. Other Entities

4.1 Other coordinating entities, such as networks, partnerships, consortia, collaboratives, or centers that form within existing centers or single departments, are exempt from this Policy. For example, faculty within a department may decide to form a collaborative in order to more intentionally connect their research projects and professional networks. While such a group may prove a valuable resource to external partners or other disciplinary contacts, it would likely require little to no structure, funds, or management to function. A final determination will be left to the discretion of the Centers and Institutes Committee as to whether such entities will be governed under institution level processes.

4.2 University System Multi-Campus Centers and Institutes

4.2.2 Some centers and institutes are established either to represent North Carolina in a federally funded and formula-based program, many of which require state matching funds, or through legislative action with requirements of multiple campus engagement. These entities, known as University System Multi-Campus Centers and Institutes, will maintain varying levels of involvement from UNC General Administration throughout their life cycle.

4.2.3 Centers and institutes that are established via a federally funded and formula-based program and designate ECU as the administrative campus require a reporting line to UNC General Administration through the UNC Office of Research and Sponsored Programs to ensure appropriate system level involvement in the center mission and the federal review processes for these centers, institutes, and their directors. These entities shall reach agreements with their administrative campuses to have any regularly occurring and extensive federal review meet the requirement for periodic external review. A center or institute participating in a federally-funded and formula-based matching program may be discontinued if the sponsoring unit of the federal government terminates funding for the program. When it becomes necessary to discontinue one of these centers or institutes, the Centers and Institutes Committee, in consultation with the other participating constituent institutions, will prepare and forward a written request to the UNC President, with copy to the Vice President for Research. The President will then make such recommendations as are necessary to the Board of Governors for approval of the discontinuation. The “phase out” period considerations noted above will apply to these centers and institutes.

4.2.4 Centers and institutes that function as part of one or more constituent institutions of the UNC system are subject to the administrative management, oversight, and control of the chancellor of the administrative campus (or the chancellor’s designee(s)) as to all activities undertaken by the center or institute, including with respect to the use of funds, services, supplies, equipment, information technology resources, vehicles or other University property.

5. Political Activity and Legislative Activity

5.1. University employees assigned to centers and institutes are subject to UNC Policy Manual Section 300.5.1, concerning Political Activities of Employees, which includes prohibitions against engaging in political activity while on duty and using the authority of one’s position or University or center or institute funds, services, supplies, equipment, information technology resources, vehicles or other resources for such activities, as described in the
The Internal Revenue Code (IRC) limits the extent to which charitable organizations that are tax-exempt pursuant to Section 501(c)(3) of the IRC may engage in activities directed towards influencing legislation (lobbying), subject to applicable exceptions. The University is a tax-exempt body, and each center or institute remains subject to the direction of its administrative campus when engaging in legislative (lobbying) activities, which shall be conducted in compliance with all State and federal laws, including regulations adopted by the U.S. Department of Treasury and the Internal Revenue Service. Each center or institute shall adhere to the IRC Section 501(c)(3) limits on lobbying activities to the same extent that such limits would apply if it were an independent charitable organization described in IRC Section 501(c)(3).

The Chancellor (or Chancellor’s designee) is responsible for overseeing and exercising control over the activities of each center or institute, and for ensuring that the director and professional staff of each center or institute receive comprehensive annual training concerning Internal Revenue Code restrictions on political and legislative activities by section 501(c)(3) organizations.

Faculty Senate Agenda
February 23, 2016
Attachment 5.

FACULTY WELFARE COMMITTEE REPORT
Formal Faculty Advice on Proposed PRR on Volunteer Regulation

In addition to recommended wording noted in bold print, the Committee notes that information included in the 2nd sentence of section 5.1.4. is unclear and needs to be clarified in relation to volunteers and the formatting in section 15.2. needs to be addressed.

Authority: Chancellor
History: New
Related Policies: UNC Anti-Nepotism Policy; Governor’s Executive Order 48; ECU Ant-Nepotism Policy (pending PRR review); Criminal Background Check Policy, Academic Computer Use Policy, Teachers’ and State Employees’ Retirement System Guidance on Returning to Work Laws; Notice of Nondiscrimination and Affirmative Action Policy
Other policies e.g., ECU Physician’s Volunteer Policy (In development); NCAA Guidelines
Additional References: Volunteer Agreement (Not linked yet); employment@ecu.edu
Contact for Info: Associate Vice Chancellor, Department of Human Resources (telephone: 252-328-9847)

1. Introduction
1.1. The East Carolina University (hereinafter ECU or University) Volunteer Regulation seeks to provide consistent guidelines and requirements for Volunteers. The regulation seeks to reduce the risk to both Volunteers and the University; and protect the interests of the University, its Volunteers, and the community it serves. Volunteers provide unique benefits and enable the University to fulfill its mission. This regulation addresses qualifications, required levels of approval, and legal implications of using the services of Volunteers.

2. Scope
2.1. Except as provided herein, this regulation applies to all ECU Volunteers, as defined below, and
the ECU divisions, departments, colleges, schools, or other ECU units (hereinafter collectively referred to as “units”) who utilize the services of Volunteers.

3. Volunteer Defined

3.1. A Volunteer subject to this regulation is any person that does not receive compensation but is authorized by an ECU unit to perform duties on behalf of ECU, including, but not limited to, civic, humanitarian, charitable, or public service duties, or to gain personal or professional experience in a specific area without compensation. Unpaid interns are excluded from this regulation. Volunteer Athletics coaches whose activities are governed by NCAA regulations are excluded from this regulation.

4. Discontinuing the Services of the Volunteer

4.1. ECU may terminate a Volunteer’s service at any time, and without prior notice. Likewise, Volunteers may terminate their services to the University at any time, and without prior notice.

5. Eligibility

5.1. In order to serve as a Volunteer, the following requirements must be met:

5.1.1. The individual must have appropriate experience, qualifications, and/or training for the task(s) that he or she will be asked to perform.

5.1.2. A current employee may not serve without compensation as a Volunteer for the University in the same position in which he/she is currently employed by the University or in a Volunteer capacity that is similar or related to the employee’s current regular work at the University.

5.1.3. Volunteer service hours for the University are not considered as University employee work hours or University employee community service hours, and are not eligible for compensation from the University. This subparagraph does not apply to faculty members who have the service component as part of their current regular duties.

5.1.4. Any individual who is under eighteen (18) years of age must obtain written parental/legal guardian consent to Volunteer. Volunteer services of children under the age of eighteen (18) is strictly limited to age-appropriate, non-strenuous, volunteer capacities for no more than six (6) hours in any given week and only to the extent they are directly supervised at all times by at least two University approved adult volunteers or ECU Employees, and/or at least one approved Volunteer, parent or guardian of that child.

5.1.5. Non-US citizens who do not possess valid work authorizations are not eligible to volunteer.

5.1.6. Retirees, who fall under the Teachers & State Employees Retirement System, may not serve as Volunteers within the first six (6) months of retirement if the Volunteer assignment could lead to permanent employment. Such an assignment could put the individual's retirement benefits at risk.

5.1.7. Volunteers may not displace or serve as a substitute for any regular employee position.

5.1.8. The Volunteer cannot be offered any promise of future employment.

5.1.9. The Volunteer must be sponsored by a unit that is willing to supervise the Volunteer.
6. Sponsoring Unit Responsibilities, Documentation and Procedures

6.1. It shall be the duty of the unit sponsoring a Volunteer to provide appropriate supervision and instruct the Volunteer on all applicable rules, regulations and policies, including safety policies. The unit shall designate at least one (1) faculty or staff member to be the point of contact with the Volunteer for the purposes of instructing the Volunteer and otherwise complying with this Policy.

6.2. The unit shall provide the Volunteer with a copy of this policy, make sure that the Volunteer meets all of the requirements of this Policy and shall comply with the following procedures:

6.2.1. If the Volunteer will provide services on three (3) or more days in any given semester (or 3 or more days over the course of a summer) the Volunteer shall be required to complete the Volunteer Agreement prior to beginning service.

6.2.2. ALL Volunteers who will be exposed to “Confidential and/or Sensitive Information,” (no matter the duration or extent of the Volunteer assignment) shall be required to complete the Volunteer Agreement prior to beginning service. Volunteers may access “Confidential and/or Sensitive Information” only to the extent the Volunteer is required and authorized to do so in the performance of his/her volunteer services.

6.2.2.1 “Confidential and/or Sensitive information” may include but is not limited to: Student Records and information from Student Records (including GPA, Class schedule, grades, Banner number, exam scores, etc.), Social Security Numbers or employer taxpayer identification numbers; Driver’s License information, State Identification Card; Passport Numbers; Digital Image; Date of Birth; Home Address; Home Telephone Numbers; Checking and Savings Account Information; Credit Card Information; Debit Card Information; Passwords; Protected Health Information (Any information that identifies a patient and their treatment); Proprietary Information (research, patent, legal, compliance, etc.); and Personnel File Information of employees.

6.2.3. If the potential Volunteer is under eighteen (18) years of age, his or her legal guardian must also sign the Volunteer Agreement.

6.2.4. A template Volunteer Agreement can be found at the link above. Each unit may make non-substantive modifications to the template to accommodate differences in program operations. Substantive changes may not be made without the consent of the Associate Vice Chancellor for Human Resources or his/her designee after consultation with the Office of University Counsel.

6.2.5. The unit shall at all times maintain documentation of the names, addresses, contact information, dates of service, and emergency contact information of all persons who are performing Volunteer services for that unit. A copy of this information, and copies of all current Volunteer Agreements, shall be provided by the unit to HR as new volunteers are processed by the department. A volunteer termination report (documenting the termination of the services of any volunteers during the last quarter) should be forwarded to HR on a quarterly basis.

6.2.6. The unit shall maintain all Volunteer documentation consistent with the applicable University document destruction policy, but in no case for fewer than three (3) years after the Volunteer has ceased rendering services for the unit.

6.2.7. The unit shall also determine whether the Volunteer must undergo a background check according to the criteria in section 15 below, and proceed accordingly.

7. Arrests/Convictions Obtained While Volunteering at ECU

7.1. Volunteers are required to report any arrests/convictions to their sponsoring unit immediately
after the arrest/conviction.

8. Volunteer Responsibilities and Rights
8.1. Volunteers shall abide by all applicable ECU policies, state and federal laws and regulations, including, but not limited to, those relating to ethical behavior, safety, confidentiality, protected health and student information, computer use, financial responsibility and drug use.
8.2. Volunteers are not ECU employees, nor do they have the authority to officially represent the University. Volunteers are not eligible for University privileges including, but not limited to wages, salary or any ECU benefits.

9. Prohibited Activities
9.1. ECU Volunteers are prohibited from performing any of the following activities in the course and scope of their authorized activities:
9.1.1. Operating heavy equipment;
9.1.2. Operating University or State owned or leased vehicles, golf carts and boats;
9.1.3. Working with hazardous materials, including stored energy (e.g. steam, electricity, hydraulics) and;
9.1.4. Entering into contracts on behalf of ECU.
9.1.5. Transporting minors in personal vehicles.

10. Nepotism
10.1. A Volunteer shall not be supervised or evaluated by any individual within the definition of “Related Persons,” as defined by the UNC Anti-Nepotism Policy. Exceptions to this requirement may be made, in the discretion of the unit manager, for short term (no longer than 3-day) events, where protective measures are put in place to ensure that no improper favoritism is likely to occur.

11. Liability and Indemnification
11.1. Volunteers who are acting within the course and scope of their authorized activities as agents on behalf of the University may be covered by the Defense of State Employees Act and the North Carolina Tort Claims Act pursuant to Governor’s Executive Order 48 (see link above). This means that the State may accept legal responsibility for the torts committed by ECU Volunteers that occur under those circumstances, to the extent permitted by law. Additionally, and, at the discretion of the North Carolina Attorney General, the State may agree to defend and indemnify the Volunteer in the same manner as if the Volunteer were an employee of the State of North Carolina.

12. Notice of Non-Discrimination
12.1. ECU prohibits discrimination and related retaliation against students, employees, applicants, and visitors (including Volunteers) on the basis of any University protected class as outlined in the Notice of Nondiscrimination and Affirmative Action Policy. Harassment is a form of discrimination. Sexual misconduct is a form of sex discrimination that includes sexual harassment and sexual violence.

12.1.1 All Volunteers must complete an educational module about prohibited sexual misconduct, as defined in the University’s Notice of Nondiscrimination and Affirmative Action Policy, at the time they begin their volunteer service and every five years thereafter. To complete the educational module, please contact the Office for Equity and Diversity, phone (252) 328-6804, or email oed@ecu.edu, or via the internet (www.ecu.edu/oed).

13. Special Needs and Requirements of Certain Units
13.1. To the extent they are consistent with this regulation, each unit may develop additional requirements, guidelines or rules for its Volunteers as may be appropriate to its circumstances or as required by law or regulation. For example, units within the Division of Health Sciences may be required to apply additional health and safety policies and procedures to protect the Volunteer or others from exposure or harm.

14. Computing and Network Usage

14.1. ECU units may request computer and network accounts for their Volunteers. The request must be written and signed by an authorized representative of the sponsoring unit. The request must have Vice Chancellor or designee approval. In addition, the ECU unit employee assigned to serve as the point of contact with the Volunteer may be required to sign a statement accepting responsibility for the actions of the Volunteer with regard to computer and network usage. The authorization will be valid up to one year. It is the responsibility of the unit to notify ITCS when the account should be deactivated if this occurs before the authorization expiration date.

15. Criminal Background Checks Required for Volunteers with Unsupervised Access to Sensitive Populations, ECU Students, and/or Liquid Assets of the University

15.1. In addition to satisfying all the other applicable requirements of this regulation, the following types of Volunteers must consent to and complete a background check satisfactory to the University prior to commencement of any Volunteer services:

15.1.1. All potential Volunteers who will have Unsupervised Access to either (a) Sensitive Populations; (b) ECU students or (c) Unsupervised Access to cash, checks or other forms of liquid assets of the University. Any such Volunteers who do not consent to and pass a criminal background check must be refused a Volunteer assignment.

15.1.1.1. "Sensitive Populations" is defined as (i) all persons under 18 years of age; (ii) patients receiving care in any clinical setting; (iii) persons with substantially diminished mental or physical capacities; and (iv) all other individuals entitled to enhanced supervision or protection based on University practice or State or Federal law.

15.1.1.2. "Unsupervised Access" means that the Volunteer will, for any period of time, have access to either Sensitive Populations, ECU Students, or liquid assets of the University without the physical presence and physical observation of at least one supervising University employee.

15.1.2. The ECU Department of Human Resources (Employment Unit) will perform the background check upon request of the sponsoring unit and after receipt of the required consent signed by the potential volunteer. The background check will be of the type performed on new University employees. Human Resources will determine, in consultation with the sponsoring unit, whether the results disqualify the potential Volunteer or otherwise impact his/her services.

15.1.3. In order to facilitate the background check, the sponsoring unit must timely submit to HR (Employment Unit) the potential Volunteer’s email address, first and last name, and Fund, Organization, Account, and Project Code (FOAP) information. The sponsoring department or unit is responsible for the cost.

15.1.4. Parents or legal guardians must consent to background checks for any Volunteers required to have background checks as indicated by the criteria above who are under eighteen (18) years of age.
15.2. Without exception, all persons required by this section (15) to undergo and pass a background check must also fill out and sign the Volunteer Agreement referenced in section 6 above, and the sponsoring unit shall comply with all other applicable provisions of section 6.

15.2. Exception to Criminal Background Check Requirements for Volunteers who Would Normally be Required to Complete a Background Check.

15.2.1. The Associate Vice Chancellor for Human Resources or his/her designee may approve exceptions to the background check requirement, in whole or part, which are deemed to be consistent with the goals of this Policy, in ECU’s best interests, and where no unreasonable risks are identified after consultation with the appropriate University offices and/or outside agencies.

16. Contact
Comments or questions? Email the Employment Unit at: employment@ecu.edu

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VOLUNTEER AGREEMENT
(INCLUDES CONFIDENTIALITY PROVISIONS)

East Carolina University is pleased that you have offered to volunteer your services to the University. Your volunteer service is appreciated. The purpose of this VOLUNTEER AGREEMENT ("Agreement") is to provide you with information about your volunteer experience and some important University policies that apply to volunteers. By signing this Agreement, you agree to abide by these policies and perform volunteer services in compliance with all the terms and conditions of this Agreement, as described below:

VOLUNTEER: ___________________

BANNER NO (if applicable): ______________

ADDRESS: ________________________________________________________________

PHONE NUMBER: ___________________ EMAIL: ____________________________

EMERGENCY CONTACT NAME AND PHONE NUMBER: ___________________________

EFFECTIVE DATES: ______________ to ______________

Effective dates may not span longer than 12 months ending June 30 of each academic year. Volunteer Agreements may be renewed at the discretion of the supervisor/unit manager.

ECU UNIT/DEPARTMENT SPONSORING THIS VOLUNTEER: ___________________

ECU POINT PERSON RESPONSIBLE FOR THIS VOLUNTEER: ___________________

DESCRIPTION OF VOLUNTEER SERVICES TO BE PROVIDED TO ECU: ______________

1. As a volunteer, I agree to provide services without compensation. I acknowledge that a volunteer is not an employee of the University. I understand that I will receive no wages, salary or other compensation for my volunteer services. As a volunteer, I am not eligible for any University employment benefits, including but not limited to vacation, sick leave, retirement, tuition benefits, disability insurance, health insurance and worker’s compensation coverage. I understand that being a volunteer does not give me priority for University employment and I have no expectation of future employment.

2. I agree to comply with this Agreement and all applicable University policies and procedures. If I am volunteering for ECU Athletics, I additionally agree to comply with the Constitution and By-Laws of the NCAA and any applicable conference or association.
3. I understand that I am under no obligation to provide any volunteer services to the University and that I am free to stop my volunteer service at any time. Notwithstanding any other provision in this Agreement, I understand that the University may terminate its volunteer relationship with me and this Agreement at any time without cause or prior notice, and in its sole discretion.

4. If my volunteer activities require that I be given keys, computer equipment, or other University property, I agree to return such property immediately upon request or at the end of my volunteer activities, whichever first occurs.

5. If a criminal background check is required, I understand that my volunteer service and this Agreement are contingent upon the University’s receipt of a criminal background check report that the University, in its sole discretion, deems satisfactory.

6. If I am volunteering for ECU Athletics, I agree that I will not be involved, either directly or indirectly, in any activity that could be construed as the off-campus recruitment of student-athletes or scouting.

7. I understand that I am not authorized to act in any way on behalf of the University in business matters, including signing contracts, leases or other agreements, hiring or supervising employees or attempting to bind the University to any agreement.

8. I acknowledge that as a volunteer I have an obligation to protect any and all Confidential and/or Sensitive Information, that I may have access to in the performance of my volunteer services, whether printed, written, spoken or electronic. I agree to seek my supervisor's direction if questions arise with respect to access, use or disclosure of Confidential and/or Sensitive Information.

9. I further understand that all Confidential and/or Sensitive Information must be accessed and maintained in a confidential and secure manner and that I am only authorized to access such information to the extent I am required and authorized to do so in the performance of my volunteer services. I understand and acknowledge that Confidential and/or Sensitive Information may not be divulged, copied, released, sold, loaned, reviewed, altered, texted, emailed to others or myself, or destroyed by me except as properly authorized by the appropriate University official and in compliance with applicable laws and policies.

10. I agree that I will not download Confidential and/or Sensitive information to my personal computer, unauthorized personal computers, social networking sites, portable devices (flash drive, CD, etc.) or any unauthorized medium.

11. I agree that I will not forge, alter, defraud, or misuse any documents, charge cards, money, checks, records or ECU Cards of an individual or the University.

Volunteer Signature __________________________ Date __________________

Parent/Guardian Signature (if Volunteer under 18) __________________________ Date __________________

Department Area Manager/Supervisor __________________________ Date __________________

FOOTNOTE
"Confidential and/or Sensitive information” may include but is not limited to: Student Records and information from Student Records (including GPA, Class schedule, grades, Banner number, exam scores, etc.), Social Security Numbers or employer taxpayer identification numbers; Driver’s License information, State Identification Card; Passport Numbers; Digital Image; Date of Birth; Home Address; Home Telephone Numbers; Checking and Savings Account Information; Credit Card Information; Debit Card Information; Passwords; Protected Health Information (Any information that identifies a patient and their treatment); Proprietary Information (research, patent, legal, compliance, etc.); and Personnel File Information of employees.
FACULTY WELFARE COMMITTEE REPORT

Formal Faculty Advice on Proposed PRR on Information Security Regulation

The Committee recommends one deletion noted in strikethrough in section 6.1.

Authority: Chancellor
History: New regulation.
Related Policies:
- University Student and Employee Computer Use Policy
- Academic Computer Use Policy
- Family Education Rights and Privacy Act (FERPA or Buckley Amendment)
- Health Insurance Portability and Accountability Act (HIPAA) Privacy Policies
- Health Insurance Portability and Accountability Act (HIPAA) Security Policies
- Social Security Numbers (SSN) and Personal Identifying Information (PII) Regulation

Additional References:
- ECU Information Security Best Practices and Standards
- International Standards Organization (ISO) 27002 Code of Practice for Information Security Controls (formally adopted by all University of North Carolina institutions)
- North Carolina Identity Theft Act
- North Carolina Human Resources Act
- Family Educational Rights & Privacy Act of 1974 (FERPA)
- Health Insurance Portability and Accountability Act (HIPAA)
- Health Information Technology for Economic and Clinical Health (HITECH) Act
- Payment Card Industry Data Security Standards (PCIDSS)
- Gramm-Leach-Bliley Act (GLBA)

Contact for Info: Jack McCoy, Chief Information Security Officer, ITCS, 252-328-9000, mccoyj@ecu.edu

1. Definitions

1.1. Administrative Head: The administrative director of a university department, such as an academic department chair, an administrative department director, or a college dean. Administrative Heads manage departmental operations and direct the use of departmental resources.

1.2. Employee: A person employed by the University or who serves as a university volunteer. This includes anyone performing work on behalf of the University, such as staff and faculty members, student workers, contractors, and volunteers.

1.3. Information Security: The protection of information from unauthorized and/or unlawful access, use, destruction, and/or loss. Information Security is a business process for achieving university objectives, such as protecting the privacy rights of individuals; ensuring the availability of University Information and IT resources; and complying with federal regulations, state laws and contractual obligations.

1.4. University Information: Information in any form (e.g., electronic, printed or spoken) that is collected, created, stored, distributed or otherwise used by Employees in the course and scope of their employment or volunteer responsibilities, respectively, for any university purpose, including, but not limited to teaching, research, and service.
2. Policy and Purpose

2.1. It is the policy of East Carolina University that Employees shall protect University Information from unauthorized and/or unlawful access, use, disclosure, destruction, and/or loss.

2.2. This Regulation defines Employee and Administrative Head responsibility for Information Security and establishes an administrative structure that facilitates the protection of University Information in accordance with all applicable laws, regulations, contractual requirements, and university policies and standards.

3. Scope

3.1. This Regulation applies to all Employees.

4. Guiding Principles

4.1. Information is a strategic university asset. University Information is a valuable asset upon which the University depends to achieve its strategic objectives, carry out its mission and fulfill its commitments to stakeholders. Consequently, University Information must be managed and protected in the same basic manner as other strategic assets (e.g., financial and physical assets).

4.2. Every employee is responsible for Information Security. Information Security is far more about people than technology. Information technology is simply a tool that helps us do things better and faster, but cannot by itself protect University Information from misuse and loss. Consequently, all Employees are responsible for protecting the University Information in their care.

4.3. Information Security is an essential business function of every department. Administrative Heads shall ensure that University Information and IT systems within their respective departments are used appropriately and are adequately protected, just as they do for other institutional assets. While IT support personnel may assist this effort by providing technical advice and solutions, many Information Security safeguards can only be taken by Employees while handling University Information and using IT systems.

5. Employee and Management Responsibilities

5.1. Employees: Employees shall take reasonable precautions to protect University Information from unauthorized and/or unlawful access, use, disclosure, destruction, and/or loss.

5.1.1. Employees shall adhere to all Information Security requirements that are relevant to their assigned roles and responsibilities. This includes federal regulations, state laws, contractual requirements, university policies and ECU Information Security Best Practices and Standards.

5.1.2. Employees shall complete university designated information security training within 30 days of employment and university designated refresher training no less than once every two years.

5.2. Administrative Heads: Administrative Heads are responsible for ensuring the security of all University Information as it is collected, created, accessed, distributed or otherwise handled by their respective departments, as well as of the security of IT systems and services provided or managed by their respective departments.
5.2.1. Administrative Heads shall ensure their employees are aware of their Information Security responsibilities and adhere to all applicable regulations, laws, contractual requirements, university policies and *ECU Information Security Best Practices and Standards*.

5.3. Chief Information Security Officer (CISO): The Chief Information Security Officer shall manage the University Information Security Program, a collection of enterprise policies, standards and guidance.

5.3.1. The CISO shall develop and maintain university policies and standards that guide and support departmental management of Information Security.

5.3.2. The CISO shall manage the University Employee Awareness Program to promote university-wide awareness of essential employee responsibilities and basic best practices for Information Security. Upon request, the CISO shall provide guidance to Administrative Heads on supplementing the University Employee Awareness Program to address department-specific needs for employee awareness and training.

5.3.3. The CISO shall coordinate the University Information Risk Management Program and advise university and departmental leadership on the identification and management of risks associated with the handling of University Information and the use of IT systems and services.

5.3.4. The CISO shall coordinate the activities of the University Security Incident Response Team (SIRT), which oversees the University’s response to Information Security incidents. The SIRT assesses risks to individual privacy, facilitates and/or manages data breach notifications, and coordinates its activities with university compliance offices where appropriate.

6. Violations

6.1. Violation of this Regulation may result in disciplinary action being taken in accordance with applicable university policy, up to and including termination from employment.

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Faculty Senate Agenda
February 23, 2016
Attachment 7.

FACULTY GOVERNANCE COMMITTEE REPORT

Proposed revisions to the *ECU Faculty Manual*, Part IX, Section I. Tenure and Promotion Policies and Procedures of East Carolina University, subsections I. – IV.

Link to [CURRENT Tenure and Promotion Policies and Procedures](#)

Proposed revisions offered here have benefited from the input of dozens of faculty members and other constituents, from two major public forums, and from countless comments from across campus. The committee wishes to thank all of those who provided useful feedback that has helped to improve language on key policy points, clarify language, and improve consistency in the text. During the review and discussion, we will continue to do minor editorial work to ensure that all of the cross references in the text are correct.

Proposed additions are underlined, while proposed deletions are shown in strikethrough text.
Appointment, Tenure, Promotion, and Advancement
Policies and Procedures

Prologue

Academic freedom, the set of norms and values that protects a faculty member's freedom of intellectual expression and inquiry, is essential to the achievement of knowledge and understanding. East Carolina University supports academic freedom of inquiry, discourse, teaching, scholarship (research, creative activity/innovation, engagement and/or outreach), and publication for all faculty members. See Part V, Academic Freedom, of the ECU East Carolina University Faculty Manual. East Carolina University shall not penalize or discipline faculty members because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

With respect to personnel matters relating to Part IX of the East Carolina University Faculty Manual, academic units are defined as departments described in the unit codes of professional colleges and schools, the departments in the Thomas Harriot College of Arts and Sciences, professional colleges and schools without departments, Academic Library Services, Health Sciences Library, and any other units in which faculty appointments are made. In the College of Arts and Sciences and in professional colleges and schools whose unit codes describe departmental structures, departmental chairs are the unit administrators. In schools that do not have departments described in their unit codes, the director of the school is the unit administrator.

Confidentiality must be maintained when conducting any substantive business pertaining to all personnel actions, including but not limited to, initiation, review, and approval of appointments, subsequent appointments, advancements in title, reappointments, conferrals of permanent tenure, and promotions in academic rank. Because it does not guarantee confidentiality and because it becomes part of the candidate’s personnel file, email shall only be used for organizational arrangements. Formal correspondences relating to any substantive business pertaining to all personnel actions must be maintained in secure archival form and in accordance with the ECU Records Retention and Disposition Policy and relevant procedures.

I. Tenure

Academic tenure serves to insure academic freedom by guarding faculty members against negative consequences of expressing unpopular points of view. Academic tenure refers to the conditions and guarantees that apply to a faculty member’s professional employment. Tenure resides in East Carolina University, not the individual academic units. Tenure protects a faculty member against involuntary suspension or discharge from employment or reduction in rank except upon specified grounds and in accordance with the procedures provided in Part IX, Section I (VI.) or against termination of employment except as provided for in Part IX, Section I (VII.). During the term of such guarantees, the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, or demonstrable, bona fide institutional financial exigency or major curtailment or elimination of a teaching, research-scholarship, or public service program as detailed in Part IX, Section I (VII.A.1.) and (VII.A.2.) (Faculty Senate Resolution #03-44).

A. Tenure While Under Contract to East Carolina University

A faculty member who does not have permanent tenure has the protection of tenure until the expiration of the faculty member's employment contract.
B. Permanent Tenure

1. Permanent tenure may be conferred only by action of the Board of Trustees of East Carolina University and is always held with reference to employment by East Carolina University rather than to employment by The University of North Carolina. The conferral of permanent tenure is allowed only as the result of the processes enunciated in this document.

2. Conferral of permanent tenure shall be based on the faculty member’s demonstrated professional competence in teaching, research and creative activity, and service; a potential for future contributions; and the institution’s needs and resources. Conferral of permanent tenure shall be based on the faculty member’s demonstrated professional competence in teaching, scholarship, clinical practice (as appropriate), and service; performance of these responsibilities in accord with appropriate professional standards of ethical conduct (Part V, Section II); a potential for future contributions in a like manner; and the institution’s needs and resources. While teaching is the first consideration, the faculty member must meet unit expectations in all other areas, as appropriate. Neither teaching nor research and creative activity nor patient care nor service is sole measure of a member’s competence and contribution. Permanent tenure is independent of promotion but sound academic practice supports the concept that an assistant professor eligible for tenure should qualify for promotion to associate professor. Permanent tenure is independent of promotion but sound academic practice supports the concept that an assistant professor eligible for tenure should qualify for promotion to associate professor. No assistant professor will be awarded permanent tenure unless concurrently promoted to associate professor.

II. Faculty Appointments

A. General Provisions

1. Categories of Appointments

There are three kinds of faculty appointments:

(a) Fixed-Term Appointments [cf. Special Faculty Appointments, the UNC Code, 610 and ECU Faculty Manual, Part VIII]. Fixed-term appointees do not hold professorial ranks but are appointed with the following titles: teaching instructor, teaching assistant professor, teaching associate professor, teaching professor, research instructor, research assistant professor, research associate professor, research professor, clinical instructor, clinical assistant professor, clinical associate professor, clinical professor, visiting instructor, visiting assistant professor, visiting associate professor, visiting professor, artist as listed in residence, writer in residence, adjunct instructor, adjunct assistant professor, adjunct associate professor, and adjunct professor. Fixed-term faculty members may be paid or unpaid, per letter Part VIII of appointment, the Faculty Manual. Fixed-term appointments are without permanent tenure and do not entitle the faculty member to consideration for reappointment or conferral of permanent tenure. The term of appointment of any paid special faculty member concludes at the end of the specified period set forth in the letter of appointment—letter, and the letter of appointment constitutes full and timely notice that a new term will not be granted when that term expires. Except as specified in subsection II.B.1, no obligation exists on the part of East Carolina University to give any notice before a current fixed-term appointment expires as to whether a new appointment will be granted at the end of a specified fixed term.

(b) Probationary Appointments and Reappointments. Probationary appointments are made at the professorial ranks of assistant professor, associate professor, or professor. Probationary appointees are entitled to reappointment reviews and, if
reappointed throughout the probationary period, are entitled to a tenure review. The timing of these reviews is explained below and in Part X of the *Faculty Manual*.

(c) Appointments with Permanent Tenure. Appointments with permanent tenure are continuous until retirement, resignation, or removal according to the provisions of Part IX, Section I (VI or VII) of this document. Appointments with permanent tenure may be made at the professorial ranks of associate professor or professor only.

(d) Unpaid adjunct and affiliate faculty members are volunteers, and they are not covered by provisions in Part IX.

2. Criteria for Initial Appointment and Reappointment
All appointments, including fixed-term appointments, and all reappointments of candidates to probationary-term positions shall be based on assessments of candidates' demonstrated professional competence ([Part X, Section II](#)), potential for future contributions, and the institution's needs and resources.

3. Terms and Conditions for Appointment and Reappointment
The Chancellor or the Chancellor's designee shall set out in writing, with a copy to the faculty member, the terms and the conditions of each appointment, including fixed-term appointments, and each probationary faculty reappointment. The terms shall incorporate by reference appropriate sections of the *Faculty Manual* and shall state any conditions placed on the appointment or reappointment. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the unit administrator. Prior to the initial appointment, the unit administrator shall provide a copy of the unit's criteria for evaluating faculty performance contained in the unit code ([as specified in Part VIII, Section I.11](#)) to persons offered a faculty appointment in the unit. No offer is binding and no appointment is effective until signed by the Chancellor or the Chancellor's designee. Criteria for evaluating faculty performance contained in the unit code shall be discussed by the unit administrator in a Fall Criteria Review meeting with each fixed-term and probationary-term faculty member at the beginning of the first term of employment and at the beginning of each academic year thereafter. A summary of this discussion shall be placed in the faculty member's personnel file. The responsibility for calling this meeting is with the unit administrator.

Notice of reappointment or non-reappointment to probationary-term persons faculty members shall be written. The non-reappointment decision not to reappoint probationary term faculty shall not be based upon: (1) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's race, color, national origin, creed, religion, veteran's status, gender, age, sexual orientation, political affiliation, or disability, or any other protected class as defined by established University policy; or (3) personal malice (Faculty Senate Resolution #03-37).

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1 The Chancellor's designee shall include and be limited to the Provost and Senior Vice Chancellor for Academic Affairs and the Vice Chancellor for Health Sciences.

2 The chancellor, in consultation with the office of the Faculty Senate, is responsible for the publication of the *Faculty Manual*. The Senate office shall be responsible for the maintenance of the *Faculty Manual*. The *Faculty Manual* shall contain the tenure and personnel policies and regulations of East Carolina University, including the complete text of Chapter Six of The Code of The University of North Carolina. The *Faculty Manual* shall be provided to new faculty and changes as they occur shall be distributed to each faculty member.
4. Continued Availability of Special Funding
   The appointment or reappointment of a faculty member to a position funded in whole or
   in substantial part from sources other than continuing state budget funds or permanent
   trust funds shall specify in writing that continuance of the faculty member’s services,
   whether for a specified term or for permanent tenure, shall be contingent upon continuing
   availability of such funds. Exceptions to the foregoing contingency requirement are:
   (a) That such a contingency shall not be included in a promotion to a higher rank if,
   before the effective date of that promotion, the faculty member had permanent
   tenure and no such condition is attached to the tenure.
   (b) That such a contingency shall not be attached to the faculty member’s contract if
   the faculty member held permanent tenure in East Carolina University on July 1,
   1975, and the contract was not contingent upon the continuing availability of
   sources than continuing state budget or permanent trust funds.
   (c) That such a contingency may be waived for health affairs faculties because of the
   unusual dependence of programs in the health professions on income from sources
   such as clinical receipts.

5. Special Employment Arrangements
   The University may permit, at the discretion of the Provost and Senior Vice Chancellor for
   Academic Affairs or the Vice Chancellor for Health Sciences, special employment
   arrangements for probationary term or tenured faculty members. Such arrangements may
   result in modifications in benefits.
   If a special employment arrangement involving funding sources other than the University is
   deemed by the Unit Administrator to be necessary and in the best interests of the Unit and
   the University, the request for the modified work schedule shall be made in writing to the
   Provost and Senior Vice Chancellor for Academic Affairs or the Vice Chancellor for Health
   Sciences. The memo making this request should include specific reasons for seeking the
   modified work schedule and adequate assurances by the Unit Administrator, and for
   probationary-term faculty members, the unit Tenure Committee, that this arrangement is
   compatible with the faculty member fully achieving all of the duties and responsibilities
   appropriate for someone of the proposed rank and status.

6. Notice of Resignation
   A fixed-term or probationary-term faculty member should provide the unit administrator
   with 90 days advance notice, in writing, of resignation from employment. A permanently
   tenured faculty member should provide the unit administrator with 120 days advance
   notice in writing of resignation from employment. In no case should a resignation occur
   in mid-semester.

B. Fixed-Term Appointments [cf. Special Faculty Appointments, The UNC Code, 610; for the
   purposes of this section, unless otherwise specified, the provisions apply to paid faculty
   members] (The roles of committees are defined in subsection IV.)
   1. Contract and Notice:
      A contract for a fixed-term appointment shall set Fixed-term faculty members are appointed
      for a specified term of service, as set out in writing in the letter of appointment. The term of
      appointment concludes at the end of the specified period set forth in the letter of
      appointment, and the letter of appointment constitutes full and timely notice that a new term
      will not be granted when that term expires. A letter of appointment for a fixed-term faculty
member sets forth in writing the beginning and ending dates of the term, the type of appointment and the pay status (i.e., paid or unpaid). The specification of the length of the appointment in the contract/letter of appointment shall be deemed to constitute full and timely notice of non-reappointment when that term expires. Whenever possible, multi-year contracts, of up to five years, will be offered to fixed-term faculty members who have demonstrated their effectiveness and contributions and/or who have outstanding credentials. These faculty members are eligible for a new appointment. The provisions of Sections 604 and 602(4) of The Code of The University of North Carolina do not apply to these special faculty appointments. If the appointment term, a fixed-term faculty member, not earlier than 180 calendar days nor later than 90 days may request consideration of a new appointment. A fixed-term faculty member desiring a new appointment shall, no later than 75 calendar days before the current term expires, provide the unit administrator with a written request for a new appointment, and the unit administrator shall so notify the chair of the unit Personnel Committee. Within 30 days of receipt of the request to end the current term, the Personnel Committee and the unit administrator shall notify the faculty member in writing of their respective recommendations and that any recommendation is subject to the availability of the position, funding, administrative approval, and continued effective performance. Fixed-term faculty members are not covered by Section 604 of the Code of the Board of Governors of The University of North Carolina (hereafter, referred to as the UNC Code), and that section does not accord them rights to additional review of a decision by a constituent institution not to grant a new appointment at the end of a specified fixed term. During the term of their employment, fixed-term faculty members are entitled to seek recourse under Section 607 of the UNC Code (relating to faculty grievances). A faculty member who does not have permanent tenure has the protection of tenure until the expiration of the faculty member's employment contract.


Any faculty member employed in a fixed-term position shall be evaluated annually in accordance with the provisions of the employment contract letter of appointment. A fixed-term faculty member should submit a portfolio to the Personnel Committee and the unit administrator prior to the unit administrator and the Personnel Committee recommending a new appointment. The portfolio should contain information that demonstrates the effectiveness of the fixed-term faculty member in carrying out the duties and responsibilities specified in the letter of appointment. The specific contents of the portfolio shall be determined by the unit code (see subsection IV.A.1.).

3. Advancement in Title:

Initial recommendations for advancement in title for faculty members holding fixed-term appointments are the responsibility of the Unit Personnel Committee (see subsection IV.A.1.) (see subsection IV.B.1.c.viii).

4. Terms and Conditions for Appointment:

The Chancellor or the Chancellor's designee shall set out in writing to the fixed-term faculty member the terms and the conditions of each appointment. The terms shall incorporate by reference appropriate sections of the Faculty Manual and shall state any conditions placed on the appointment. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the unit administrator. Prior to initial or subsequent appointment, the unit administrator shall provide a copy of the
unit’s criteria for evaluating faculty performance contained in the unit code [as specified in Part VIII, Section I.III] to persons offered a fixed-term faculty appointment in the unit. Criteria for evaluating faculty performance contained in the unit code shall be discussed by the unit administrator in a meeting with each fixed-term faculty member at the beginning of the appointment term. A summary of this discussion shall be placed in the faculty member’s personnel file. The responsibility for calling this meeting is with the unit administrator. Fixed-term faculty members on semester-by-semester contract need only meet with the unit administrator once a year.

5. Portfolio for subsequent appointment and/or advancement in title of fixed-term faculty members:
   All documents pertaining to subsequent appointments for fixed-term faculty members shall be collected and maintained in accordance with the applicable unit code, as described in subsection II.B.2 above.

6. New or Subsequent Appointments:
   In the case of recommendations for new appointments or subsequent appointments of faculty members currently holding fixed-term appointments, the Personnel Committee will determine its recommendation for or against new and subsequent appointments, using secret ballots.

7. Notice of Resignation:
   A fixed-term faculty member with a multi-year appointment may resign at the end of an academic term with 90 days advance notice in writing. A faculty member should not resign with an effective date between the beginning and ending dates of an academic term.

8. Procedure for Concurring and Non-concurring Recommendations:
   All concurring and non-concurring unit committee recommendations and unit administrator recommendations regarding fixed-term employment are forwarded through each administrative level until reaching the appropriate vice chancellor. If the unit administrator’s potential recommendation for a new fixed-term faculty appointment, subsequent appointment, or advancement in title will differ from the unit Personnel Committee’s recommendation, the unit administrator shall discuss the potential non-concurrence at the unit committee level before forwarding the committee’s recommendation and his or her concurrence or non-concurrence to the next higher administrator.

   After the appropriate committee and the unit administrator transmit their recommendations to the next higher administrator, that administrator performs their own review, reaching a decision to either concur or not concur. The recommendation is forwarded to the next higher administrator along with the recommendations from the committee and the unit administrator. The unit administrator and the chair of the appropriate committee are notified of the recommendation of the next higher administrator. This procedure shall be repeated at each administrative level until the recommendation reaches the appropriate Vice Chancellor. Immediately after the completion of each level of administrative review, the administrator’s recommendation shall be communicated to all appropriate lower administrators, the candidate, and the committee of the unit, which made the initial recommendation.

   The Vice Chancellor’s decision regarding all fixed-term faculty employment recommendations is final.
C. Probationary Appointments

Probationary appointments are made at the professorial ranks of instructor, of assistant professor, associate professor, and professor. Persons appointed as instructors shall not be considered for reappointment with permanent tenure until promoted to a higher rank. Persons appointed as assistant professor, associate professor or professor are eligible for permanent tenure.

A faculty member appointed to an administrative position is eligible for permanent tenure only as a faculty member in one of the professorial ranks. There is no permanent tenure in an administrative position.

1. Notice of Reappointment or Non-Reappointment [UNC Code 604].

The decision After considering all prior recommendations, the appropriate Vice Chancellor shall decide, early enough to permit timely notice to be given, whether to reappoint or not to reappoint a faculty member at the expiration of a term of service shall be made by the appropriate unit committee and the administrative officers, early enough to permit timely notice to be given (see Part X.). Notice of reappointment or non-reappointment shall be written.

Timely Notice: For full-time faculty members at the rank of instructor, assistant professor, associate professor, or professor, the minimum requirement for timely notice shall be as follows:

(a) During the first year of service at East Carolina University, the faculty member shall be given not less than 90 calendar days’ notice before the employment contract expires.

(b) During the second year of continuous service at East Carolina University, the faculty member shall be given not less than 180 calendar days’ notice before the employment contract expires.

(c) After two or more years of continuous service at East Carolina University, the faculty member shall be given not less than 12 months’ notice before the employment contract expires.

Notice of reappointment or non-reappointment shall be written. If the decision is not to reappoint, then failure Failure to give timely notice of non-reappointment will oblige the chancellor thereafter Chancellor to offer a terminal appointment of one academic year.

2. Probationary Terms

Although the Chancellor may recommend that a faculty member be granted permanent tenure at any time, the faculty member shall be notified not later than twelve months before the end of the probationary period whether he or she the faculty member will be recommended for permanent tenure. The normal probationary term for the professorial ranks, as established at the time of initial appointment, shall be as follows:

(a) Instructor. The rank of instructor is reserved for persons who lack the qualifications for appointment as assistant professor. Faculty members appointed as instructors are eligible for an initial three-year appointment and one successive reappointment of two years. Instructors promoted to the rank of assistant professor no later than the beginning of the fourth year of employment are eligible for a final two-year probationary appointment in the higher rank. The maximum probationary term is seven years.
Assistant Professor. The maximum probationary term is six years, consisting of an initial three-year appointment and two successive two-year appointments. The faculty member can receive an initial three-year appointment and a maximum of two successive two-year appointments. No assistant professor will receive reappointment in a probationary term without a terminal degree or appropriate alternate credentials as defined in the unit code. If a faculty member does not receive permanent tenure at the end of his or her sixth year, the faculty member remains employed through one terminal year. During that terminal year, the faculty member may not serve on the unit’s Personnel Committee.

Associate Professor. The maximum probationary term is four years, consisting of an initial three-year appointment followed by a two-year appointment. The faculty member can receive an initial three-year appointment and a maximum of one two-year appointment. If a faculty member does not receive permanent tenure at the end of his or her fourth year, the faculty member remains employed through one terminal year. During that terminal year, the faculty member may not serve on the unit’s Personnel Committee.

Professor. The maximum probationary term is three years, consisting of one. The faculty member can receive a single three-year appointment. If a faculty member does not receive permanent tenure at the end of his or her second year, the faculty member remains employed through one terminal year. During that terminal year, the faculty member may not serve on the unit’s Personnel Committee.

All time served in a probationary appointment at East Carolina University must be continuous, excluding any approved leaves of absence as noted in subsection II.C.4.

When a faculty member in probationary appointment requests and is awarded promotion in rank before the end of the probationary term, the original contractual probationary term shall not be altered.

In order to afford the maximum opportunity for tenure, the probationary term for personnel hired at the professorial ranks, whose contract date occurs earlier than the beginning of the Fall semester (or July 1 for probationary faculty in the Division of Health Sciences and Academic Library Services members with twelve-month appointments), will be measured from the beginning of the subsequent Fall semester (or July 1 for probationary faculty in the Division of Health Sciences and Academic Library Services members with twelve-month appointments).

3. Reduction of the Normal Probationary Term for Previous Academic Employment

Reduction: Although generally discouraged in favor of petitioning for early tenure (see subsection II.C.6), reduction of the normal probationary term may be granted for previous full-time faculty employment at the time of initial appointment as assistant professor or associate professor. The granting of such a reduction shall require a strong justification and the agreement of the appointee, a simple majority of the unit Personnel Committee, the unit administrator, the dean, and the appropriate vice chancellor. Vice Chancellor.

The maximum reduction at each professorial rank shall be as follows:

(a) For a candidate appointed at the rank of instructor, no reduction is allowed.
(b) For a candidate appointed at the rank of assistant professor, a maximum reduction of three years is allowed.
(b) For a candidate appointed at the rank of associate professor, a maximum reduction of two years is allowed.

(c) For a candidate appointed at the rank of professor, no reduction is allowed.

4. Extensions of the Probationary Term

Leaves from all employment obligations which are granted to probationary-term faculty may include extension of the length of the probationary term. (Leaves of absence normally should be for not more than two academic years or occur more often than once in three years). Extensions of the probationary term must be requested by the faculty member and shall be granted only in cases of severe personal exigency, such as illness, childbirth, child care, or other compelling personal circumstances, and such extensions shall be limited to a total of no more than two years. Probationary-term faculty members who have received paid leave of at least 15 weeks under the ECU Serious Illness and Disability Leave Policy Faculty Serious Illness and Parental Leave Policy shall receive an extension of the probationary term, if requested. Extensions of the probationary term must be expressly stated in appointment or reappointment documents or added by a written memorandum of amendment by the unit administrator during the term of an appointment. The probationary term may be extended in increments of one or more academic years: one year for leaves of one or two semesters, two years for leaves of three or four semesters. All such extensions must be approved in writing by the faculty member, the unit Personnel Committee, the unit administrator, the dean, the appropriate Vice Chancellor, and the chancellor or the chancellor’s designee. A probationary-term faculty member who assumes a full-time administrative position or clinical position for one or more semesters may be granted extensions of the length of the probationary term; such extensions shall be limited to a total of no more than three years. All such extensions must be requested in writing by the faculty member, and the unit Personnel Committee, the unit administrator, the dean, and the appropriate Vice Chancellor each must review and make recommendations. The Chancellor or the Chancellor’s designee provides the final approval of the extension. Extensions of the probationary term must be expressly stated in the same way appointment or reappointment documents or added by a written memorandum of amendment by the appropriate Vice Chancellor during the term of an appointment.

5. Progress Toward Tenure Letters

Each spring semester, the unit Tenure Committee and unit administrator will review the annual reports of each probationary term faculty member. On the basis of this review, the unit administrator, in consultation with the unit Tenure Committee, will write a progress toward tenure letter to each probationary term faculty member. This letter will address the candidate’s cumulative accomplishments to date as well as the unit administrator’s and tenure committee’s ongoing expectations of the candidate. In the event the unit Tenure Committee and the unit administrator cannot agree on the contents of the letter, the next higher administrator shall confer jointly with the unit Tenure Committee and unit administrator, determine at his or her discretion the content of the letter, and prepare the progress toward tenure letter. Copies of the progress toward tenure letter will be placed in the faculty member’s personnel file, and a copy will be sent to the unit Tenure Committee and to the next higher administrative level. The unit administrator and a representative of the unit Tenure Committee will discuss the progress toward tenure letter with the faculty member. In the event that the faculty member disagrees with the contents of the progress toward tenure letter, it is the responsibility of the faculty member to make this disagreement known in writing addressed to the unit administrator for inclusion in the personnel file and the PAD. Copies of this letter will be placed in the faculty member’s
personnel file, and a copy will be sent to the unit Tenure Committee and to the next higher administrative level (See subsection IV.D.3.).

In all years except the year prior to the year in which a faculty member’s mandatory tenure decision is considered, the Tenure Committee will annually meet with the unit administrator to review the cumulative record of a candidate’s progress and finalize a Progress Toward Tenure Letter. This meeting should occur after completion of the candidate’s current annual evaluations and prior to end of the spring semester. One week prior to the meeting, the unit administrator will provide the Tenure Committee with the candidate’s current annual report, copies of the candidate’s previous and current annual evaluations and previous progress toward tenure letters, and a draft of the new Progress Toward Tenure Letter written by the unit administrator. Any additional required materials must be defined in the unit’s code.

These Progress Toward Tenure Letters will address the candidate’s cumulative accomplishments to date. Successes and areas for improvement shall be evaluated within the context of the unit’s ongoing expectations of the candidate in the unit’s criteria for promotion and tenure. The letter shall include evaluative and formative language that advises the candidate on how to meet unit expectations, and it shall assess the candidate’s recent performance, cumulative performance, and overall trajectory. While the letter shall include an overall summative rating of “satisfactory” or “unsatisfactory” progress towards tenure, those ratings shall not substitute for thorough narrative evaluations of the candidate’s strengths and weaknesses. Criteria for evaluation shall be limited to the candidate’s assigned duties and professional conduct (Part V, Section II). Letters must not be understood as a guarantee of the ultimate tenure decision; instead, the final tenure recommendation vote, concurring or non-concurring recommendations, and the final decision in the review process are complex decisions that are based on the candidate’s overall trajectory throughout the probationary period, external letters, a potential for future contributions, and other factors permitted under the UNC Code 602.

In order to protect the candidate’s due process rights, the review will address misconduct only if the misconduct is documented in the faculty member’s personnel file and the faculty member’s due-process rights were respected (including the right to appeal a finding or sanction to the relevant committee and the right to include in the personnel file a letter expressing disagreement with a finding). Should an alleged case of misconduct be too recent for the candidate to appeal the University’s charge or finding of misconduct, the committee’s review may be suspended with the approval of the Chancellor until such time as determined by the Chancellor.

Representative(s) of the Tenure Committee will meet with the unit administrator and the candidate to discuss in a formative manner the outcome of the progress towards tenure review carried out by the Tenure Committee and the unit administrator, with suggested areas of improvement. That meeting shall be documented in writing by the unit administrator, and the document shall be placed in the personnel file. In the event that the faculty member disagrees with the substance of the Progress Toward Tenure Letter, it is the responsibility of the faculty member to make this disagreement known in writing within fourteen days, in a letter addressed to the unit administrator. This letter will be placed in the faculty member’s personnel file, and copies will be sent to the unit Tenure Committee and to the next higher administrator (see subsection IV.D.3.).

The timeline for completion of reviews of progress toward tenure is contained in the Faculty Manual, Part X.
6. Request for Early Permanent Tenure

During the Spring semester of the academic year, Faculty Manual, Part X, a faculty member who has not completed the probationary term (see subsection II.C.1-3) and who requests in writing that consideration be given to conferral of permanent tenure will be considered for permanent tenure during the fall semester of the next academic year. No assistant professor shall be awarded permanent tenure unless concurrently promoted to associate professor. When a faculty member holding the rank of assistant professor requests consideration for early tenure, this request also constitutes a request for consideration for promotion to associate professor.

D. Initial Appointment with Permanent Tenure

A faculty member whose initial appointment is to a professorial rank with permanent tenure shall be regarded as having permanent tenure until retirement, resignation, or removal according to the provisions of subsections VI or VII of this document. Part IX.

E. Joint Appointments

Joint appointments are made when faculty members are appointed with responsibilities in more than one unit. The source of funds for joint appointments may come solely from one unit, or it may come separately from two or more units to which the faculty member has a joint appointment.

Faculty members who hold joint appointments in more than one unit or center within East Carolina University shall be assigned to a primary academic unit with a greater than half-time appointment in the primary academic unit. The letter of appointment will specify the terms of the appointment, will identify the primary academic unit and will reference all units in which the faculty member holds joint appointments. A single appointment letter signed by all supervising administrators is preferable, but in instances where a jointly appointed faculty member has disparate duties in the various units, a separate joint appointment letter may be issued by the administrators of the units in which the faculty member holds joint appointments, provided that a copy of each joint appointment letter is forwarded to the unit administrator(s) of the other supervising unit(s).

Each appointment letter issued by the primary and joint appointment units will specify the faculty member’s responsibilities, performance expectations, and compensation, if any, for that department and/or program. Annual, written evaluations of the faculty member will be prepared by the unit administrator of the faculty member’s primary academic unit, in consultation with the administrator(s) of the unit(s) to which the faculty member is jointly appointed. If the administrators of the units to which the faculty member is jointly appointed disagree on the annual evaluation, the next higher administrator to the primary academic unit will arbitrate the disagreement and will write the final annual faculty evaluation, if agreement cannot be reached among all joint appointment units.

For probationary faculty appointments and permanently tenured faculty appointments, the policies and procedures of the primary academic unit shall be used for reappointment, tenure, and promotion of the faculty member, as appropriate to the appointment type. Annual progress toward tenure letters for probationary faculty will be prepared by the unit administrator of the primary academic unit, in consultation with the administrator(s) of the unit(s) to which the faculty member is jointly appointed, and in consultation with the Tenure

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3When a faculty member applies for and then withdraws a request for early consideration for permanent tenure, a copy of all documents submitted to support the request and a record of all decisions by the appropriate committee and any administrator(s) shall be directly forwarded to the appropriate vice chancellor.
Committee of the primary academic unit. If there is disagreement on the progress toward tenure letter, the next higher administrator of the primary academic unit will confer with the Tenure Committee of the primary academic unit and with the administrators of the units to which the faculty member is jointly appointed, determine at his or her discretion the content of the letter, and prepare the progress toward tenure letter.

For all faculty on joint appointments, annual salary increase recommendations will be made on each funding source of the appointment according to the guidelines of the units, the General Administration, and those of the University. If there is one source of funding, the administrators of the separate portions of the appointment will consult and recommend together. If there is disagreement, it will be appealed to the next higher administrator of the primary academic unit.

All faculty members who hold joint appointments are governed by the ECU Faculty Manual, and all provisions of each faculty appointment must be consistent with relevant sections of the ECU Faculty Manual. (Faculty Senate Resolution #02-05)

An ECU faculty member may hold only one tenured or probationary appointment at professorial rank. This may be in a single academic code unit or by joint appointment when holding responsibilities in more than one such unit. Joint appointments may be made within a single code unit (such as between departments in a School or College), or they may also be made in which the appointee holds tenured or probationatory professorial rank in an academic code unit and a non-probationary contractual or academically titled position in another entity within the University not organized as an academic code unit in the manner described in the ECU Faculty Manual, Part IV, hereinafter referred to as an “entity.” Such entities are usually, but not exclusively, identified as a School, Center, Institute, or Program.

One academic code unit must be designated primary, with greater than 50% of all administrative and academic responsibilities for the position. Only academic code units, as defined in Part IV, Section I of the ECU Faculty Manual, can be the primary unit for a joint appointment. The designation of the primary unit and the secondary unit or entity must be made when the appointment is created, and may be changed only with the written agreement of the faculty member, the relevant personnel, tenure, and promotion committees of the primary unit, as applicable, the relevant personnel, tenure, and promotion committees of the secondary unit or entity, and the relevant administrators.

Letters of appointment for faculty members in joint appointments to two academic code units must clearly state the criteria for reappointment, promotion, and tenure contained in the unit codes of both units, and the roles of the faculty member and all appropriate committees and administrators in personnel actions.

Letters of appointment for faculty members in joint appointments to an academic code unit and a University entity must clearly identify the criteria for reappointment, promotion, and tenure contained in the unit code of the primary unit, the criteria that the relevant standing committee or administrator of the entity will use in evaluating the professional performance of the faculty member, and the roles of the faculty member and all appropriate committees and administrators in personnel actions.

Probationary faculty members in appointments jointly held between academic code units will be reviewed for reappointment, promotion, or tenure by both units, although only members of the applicable committees of the primary unit are allowed to vote and recommend the personnel action sought. All review materials are to be fully shared between the units. Although one unit will be primary and provide the recommendation, input from the secondary unit is also considered important in the review process. In the absence of specific policies and procedures clearly enunciated in the Unit Code of Operation of either or both units, the review
by the secondary unit will be transmitted by written memorandum from the chair of the relevant personnel committee of the secondary unit with concurrence or non-concurrence of the administrator of the secondary unit to the chair of the relevant personnel committee and to the administrator of the primary unit. Faculty members holding joint appointments of this type are subject to a special schedule described in the ECU Faculty Manual Part X, Section II to allow the secondary unit reasonable time to review the faculty member’s Personnel Action Dossier, or other relevant documentation pertaining to the personnel action sought, prior to the review by the primary unit.

Probationary faculty members in appointments jointly held between an academic code unit and an entity will be reviewed and recommended for reappointment, promotion, or tenure only by the primary unit. All review materials are to be fully shared between the unit and the entity. Although the academic unit carries all responsibilities for personnel decisions, review by the entity is also considered important. In the absence of specific policies and procedures clearly enunciated in the Unit Code of Operation of the primary unit, the results of the review by the entity will be transmitted by written memorandum from the chair of a standing committee of the entity authorized to review personnel matters, with concurrence or non-concurrence of the entity administrator to the chair of the relevant personnel committee and to the administrator of the primary unit. Absent such committee in the secondary unit, the entity administrator will be responsible for transmitting the results of his or her review by written memorandum to the chair of the relevant personnel committee and to the administrator of the primary unit. Faculty members holding joint appointments of this type are subject to a special schedule described in the ECU Faculty Manual Part X, Section II to allow the entity reasonable time to review the faculty member’s Personnel Action Dossier, or other relevant documentation pertaining to the personnel action sought, prior to the review by the primary unit.

III. Promotion

Persons holding the professorial rank of instructor, of assistant professor or associate professor may be promoted considered for promotion to the next professorial rank. Promotion shall be based primarily on the faculty member's demonstrated professional competence and achievements. See Part VIII, Personnel Policies and Procedures for the Faculty of ECU. Promotion is governed by the policies and procedures set forth in subsection IV, below. By the first week of March of every academic year, a. In evaluating a candidate for promotion, all of the candidate’s teaching, scholarship, service, and other professional activity shall count, but activity since the last promotion at ECU shall carry a greater weight than activity prior to the last promotion. Additional criteria for promotion may be contained in each unit’s code. A faculty member who wishes to be considered for promotion to the next professorial rank shall write a letter requesting a personnel action of promotion in rank to her or his unit administrator by the deadline stated in Part X of the Faculty Manual. The request for promotion shall be considered by the appropriate unit committee during the Fall semester of the next academic year. When a request is received by the deadline, the unit administrator shall notify the chair of the unit Personnel Committees. The chair of the unit Personnel Committee shall facilitate the procedure for considering the candidate for promotion. The committee’s promotion recommendation shall be made during the fall term of the next academic year, in accordance with the timeline stated in Part X of the Faculty Manual.

3 A faculty member considering such action is encouraged to seek consultation with the unit Personnel Committee and the unit administrator. When a faculty member applies for and then withdraws a request for promotion, a copy of all documents submitted to support the request and a record of all decisions by the appropriate committee and any administrator(s) shall be directly forwarded to the appropriate Vice Chancellor.
IV. Procedures for Initiation, Review, and Approval of Appointments, Reappointments, Promotions, and the Conferral of Permanent Tenure for Probationary-term Faculty Members (Please refer to Faculty Manual Interpretation #106-22.)

Recommendations for faculty appointments, reappointments, promotion, and the conferral of permanent tenure to faculty are the responsibility of unit committees and the unit administrator. Evaluation of faculty-The timeline for faculty personnel actions is set forth in Part X of the ECU Faculty Manual. The evaluation of faculty members for appointment, reappointment, promotion, and the conferral of permanent tenure shall be initiated by the appropriate unit committee on notice from the unit administrator and higher administrative authority. The appropriate unit committee shall also evaluate faculty members for promotion and the early conferral of permanent tenure at the request of the faculty member. Once the evaluation has been completed, the committee’s recommendation and the recommendation of the unit administrator shall be forwarded to the next higher administrator above the unit level for initiation of administrative review of the recommendations. The pertinent structures and processes are set forth in this section. The timeline for these processes is set forth in Part X of the ECU Faculty Manual.

The committee’s recommendation shall be forwarded to the unit administrator. A committee cannot reconsider a vote on a personnel recommendation after the committee has notified the unit administrator of its recommendation. The unit administrator shall forward the committee’s recommendation and his or her recommendation to the next higher administrator. If an existing unit, school, or college is reorganized, until such a time as new promotion and tenure criteria are established in an approved unit code, the provisional code shall address the manner in which existing unit code promotion and tenure criteria shall be maintained. The provisional code should ensure that faculty members are evaluated by personnel, tenure, and promotion committees composed of faculty members with the appropriate expertise.

Confidentiality must be maintained when conducting any substantive business pertaining to initiation, review, conferral of permanent tenure, and approval of appointments, reappointments, and promotions. Email should be used with discretion because it does not guarantee confidentiality. Formal correspondences relating to any substantive business pertaining to initiation, review, conferral of permanent tenure, and approval of appointments, reappointments, and promotions should be maintained in paper form.

If the faculty member in a probationary appointment does not provide a PAD for reappointment, promotion, or conferral of permanent tenure on or before the deadline outlined in Part X of the ECU Faculty Manual, the failure to submit the required PAD will be considered as notice that the faculty member is withdrawing the request for consideration for reappointment, promotion, or conferral of permanent tenure. The Personnel Committee and the unit administrator shall notify the faculty member in writing, with a copy to the next higher administrator, within 30 calendar days after the deadline that failure to submit the required PAD for consideration constitutes withdrawal from consideration. From the time of this notification, the faculty member may not serve on the unit’s Personnel Committee.

A. Description of “voting faculty” members:
1. Tenure-granting units

For the purposes of Part IX, Section I (IV.), voting faculty members are determined by the permanently tenured faculty of the unit using the following criteria; a voting faculty member of a unit is someone who:
• holds a full-time faculty position with East Carolina University and a greater than one-half time position assignment in the unit, and
• is either a probationary-term (tenure-track) faculty member or a permanently tenured faculty member, and
• has at least one-half of the teaching/research duties normally assigned in the unit, as determined by the permanently tenured faculty of the unit using standards appropriate to their discipline.
• is in at least the twelfth consecutive calendar month of appointment to the faculty of the unit as either a probationary-term (tenure-track) faculty member or a permanently tenured faculty member, and
• is not a unit administrator or an individual with one-half or more of his/her workload assigned to administrative duties as determined by the permanently tenured faculty members in consultation with the unit administrator,
• or normally meets the above conditions and is on non-medical leave of absence from all University duties but is in attendance at the meeting of the appropriate committee at the time of the committee’s vote on a personnel action (reappointment, promotion, or tenure recommendation) (Faculty Senate Resolution #03-30). Faculty members on approved medical leave are not permitted to participate in University business during the approved leave.

2. Non-tenure-granting units, units that are transitioning between tenure-granting and non-tenure-granting faculty structures, and clinical tenure-granting units in Health Sciences that include fixed-term faculty members in personnel actions in their unit codes

For the purposes of Part IX, Section I (IV.), voting faculty members are defined in the unit code, consistent with the following criteria. A voting faculty member of a unit is someone who:

• holds a full-time faculty position with East Carolina University and a greater than half-time assignment in the unit, and
• is in at least the twelfth consecutive calendar month of appointment to the faculty of the unit, and
• is not a unit administrator or an individual with half or more of his/her workload assigned to administrative duties as determined by the established voting faculty members in consultation with the unit administrator,
• or normally meets the above conditions and is on non-medical leave of absence from all University duties but is in attendance at the meeting of the appropriate committee at the time of the committee’s vote on a personnel action (reappointment, promotion, or tenure recommendation) (Faculty Senate Resolution #03-30). Faculty members on approved medical leave are not permitted to participate in University business during the approved leave.

3. Conflicts of interest and recusal

Faculty members must recuse themselves from personnel actions in which they have conflicts of interest. Under no circumstances may a faculty member participate in any personnel action involving someone with whom the faculty member has an amorous relationship or to whom the faculty member is related by blood, law, or marriage (as defined in UNC Policy Manual 300.4.2 and 300.4.2.1[G]).

If a faculty member has potential conflicts of interest, those should be disclosed to the committee, and following Roberts Rules of Order, Newly Revised, the committee may vote to deny that faculty member a vote in a particular personnel action.
Related faculty within the same academic department (or other comparable institutional subdivision of employment) shall not participate, either individually or as a member of a committee, in the evaluation of related persons for appointment, reappointment, promotion, the conferral of permanent tenure, cumulative review, salary recommendations, or any other personnel action.

A faculty member who is ineligible for participation in the evaluation of a related person does not count for quorum purposes and his/her ineligibility does not constitute a recommendation against the proposed personnel action.

B. Unit Committees

1. Personnel Committee

(a) Function

The Personnel Committee shall be responsible for making recommendations regarding initial probationary appointments and initial and additional special fixed-term faculty appointments.

(b) Composition

i. Tenure-granting units, except as stipulated in ii, below

The composition of each unit’s Personnel Committee shall be determined by the unit Unit Code but shall consist of at least three members. The membership of the committee shall be composed of some or all of the permanently tenured and probationary-term voting faculty members of the unit, including those who are on non-medical leave but in attendance at the meeting at the time of the committee’s vote, but excluding the unit administrator. At least two-thirds of the unit Personnel Committee membership shall be permanently tenured voting faculty members. When there are not enough permanently tenured voting faculty members in the unit to satisfy this requirement, additional permanently tenured faculty members shall be appointed by the next higher administrator from a list selected by the unit’s voting faculty members and containing at least twice the number of faculty members required to complete the membership of the committee. All other members of the unit Personnel Committee shall be elected by the permanently tenured and probationary-term voting faculty members of the unit. The chair of the unit Personnel Committee shall be permanently tenured and shall be elected annually by and from the committee’s membership.

ii. Non-tenure-granting units and transitioning units, as defined above, and clinical tenure-granting units in Health Sciences that include fixed-term faculty members in personnel actions in their unit code

In units with faculty structures, all full-time faculty members in at least the twelfth consecutive calendar month of appointment to the faculty of the unit, shall be eligible to serve on the unit Personnel Committee, and to serve as Chair of the unit Personnel Committee. Members of the unit Personnel Committees of these transitioning faculty units are to be elected by the voting faculty of each unit, as defined in Part IX, Section I (IV).

For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, Section IV (A.3).

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Except as provided herein, meetings of the committees shall be conducted according to the most recent edition of Robert’s Rules of Order, Newly Revised.
(c) Additional Roles of Unit Personnel Committee
In addition to making recommendations to the unit administrator on initial and 
additional fixed-term appointments and initial probationary-term appointments, the 
unit Personnel Committee has the following responsibilities:

i. Notifying fixed-term faculty members that the Personnel Committee will or will 
not recommend an additional fixed-term appointment when the fixed-term 
faculty member requests notification not earlier than 180 calendar days nor later 
than 90 calendar days before the current term expires. [see subsection II.B.1].

ii. Reviewing Making recommendations on requests for reduction in the normal 
probationary term at the time of initial appointment (see subsection II.C.2) – 3).

iii. Reviewing Making recommendations on requests for the extension of the normal 
probationary term (see subsection II.C.4).

iv. Consulting, by request of the faculty member, with faculty members who are 
considering requesting conferral of permanent tenure prior to the end of the 
probationary term (see subsection II.C.6).

v. Consulting, by request of the faculty member, with faculty members who are 
considering requesting promotion (see subsection III).

vi. Reviewing additional materials submitted by faculty members for inclusion in 
their personnel action dossier (PAD); consulting with the unit administrator 
regarding responses to such materials (see subsection IV.B.1), E.2).

vii. The personnel committee may elect Electing a search committee as 
prescribed by the unit’s code to fulfill the responsibilities of soliciting and 
screening applicants and recommending to the unit’s Personnel Committee 
candidates for initial appointments. A majority of the search committee 
members must have at least one academic year’s employment at ECU and 
must be voting full-time faculty members holding either a fixed or probationary-
term appointment or permanent tenure. For the purposes of this section, unit 
administrators may not be a part of the committee.

viii. Making recommendations for advancement in title for fixed-term faculty 
members.

(d) Role of the Chair of the Unit Personnel Committee
The chair of the unit Personnel Committee shall be permanently tenured, except as 
covered by Part IX section IV, subsection B. 1. (b).ii above, and shall be elected 
an annually by and from the committee’s membership. The chair shall preside over all 
committees making personnel recommendations to the faculty-unit administrator 
and may participate in the decisions of any committee of which the chair is a 
member, except as noted below. The chair of the committee shall ensure that the 
candidate’s materials contain all required documents, obtain and distribute materials 
to be used during the deliberation of the committee, ensure that a valid vote has 
been taken, communicate the results of such votes to the appropriate faculty 
members and to the unit administrator, and perform other duties as designated by 
the unit code. If the chair of the unit Personnel Committee holds a 
professional-professorial rank lower than that to which a faculty member requests 
promotion, the unit Personnel Committee chair shall not be eligible to participate 
and shall only be responsible for calling the meetings of such committees and 
facilitating a meeting of the Promotion committee to facilitate the election of a chair 
of the committee from among its membership. In such cases where the Chair of the 
unit Personnel Committee is ineligible to participate, he/she shall not attend any 
meetings of the committee except to facilitate the election of the chair as noted 
above. The elected chair of the committee shall obtain and distribute materials to be 
used during the deliberation of such bodies, insure that a valid vote has been taken,
communicate the results of such votes to the appropriate faculty and to the unit administrator, and perform other duties as designated by the unit.

2. Promotion Committee

(a) Function
The Promotion Committee shall be responsible for making recommendations for promotions in rank and for recommending the ranks of initial appointments at the associate professor or professor level. When making a recommendation for or against promotion, the Promotion Committee shall prepare and forward to the unit administrator and to the candidate (Part IX, Section IV, (H)) a statement of the committee’s recommendation that contains the committee’s cumulative evaluation of the candidate. In the case of a recommendation for or against promotion that coincides with a recommendation for or against permanent tenure, both recommendations are reported together and only one cumulative evaluation addressing both recommendations is required. The committee’s deliberations on its cumulative evaluation and recommendation may address any of the candidate’s contractual duties and professional conduct (Part V, Section II).

In order to protect the candidate’s due process right, the review will address misconduct only if the misconduct is documented in the faculty member’s personnel file and the faculty member’s due-process rights were respected (the right to appeal a finding or sanction to the relevant committee and the right to include in the personnel file a letter expressing disagreement with a finding). Should an alleged case of misconduct be too recent for the candidate to appeal the charge or finding of misconduct by the University, the committee’s review may be suspended with the approval of the Chancellor until such time as determined by the Chancellor.

(b) Composition
The membership of the Promotion Committee shall be composed of those permanently tenured and probationary-term voting faculty members who hold rank at least equal to the rank for which the candidate is being considered, including those on non-medical leave but in attendance at the committee’s meeting at the time of the committee’s vote, but excluding the unit administrator. The composition of the committee shall thus vary with the rank to which a faculty member is being considered for promotion. In cases where multiple candidates are being considered for promotion, a unit may decide to constitute different subcommittees in an effort to ensure candidates are reviewed by committee members with relevant expertise.

When a unit has fewer than three permanently tenured voting faculty members of sufficient rank and not holding administrative status, the next higher administrator above the unit level shall appoint permanently tenured faculty members at the required rank from other units across the University to increase the committee’s membership to three, with at least two thirds of the members being permanently tenured faculty. These appointments to the committee must be from one list of candidates selected by a vote of the permanently tenured and probationary-term faculty members having rank at least equal to the candidate faculty member(s) being considered for promotion in addition to the faculty member(s) seeking promotion. The list forwarded to the next higher administrator by the faculty will contain at least twice the number of faculty members required to complete the membership of the committee(s). Before voting on the list to be forwarded to the next higher administrator, the chair of the committee will ascertain that faculty members nominated to have their names placed on the list are
willing and able to serve in this important capacity. The list of faculty names recommended to the next higher administrator may not be returned for revision. Meetings of the promotion committee shall be convened by the Chair of the unit’s Personnel Committee. The first order of business for a newly convened Promotion Committee shall be to elect a Chair from among its membership.

3. Tenure Committee

(a) Function
The Tenure Committee shall be responsible for making recommendations for reappointments of probationary-term faculty members, the granting of permanent tenure, and conferral of tenure for initial appointments with permanent tenure. For granting of permanent tenure (but not for initial appointments with tenure), the Tenure Committee, or an elected subcommittee of the Tenure Committee, shall prepare a cumulative evaluation of the faculty member; and, after review and response (if any) by the candidate, shall forward to the unit administrator its recommendation, along with the cumulative evaluation and candidate’s response (if any). When the decision is for both tenure and promotion, only one cumulative evaluation containing a recommendation for or against tenure and promotion is required. The committee’s deliberations on its cumulative evaluation and recommendation shall have as their basic standard of appraisal and evaluation whether the faculty member under review met the stated and approved criteria of the unit’s code during the period under review. The committee’s deliberations may address any of the candidate’s assigned duties and professional conduct (Part V, Section II).

In order to protect the candidate’s due process rights, the review will address misconduct only if the misconduct is documented in the faculty member’s personnel file and the faculty member’s due-process rights were respected (the right to appeal a finding or sanction to the relevant committee and the right to include in the personnel file a letter expressing disagreement with a finding). Should an alleged case of misconduct be too recent for the candidate to appeal the charge or finding of misconduct by the University, the committee’s review may be suspended with the approval of the Chancellor until such time as determined by the Chancellor.

(b) Composition
The Tenure Committee shall be composed of the permanently tenured voting faculty members of the unit, including those who are on non-medical leave but in attendance at the meeting at the time of the committee’s vote, but excluding the unit administrator. In cases where multiple candidates are being considered for promotion, a unit may decide to constitute different subcommittees in an effort to ensure candidates are reviewed by committee members with relevant expertise.

When a unit has fewer than three permanently tenured voting faculty members not holding administrative status, the next higher administrator above the unit level shall appoint permanently tenured voting faculty members from other units to increase the committee’s membership to three. These appointments to the committee must be from one list of candidates selected by a vote of the permanently tenured and probationary-term faculty members of the unit, including the faculty member(s) seeking tenure. In cases where multiple candidates are being considered for promotion, a unit may decide to constitute different committees for each candidate in an effort to ensure candidates are reviewed by committee members with relevant expertise. The list forwarded to the next higher administrator by the appropriate faculty members will contain at least twice the number of faculty members required to
complete the membership of the committee. Before voting on the list to be forwarded to the next higher administrator, the voting faculty members will ascertain that faculty members nominated to have their names placed on the list are willing and able to serve in this important capacity. The list of faculty names recommended to the next higher administrator may not be returned for revision.

For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, Section IV (A.3.).

(c) Additional roles of the unit Tenure Committee.
A Code Unit may establish, in its Code of Operation, unit code, procedures for fulfilling the additional roles; however, if the Code of a unit is silent in this regard, it is hereby established that the entire membership of the unit Tenure Committee will participate in these additional roles. In accordance with the unit code, if the unit’s Tenure Committee has more than five members, the unit Tenure Committee may elect a subcommittee of at least five members to participate in these additional roles. The unit Tenure Committee (or properly constituted subcommittee):

i. Consults with the unit administrator who writes a progress toward tenure letter to each probationary term faculty member as described in subsection II.C.5.

ii. Produces a list of possible external reviewers and selects external peer reviewers from lists produced by the Committee and by the candidate (see subsection IV.C).

iii. Selects, with the unit administrator, the research and creative activity scholarship materials to be sent to external peer reviewers (see subsection IV.C).

iv. Prepares a cumulative evaluation in narrative form of the candidate’s teaching, research, service, and any other relevant duties.

iv. In consultation with the unit administrator, prepares Progress Toward Tenure Letters annually during each candidate’s probationary term, except for the year immediately preceding candidate’s tenure decision year.

C. Role of Unit Administrator

The unit administrator serves to provide leadership, support, and guidance to the total functioning of the unit.

The unit administrator is responsible for maintaining the personnel files, providing timely notification to the chair of the Personnel Committee on all personnel actions required or expected, reviewing candidates’ Personnel Action Dossiers to ensure that all required documentation is present, and distributing all personnel documents and materials to the appropriate secure location. For probationary term faculty members, the unit administrator annually confers with the Tenure Committee on the candidate’s Progress Toward Tenure Letter. For tenure or promotion, the unit administrator prepares a cumulative evaluation in narrative form of the candidate’s teaching, scholarship, service, and any other relevant duties. As indicated at the beginning of this section, the personnel recommendations of the unit administrator shall be forwarded to the next higher administrator along with the recommendation of the appropriate faculty committee.

The unit administrator is responsible for maintaining the personnel files, providing timely notification to the chair of the unit Personnel Committee on all personnel actions required or expected, and distributing all personnel documents and materials to the appropriate location.
The unit administrator, in consultation with the unit Tenure Committee (or properly constituted subcommittee), will write a progress toward tenure letter to each probationary term faculty member as described in subsection II.C.5. The unit administrator prepares a cumulative evaluation in narrative form of the candidate’s teaching, research, service, and any other relevant duties.

In personnel matters, the unit administrator functions as an administrator rather than a faculty member. Therefore, consequently, the unit administrator does not have a faculty vote in personnel matters, and is. Therefore, unit administrators are excluded from all unit committee deliberations and votes concerning candidates for appointment, re-appointment, promotion, or permanent tenure. (For procedure for nonconcurring recommendations, see Part IX, Section I (IV.H.).) However, there may be occasions on which a unit administrator and a committee wish to confer for informational purposes. However, at the invitation, by a majority vote of the membership of the Personnel, Tenure, or Promotion Committee, a unit administrator may meet with that committee to discuss initial appointments. Further, the administrator may meet with the Tenure Committee (or properly constituted subcommittee) in reference to progress toward tenure letters as noted in subsection II.C.5.

D. C.—External Peer Review for Promotion and the Conferral of Permanent Tenure

“External peer review” means a review of a candidate’s research and creative activity scholarship by persons who are not faculty members or employees of East Carolina University. External peer review is conducted fairly and without bias. External peer reviews of the quality of the research and creative activity candidate’s scholarship, as evidenced by the material submitted by the candidate for promotion or conferral of permanent tenure or both, will be used by the appropriate committee(s) in conjunction with its own evaluation of the material. The unit administrator and the unit Tenure Committee shall select the material from the dossier to be sent to external reviewers. The candidate may include additional published or accepted material if the candidate disagrees with the initial selection. Inclusion of such additional items in the materials sent to reviewers shall be noted by memorandum of the unit administrator in the dossier and the candidate’s personnel file.

Qualifications of the reviewers and criteria for their selection are to be determined by the faculty of each unit and contained in the unit code. According to the provisions of unit codes, other materials that reflect the candidate’s scholarly activities may be included in the selection to be sent to external reviewers.

By accordance with the last week of March of timeline in the Spring term Faculty Manual Part X, prior to the academic year in which a promotion or tenure decision is scheduled, the unit Tenure Committee shall produce a list of at least six possible external reviewers. The candidate for promotion and/or permanent tenure shall independently provide a similar list, noting for each name the professional any potential conflicts of interest and a description of any current and past relationship, if any, between the reviewer and the candidate. The candidate shall also provide similar relationship information for each name on the unit Tenure Committee’s list. These two lists must be independently compiled and if the two lists contain a common set of prospective external reviewers, the unit Tenure Committee list shall be revisited and new possible external reviewers shall be identified as replacement for those originally on both lists.

The unit Tenure Committee shall select a sufficient number of names from the unit Tenure Committee’s list and the candidate’s list to ensure that a minimum of three external reviewerstwo from the unit Tenure Committee’s list and one from the candidate’s list— a
minimum of six names from its list and the candidate’s list with the goal of ensuring that a minimum of three external reviewers agree to provide letters. If fewer than three external reviewers agree to provide letters, the unit administrator shall request additional names from the Tenure Committee. The unit administrator and Tenure Committee shall ensure that at least one-third of the reviewers come from the candidate’s list. Code units that require more than three external reviewers shall make special provisions in their unit codes. These provisions must clearly indicate the number of external reviewers required by the unit. In those cases where a unit requires more than three reviewers, the choice of reviewers must reflect, as nearly as possible, the two to one ratio of reviewers proposed by the unit Tenure Committee to those proposed by the candidate. In cases where membership on the committee’s list and the candidate’s list overlaps, it is permissible that all reviewers be on the candidate’s list. External reviewers shall hold a rank not less than that to which the candidate is requesting promotion or, if a member of a foreign University, be of at least equivalent academic standing to the rank being sought as determined by the tenure committee. If the reviewer is not an academic, the reviewer shall demonstrably possess the professional experience necessary to evaluate the candidate’s qualification for the rank being sought. Code units that require more than three external reviewers shall make special provisions in their unit codes. These provisions must clearly indicate the number of external reviewers required by the unit.

The unit administrator or his or her delegate shall serve as the contact person with potential and actual external reviewers. If a situation arises in which a unit administrator or his or her delegate is unable to communicate with a potential or actual reviewer in a timely manner, the unit Tenure Committee chair will do so. If the unit administrator, his or her delegate, or the Tenure Committee chair is unable to communicate with external reviewers in a timely manner, the next higher administrator shall appoint someone to perform the necessary communication duties. Only procedural matters may be discussed with potential and actual reviewers for the duration of the personnel action.

The unit administrator will notify the potential reviewers in writing that they have been nominated to conduct the review and will ascertain their willingness to serve as reviewers. Selected material: To assist the potential reviewer in determining their own suitability to perform the review, the request to serve as an external reviewer will be accompanied by a copy of the candidate’s Curriculum Vitae, and it will solicit both information about potential conflicts of interest and a description of the current and past relationship, if any, between the potential reviewer and the candidate. If any potential conflicts are disclosed, the unit administrator and the Tenure Committee will meet to determine whether the disclosed relationship should preclude the potential external reviewer from serving in that capacity. If the unit administrator and the committee do not agree, the next higher administrator will reach a determination. All communications on such a disclosed relationship and a memo describing the decision written by the unit administrator should be included in the PAD.

No later than the date specified in Part X of the Faculty Manual, selected scholarship from the candidate’s PAD and the candidate’s Curriculum Vitae, along with a cover letter prescribed by the appropriate Vice Chancellor, shall be sent to the reviewers. Units may send an excerpt from the Unit Code describing the criteria for tenure and/or promotion, as applicable. Correspondence with the reviewers shall be written in neutral terms, serving to neither support nor oppose the candidate and shall not deviate substantially from the University-prescribed cover letter.

All external reviews received by the deadline specified in Part X of the Faculty Manual must be included in the PAD. In the case that the number of reviews received exceeds the number of reviews set by the candidate’s Unit Code, all reviews received shall be included in the
accompanied the candidate’s materials. Copies of all written communications with reviewers who complete timely reviews shall be placed in the candidate’s Personnel Action Dossier. Copies of all written communications with other potential reviewers shall be placed in the candidate’s personnel file.

If the faculty member under review does not provide the material to be submitted to external reviewers by the deadline outlined in Part X of the ECU Faculty Manual, the failure to submit the required materials will be considered as notice that the faculty member is withdrawing the request for consideration for promotion or conferral of permanent tenure. The Personnel Committee and the unit administrator shall notify the faculty member in writing, with a copy to the next higher administrator, within 30 calendar days of the deadline that failure to submit the required materials for external review constitutes withdrawal from consideration. From that time, the faculty member may not serve on the unit’s Personnel, Tenure, or Promotion committees.

(Copies of the prescribed letters are available on the Faculty Senate website at http://www.ecu.edu/cs-acad/fsonline/fg/facultygovernance.cfm; http://www.ecu.edu/cs-acad/fsonline/fg/facultygovernance.cfm.) Copies of all correspondence with the reviewers and the reviews shall be made a part of the Personnel Action Dossier (hereinafter, "the dossier") (see subsection IV.D.2.).

Sample of an External Review Letter (used by both Academic Affairs and Health Sciences)

Only the unit administrator will communicate with the external reviewers and only on procedural matters for the duration of the personnel action.

The unit administrator and the unit Tenure Committee shall select the material from the dossier to be sent to external reviewers. The candidate may include additional published or accepted material if he or she disagrees with the initial selection. Upon receipt of a review, the unit administrator will place the original review in the candidate’s personnel file and copies of the review in the candidate’s dossier. Copies of the external review letter will only be made available to candidates upon petition. The unit administrator shall then notify the members of the appropriate committee and the candidate that the review Personnel Action Dossier, including external reviews, is available. Within 7 calendar days after receipt, the unit administrator will provide candidates for Tenure and/or Promotion with copies of their external review letters.

If, prior to August 1 of the summer during which a candidate’s material is under review, someone who has agreed to conduct a review withdraws or it otherwise becomes known that an agreed-upon review will not be forthcoming, the Tenure Committee will provide the unit administrator with the name of an additional reviewer from the prioritized list, following the same procedure that resulted in the original list. When fewer than three external reviews are received by the deadline set in the letter to the external reviewers respond that accompanied the candidate’s materials, this information, by memorandum from the unit administrator, shall be made a part of the candidate’s personnel file and dossier—PAD as the review process continues.

D. Documentation for Personnel Actions
1. Employment Applications
   Information on job applicants is to be kept in a secure file available to the appropriate committee members (see subsection IV.A).

2. Personnel Action Dossier for Reappointment, Promotion, and Permanent Tenure
The Personnel Action Dossier (PAD) is a file containing materials for evaluating a faculty member's professional activity, activities and accomplishments. The dossier is compiled by candidates for reappointment, promotion, and/or permanent tenure. If the faculty member is considering requesting promotion or the early conferral of permanent tenure, he/she may request consultation with the unit administrator and the chair of the unit Personnel Committee. Personnel Committee. Additional materials submitted by the faculty member for inclusion in the PAD will be reviewed by the Personnel Committee in consultation with the unit administrator. The dossier will be used by the appropriate committee in making personnel recommendations. A fixed-term faculty member seeking to be recommended for a second or subsequent fixed-term appointment need not compile the dossier. Documents may not be added to the PAD after the deadline for submitting the PAD to the Tenure and/or Promotion Committee, as specified in Part X, except where revised deadlines are approved in writing by the Chancellor. Prior to a committee's review, the unit administrator will confirm that the candidate's PAD contains all required materials. If a candidate's PAD is missing any required document, the review process is halted until the Chancellor approves an extension of time to secure required documents. A committee's deliberations are not limited to the contents of the Personnel Action Dossier and may address any of the candidate's contractual duties and professional conduct (Part V, Section II).

In order to protect the candidate's due process rights, the review will address misconduct only if the misconduct is documented in the faculty member's personnel file and the faculty member's due-process rights were respected (the right to appeal a finding or sanction to the relevant committee and the right to include in the personnel file a letter expressing disagreement with a finding). Should an alleged case of misconduct be too recent for the candidate to appeal the charge or finding of misconduct by the University, the committee's review may be suspended with the approval of the Chancellor until such time as determined by the Chancellor.

For details on the organization, content, and limitations of the dossier, see Part X of the ECU Faculty Manual.

3. Disagreements as to inclusion or removal of documents
The dossier shall include the required documents and lists relevant to the faculty member's teaching, research/creative activity, and service as described above. If the faculty member disagrees with the unit administrator and/or the unit Personnel Committee as to the inclusion of relevant documents, the documents will be included and each may include a statement about the document in the dossier.

For details on organization, content and limitations of the dossier, see Part X of the ECU Faculty Manual.

F. E. Initiation of Recommendations by Unit Personnel, Tenure, and Promotion Committees
1. Procedural Rules for conducting committee business
The unit administrator shall give timely notice to the chair of the unit Personnel Committee when personnel actions are to be initiated and of the date defined in Part X of the Faculty Manual by which the committee's recommendation and cumulative evaluation, if applicable, must be communicated to the unit administrator. After being notified by the unit administrator that a personnel action is required, the chair of the unit Personnel Committee appropriate committee shall make at least three attempts at intervals of no less than five working days each to hold a meeting of the appropriate committee for the pending personnel action. In order to conduct business, a committee shall not meet without a quorum.
A quorum is defined as three-quarters of the membership for a committee that has twenty or fewer members; and a quorum is defined as a majority, defined as 50% plus one, of the membership for a committee that has more than twenty members. A list of all committee members who were absent during a vote on a personnel action will be forwarded to the unit administrator. The committee may develop policies to designate certain absences as excused absences. Faculty members on approved medical leave do not attend and do not count for purposes of determining a quorum of the committee. Unexcused absences should be considered in annual evaluations.

The purpose of this meeting is to deliberate and hold a vote by secret ballot on the pending personnel action. All materials pertaining to the pending personnel action (see subsection IV.D.) must be available for inspection in a secure location at least five business days prior to the meeting. Members of the committee(s) having authority over who are responsible for the pending personnel action shall review the materials individually in preparation for discussion at the meeting. A faculty member on leave and not in attendance at a meeting shall not be counted for the purposes of determining a quorum for that meeting. A faculty member on non-medical leave but in attendance at a meeting shall be counted for the purposes of determining a quorum for that meeting.

For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, Section IV (A.3.).

If the committee fails to meet the deadline for receipt the submission of the committee’s recommendation specified in Part X, this outcome shall count as a recommendation by the committee against appointment, reappointment, promotion, or tenure. In such a case, the chair of the unit Personnel Committee appropriate committee shall report in writing to the unit administrator that after at least three attempts the committee has failed to meet due to a lack of a quorum, and that this outcome constitutes a recommendation against appointment, reappointment, promotion, or tenure. The unit administrator shall forward the committee’s recommendation and the unit administrator’s recommendation to the candidate and to the next higher administrator.

2. Voting Procedures for Personnel Actions
   (a) In the case of initial appointment recommendations, each member of the unit Personnel Committee will indicate by secret ballot his or her choice for the appointment.

   For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, Section IV (A.3.).

   A candidate who receives a majority vote of the committee members present shall be recommended for appointment. (For recommendations of rank of initial appointments at the associate professor or professor level, see subsection IV.B.2.a.; For conferral of tenure for initial appointments see subsection IV.B.3.a.) A committee shall not reconsider a vote on a personnel recommendation after the committee has notified the unit administrator of its recommendation.

   (b) Faculty recommendations for reappointment, promotion and conferral of permanent tenure shall come from the appropriate committee (see Section IV.A). The committee prepares a cumulative evaluation and written recommendation that is approved by secret ballot, provided to the candidate for response, and forwarded to the unit administrator.
administrator. The committee’s deliberations may address any of the candidate’s professional activities and conduct.

For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, subsection IV.A.3.

A committee shall not reconsider a vote on a personnel recommendation after the committee has notified the unit administrator of its recommendation.

The committee members may choose to vote by mail according to the latest edition of *Robert's Rules of Order, Newly Revised*. Within fifteen working days of notification by the unit administrator of the need to initiate a personnel action, the chair of the unit Personnel Committee appropriate committee shall convene a meeting of the appropriate committee (see subsection IV.E.1.). At this meeting, the chair of the unit Personnel Committee committee shall ascertain whether or not the committee will vote by mail. If a motion to vote by mail is approved by a majority of the committee members present and voting, voting shall be by mail. If a committee chooses to vote by mail, all members must vote by mail. In the event that the university officially adopts a secure and confidential system for online voting, the committee may elect to use it in place of mailed ballots as described in part d below. If the committee chooses to vote by mail in the case of a promotion or tenure recommendation, a subcommittee consisting of at least five members of the Tenure Committee may meet and prepare the cumulative evaluation and written recommendation. The subcommittee shall be chaired by the chair of the Tenure Committee. Members may be elected to the subcommittee by email ballot.

In the case of promotion and conferral of permanent tenure, each member of the appropriate committee will indicate by secret ballot his or her vote for or against a cumulative evaluation and recommendation for or against the candidate’s being promoted and/or granted permanent tenure.

(c) In the case of recommendation(s) for new or subsequent appointments of faculty members currently holding fixed-term appointments, each member of the unit Personnel Committee will indicate by secret ballot his or her choice for or against the recommendation. This vote may be taken at a committee meeting or by mail ballot as described in subsection IV.F.2.b.

For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, Section IV (A.3.).

The committee’s deliberations may address any of the candidate’s professional activities and conduct. A vote for the recommendation by a majority of the committee members present shall constitute a recommendation for a new or subsequent appointment. A member who is present when a vote is taken but who does not vote counts as part of the membership of the committee for the purposes of determining what constitutes a majority vote. Failure to obtain a majority vote constitutes a recommendation against a new or subsequent appointment (Faculty Senate Resolution #03-30). A committee shall not reconsider a vote on a personnel recommendation after the committee has notified the unit administrator of its recommendation.
(d) If a committee votes by mail, the ballots shall be sent by a method that provides delivery verification and is consistent with UNC Policy 101.3.3 Robert's Rules of Order, Newly Revised or distributed by the committee chair. The refusal by a committee member to receive the correspondence containing the ballot within five business days of the first delivery attempt shall count as a vote against appointment, reappointment, promotion, or tenure. If ballots are distributed by the committee chair, the committee chair shall assure that recipients acknowledge receipt in writing. The acknowledgment must include the date of receipt. A ballot either shall be returned by a method that provides delivery verification and is consistent with UNC Policy 101.3.3 Robert's Rules of Order, Newly Revised or shall be personally returned by hand to the committee chair, at the discretion of the individual committee member. Committee members returning ballots by hand shall sign a confirmation form that is retained by the committee chair, with the secrecy of the ballot preserved according to procedures in Robert's Rules of Order, Newly Revised.

e. Ballots not returned within twenty working days of verified receipt shall count as a vote against recommending appointment, reappointment, promotion, or tenure. If a committee votes by mail or a university-adopted electronic system, a faculty member on non-medical leave may choose either to vote or not to vote, at his or her discretion. The unit administrator shall ascertain and shall inform the chair of the unit Personnel Committee appropriate committee in writing as to whether or not a faculty member on non-medical leave will participate in a mail balloting. Faculty members on approved medical leave are not permitted to participate in University business during the approved leave. If a faculty member on non-medical leave chooses to participate in a mail balloting, the faculty member shall count in determining what is required for a majority vote in favor of the recommendation. If the faculty member on non-medical leave chooses not to participate in a mail balloting, the faculty member shall not count in determining what is required for a majority vote in favor of the recommendation (Faculty Senate Resolution #03-30).

G. College Promotion and Tenure Committee

1. Function
A College Promotion and Tenure Committee, if established in the unit code or College constitution or bylaws, shall be responsible for advising the dean regarding promotion and the conferral of permanent tenure.

2. Composition and Election
The composition and election of a College Promotion and Tenure Committee shall be determined by the college according to procedures in its College Unit Code, constitution, or bylaws. The College Committee shall consist of at least three permanently tenured faculty members from the College holding the rank of professor, but excluding the dean and unit administrators. If the committee consists of only three members, there shall be a sufficient number of alternates, as needed, to ensure there are always three voting members of the committee. Procedures shall ensure that faculty members serving on the College committee shall have only one vote, either on the unit committee or the College committee.

For limitations on participation in personnel actions due to potential conflicts of interest, see Part IX, Section IV (A.3).

3. In the case of reappointment, promotion, and conferral of permanent tenure, each member of the appropriate committee will indicate by secret ballot his or her vote for or against
4. The recommendation of the appropriate committee shall be communicated by the chair of the unit Personnel Committee or the Promotion Committee to the candidate and the unit administrator (see subsection IV.A.1.d.).

H. Notification of Recommendations

The faculty member shall be informed in writing of all personnel recommendations at every level, beginning with the appropriate unit committee’s recommendation and continuing up to the level where the final decision is made.

The notification letter from the Tenure Committee and the notification letter from the unit administrator shall contain (a) the cumulative evaluation of the candidate’s teaching, research and service, and any other relevant duties, in accordance with Part X, Section I (B) – Personnel Action Dossier in the ECU Faculty Manual and (b) the statement that the candidate has four working days from the date of the notification letter to include a response to the cumulative evaluation, in accordance with subsection D. – Supporting Materials of Part X – Personnel Action Dossier.

Tenure and/or promotion recommendations shall be communicated by the chair of the respective committee(s) to the candidate, sent by a method that provides delivery verification, along with a notification that the candidate has seven working days to respond to the cumulative evaluation(s), if desired. In accordance with the deadline in Part X, Section II of the ECU Faculty Manual, the committee shall forward to the unit administrator its recommendation, cumulative evaluation, and the candidate’s response, if any.

A committee shall not reconsider a vote on a personnel recommendation after the committee has notified the unit administrator of its recommendation.

For tenure and/or promotion decisions, the unit administrator prepares a separate cumulative evaluation with a recommendation and communicates it to the candidate, the committee, and the next higher administrator. The written notification shall contain the statement that the candidate has seven working days from the date of receipt of the notification letter, sent by a method that provides delivery verification, to provide a written response to the cumulative evaluation for inclusion in the PAD, if desired.

G. Procedure for Concurring Recommendations

In the case of disagreement at any level refer to the procedures outlined in H. below. If the recommendations of the appropriate committee and unit administrator agree, the next higher administrator shall either concur or not concur, then notify the unit administrator and the chair of the unit Personnel Committee of the recommendation and forward all recommendations to the immediate supervisor. This procedure shall be repeated at each administrative level until the recommendation reaches the appropriate vice chancellor.
Immediately after the completion of each level of administrative review, the administrator's recommendation shall be communicated to all appropriate lower administrators, the candidate, and the committee of the unit which made the initial recommendation.

If the vice-chancellor concurs in a recommendation for promotion and/or conferral of permanent tenure, he or she shall forward the recommendation to the chancellor. The chancellor shall consider the recommendation from the vice-chancellor to promote and to confer permanent tenure.

If the vice-chancellor concurs in a decision not to recommend reappointment, promotion, and/or conferral of permanent tenure, he or she shall give the faculty member being considered a simple, written statement of the decision. This decision is final except as it may later be reviewed in accordance with the provisions of Part IX, Section I (V) or the grievance procedure of Part XII, Section I.

If the chancellor concurs in a recommendation to confer permanent tenure, he or she shall submit the recommendation to the Board of Trustees for final approval. If the chancellor concurs in a recommendation for promotion, the chancellor's approval shall be final.

H. Procedure for Nonconcurring Recommendations

If the recommendations of an administrator and the appropriate committee disagree, that administrator shall discuss the potential nonconcurrency at the unit committee level before forwarding the committee’s recommendation and his or her concurrence or nonconcurrency to the next higher administrator. If the unit administrator and the appropriate committee do not agree, their conflicting recommendations shall be forwarded through each administrative level, together with the recommendation of the administrator at each level, until they reach the appropriate vice-chancellor. In the case of fixed term employment recommendations the decision of the appropriate vice-chancellor is final. All other personnel actions shall be handled in accordance with the procedures provided in subsection IV.G. Procedures for Concurring Recommendations.

In the event that the vice-chancellor is considering a recommendation that is contrary to the vote of the appropriate unit committee, the vice-chancellor shall meet with the committee to discuss the potential nonconcurrency. If the vice-chancellor decides not to recommend reappointment, promotion, and/or conferral of permanent tenure, the vice-chancellor shall give the faculty member being considered a simple, written statement of the decision. This decision is final except as it may be reviewed in accordance with the provisions of subsection V, or the grievance procedure of Part XII, Section I as appropriate.

If the chancellor decides not to recommend promotion or the conferral of permanent tenure, the chancellor shall give the faculty member being considered a simple, written statement of the decision. This decision is final except as it may be reviewed in accordance with the provisions of subsection V or the grievance procedure of Part XII, Section I, as appropriate.

I. Procedure for Concurring and Non-Concurring Recommendations concerning Reappointment, Promotion, and/or the Conferral of Permanent Tenure

If a unit administrator and the appropriate committee disagree on a recommendation for reappointment, promotion, and/or the conferral of permanent tenure, the unit administrator shall discuss the potential non-concurrency with the unit committee before forwarding the committee’s recommendation and his or her concurrence or non-concurrence to the next higher administrator.

Appeals of all non-reappointment and the non-conferral of permanent tenure at the end of the contract period may be filed in accordance with the provisions of subsection V of this Appendix. Also, appeals of Non-reappointment coupled with the non-conferral of early permanent tenure may be filed in accordance with the provisions of subsection V of this Appendix. A grievance (Part XII, Section I) may be filed in response to a denial of promotion and/or early permanent tenure.
A committee shall not reconsider a vote on a personnel recommendation after the committee has notified the unit administrator of its recommendation.

After the appropriate committee and the unit administrator transmit their recommendations to the next higher administrator, that administrator performs his or her own review. The administrator shall discuss any potential non-concurrence with the unit committee before forwarding his or her concurrence or non-concurrence, along with the recommendations from the committee and the unit administrator, to the next higher administrator. The same procedure shall be repeated at each administrative level until the recommendation reaches the appropriate Vice Chancellor.

Immediately after the completion of each level of administrative review, the administrator's recommendation shall be communicated to all appropriate lower administrators, the candidate, and the committee of the unit which made the initial recommendation.

If the Vice Chancellor concurs in a recommendation for promotion and/or conferral of permanent tenure, the Vice Chancellor shall forward the recommendation to the Chancellor for the Chancellor’s review.

A decision by the Vice Chancellor to reappoint is final unless it is accompanied by a request for tenure or a request for promotion; a decision to reappoint with tenure is final only upon recommendation of the Chancellor and approval by the Board of Trustees; a decision to promote without tenure is final only when approved by the Chancellor.

In the event that the Vice Chancellor is considering a recommendation concerning reappointment, promotion, and/or the conferral of permanent tenure that is contrary to the recommendation of the appropriate unit committee, the Vice Chancellor shall meet with the committee to discuss the potential non-concurrence. Regardless of the recommendation of the appropriate unit committee, if the Vice Chancellor decides against reappointment, promotion, and/or conferral of permanent tenure, the Vice Chancellor shall give the faculty member being considered a simple, written statement of the decision. This statement serves as notification of non-reappointment in accordance with UNC Code 604. This decision is final except as it may later be reviewed in accordance with the provisions of Part IX, Section I (V) or the grievance procedure of Part XII, Section I.

If the Chancellor concurs in a recommendation to confer permanent tenure, the Chancellor shall submit the recommendation to the Board of Trustees for approval, which is final except in the case of a denial, which may be reviewed in accordance with the provisions of Part IX, Section I (V). If the Chancellor concurs in a recommendation in favor of promotion in the absence of a request for tenure, the Chancellor’s approval shall be final.

If the Chancellor decides not to recommend promotion or the conferral of permanent tenure, the Chancellor shall give the faculty member being considered a simple, written statement of the decision. This decision is final except as it may be reviewed in accordance with the provisions of subsection V or the grievance procedure of Part XII, Section I, as appropriate.