

**EAST CAROLINA UNIVERSITY
2015-2016 FACULTY SENATE**

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 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 ~~striketrough~~ 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 corresponds 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 ~~striketrough~~ 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.**
- ~~E. F.~~ **F.** The chair or appointed representative serves as an ex-officio member of the University Athletics Committee and Honors College Advisory Committee.
- ~~F. G.~~ **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

Related Policies: UNC Policy Manual 400.5[R]: <http://www.ecu.edu/cs-acad/fsonline/customcf/fsminute/fsm1109gactr.pdf>.

Additional References: ECU Centers and Institutes: <http://www.ecu.edu/cs-acad/rgs/upload/ECU-centers-and-institutes-updated-08-13-2014.pdf>.

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

- policy.
- 5.2. 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).
 - 5.3. 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.
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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

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 Senate Agenda
February 23, 2016
Attachment 6.

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.~~

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.

53 B. Permanent Tenure

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

59
60 2. ~~Conferral of permanent tenure shall be based on the faculty member's demonstrated~~
61 ~~professional competence in teaching, research and creative activity, and service; a~~
62 ~~potential for future contributions; and the institution's needs and resources. Conferral of~~
63 ~~permanent tenure shall be based on the faculty member's demonstrated professional~~
64 ~~competence in teaching, scholarship, clinical practice (as appropriate), and service;~~
65 ~~performance of these responsibilities in accord with appropriate professional standards of~~
66 ~~ethical conduct (Part V, Section II); a potential for future contributions in a like manner; and~~
67 ~~the institution's needs and resources. While teaching is the first consideration, the faculty~~
68 ~~member must meet unit expectations in all other areas, as appropriate. neither teaching nor~~
69 ~~research and creative activity nor patient care nor service is sole measure of a member's~~
70 ~~competence and contribution. Permanent tenure is independent of promotion but sound~~
71 ~~academic practice supports the concept that an assistant professor eligible for tenure~~
72 ~~should qualify for promotion to associate professor . Permanent tenure is independent of~~
73 ~~promotion but sound academic practice supports the concept that an assistant professor~~
74 ~~eligible for tenure should qualify for promotion to associate professor. No assistant~~
75 ~~professor will be awarded permanent tenure unless concurrently promoted to associate~~
76 ~~professor.~~

77
78 II. Faculty Appointments

79 A. General Provisions

80 1. Categories of Appointments

81 There are three kinds of faculty appointments:

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

101
102 (b) Probationary Appointments and Reappointments. Probationary appointments are
103 made at the professorial ranks of assistant professor, associate professor, or
104 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 designee¹ 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.² 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.III] 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.¹ 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).

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.~~

148
149 4. Continued Availability of Special Funding

150 The appointment or reappointment of a faculty member to a position funded in whole or
151 in substantial part from sources other than continuing state budget funds or permanent
152 trust funds shall specify in writing that continuance of the faculty member's services,
153 whether for a specified term or for permanent tenure, shall be contingent upon continuing
154 availability of such funds. Exceptions to the foregoing contingency requirement are:

155 (a) That such a contingency shall not be included in a promotion to a higher rank if,
156 before the effective date of that promotion, the faculty member had permanent
157 tenure and no such condition is attached to the tenure.

158
159 (b) That such a contingency shall not be attached to the faculty member's contract if
160 the faculty member held permanent tenure in East Carolina University on July 1,
161 1975, and the ~~contract~~ contract was not contingent upon the continuing availability of
162 sources than continuing state budget or permanent trust funds.

163
164 (c) That such a contingency may be waived for health affairs faculties because of the
165 unusual dependence of programs in the health professions on income from sources
166 such as clinical receipts.

167
168 5. Special Employment Arrangements

169 The University may permit, at the discretion of the Provost and Senior Vice Chancellor for
170 Academic Affairs or the Vice Chancellor for Health Sciences, special employment
171 arrangements for probationary term or tenured faculty members. Such arrangements may
172 result in modifications in benefits.

173
174 If a special employment arrangement involving funding sources other than the University is
175 deemed by the Unit Administrator to be necessary and in the best interests of the Unit and
176 the University, the request for the modified work schedule shall be made in writing to the
177 Provost and Senior Vice Chancellor for Academic Affairs or the Vice Chancellor for Health
178 Sciences. The memo making this request should include specific reasons for seeking the
179 modified work schedule and adequate assurances by the Unit Administrator, and for
180 probationary-term faculty members, the unit Tenure Committee, that this arrangement is
181 compatible with the faculty member fully achieving all of the duties and responsibilities
182 appropriate for someone of the proposed rank and status.

183
184 6. Notice of Resignation

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

190
191 B. Fixed-Term Appointments [cf. Special Faculty Appointments, The UNC Code, 610; for the
192 purposes of this section, unless otherwise specified, the provisions apply to paid faculty
193 members] (The roles of committees are defined in subsection IV.)

194 1. Contract and Notice:

195 A contract for a fixed-term appointment shall set Fixed-term faculty members are appointed
196 for a specified term of service, as set out in writing in the letter of appointment. The term of
197 appointment concludes at the end of the specified period set forth in the letter of
198 appointment, and the letter of appointment constitutes full and timely notice that a new term
199 will not be granted when that term expires. A letter of appointment for a fixed-term faculty

200 member sets forth in writing the beginning and ending dates of the term, the type of
201 appointment and the pay status (i.e., paid or unpaid). The specification of the length of the
202 appointment in the contract/letter of appointment shall be deemed to constitute full and
203 timely notice of non-reappointment when that term expires. Whenever possible paid or
204 unpaid). Whenever possible, multi-year contracts, of up to five years, will be offered to
205 fixed-term faculty members who have demonstrated their effectiveness and contributions
206 and/or who have outstanding credentials. These faculty members are eligible for a new
207 appointment. The provisionsAt the end of Section 604 and 602(4) of The Code of The
208 University of North Carolina do not apply to these special faculty appointments. If the
209 appointment term, a fixed-term faculty member, not earlier than 180 calendar days nor later
210 than 90 may request consideration of a new appointment. A fixed-term faculty member
211 desiring a new appointment shall, no later than 75 calendar days before the current term
212 expires, providesprovide the unit administrator with a written request for a new
213 appointment, and the unit administrator shall so notify the chair of the unit Personnel
214 CommitteeWithin 30. No later than 45 calendar days of receivingbefore the requestend of
215 the current term, the Personnel Committee and the unit administrator shall notify the
216 faculty member in writing of their respective recommendationsand that; any
217 recommendation is subject to the availability of the position, funding, administrative
218 approval, and continued effective performance. Fixed-term faculty members are not
219 covered by Section 604 of The Code of the Board of Governors of The University of North
220 Carolina (hereafter, referred to as the UNC Code), and that section does not accord them
221 rights to additional review of a decision by a constituent institution not to grant a new
222 appointment at the end of a specified fixed term. During the term of their employment,
223 fixed-term faculty members are entitled to seek recourse under Section 607 of the UNC
224 Code (relating to faculty grievances).
225 A faculty member who does not have permanent tenure has the protection of tenure
226 until the expiration of the faculty member's employment contract.

227
228 2. Fixed-Term Employment Evaluation Policy [cf. Special Faculty Appointments, The UNC
229 Code, 610]:

230 Any faculty memberFaculty members employed infor a fixed-term position shall be
231 evaluated annually in accordance with the provisions of the employment contract letter of
232 appointment. A fixed-term faculty member should submit a portfolio to the Personnel
233 Committee and the unit administrator prior to the unit administrator and the Personnel
234 Committee recommendingconsidering a new appointment. The portfolio should contain
235 information that demonstrates the effectiveness of the fixed-term faculty member in
236 carrying outfulfilling the dutiesresponsibilities specified in the letter of appointment. The
237 specific contents of the portfolio shall be determined by the unit code (see subsection
238 IV.A.1.).

239
240 3. Advancement in Title:

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

244
245 4. Terms and Conditions for Appointment:

246 The Chancellor or the Chancellor's designee¹ shall set out in writing to the fixed-term
247 faculty member the terms and the conditions of each appointment. The terms shall
248 incorporate by reference appropriate sections of the Faculty Manual and shall state any
249 conditions placed on the appointment. The responsibility for initiating the inclusion of
250 special terms and conditions in documents of appointment is with the unit administrator.
251 Prior to initial or subsequent appointment, the unit administrator shall provide a copy of the

252 unit's criteria for evaluating faculty performance contained in the unit code [as specified in
253 Part VIII, Section I.III] to persons offered a fixed-term faculty appointment in the unit.
254 Criteria for evaluating faculty performance contained in the unit code shall be discussed by
255 the unit administrator in a meeting with each fixed-term faculty member at the beginning of
256 the appointment term. A summary of this discussion shall be placed in the faculty
257 member's personnel file. The responsibility for calling this meeting is with the unit
258 administrator. Fixed-term faculty members on semester-by-semester contract need only
259 meet with the unit administrator once a year.

260
261 5. Portfolio for subsequent appointment and/or advancement in title of fixed-term faculty
262 members:

263 All documents pertaining to subsequent appointments for fixed-term faculty members
264 shall be collected and maintained in accordance with the applicable unit code, as
265 described in subsection II.B.2 above.

266
267 6. New or Subsequent Appointments:

268 In the case of recommendations for new appointments or subsequent appointments of
269 faculty members currently holding fixed-term appointments, the Personnel Committee
270 will determine its recommendation for or against new and subsequent appointments,
271 using secret ballots.

272
273 7. Notice of Resignation:

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

277
278 8. Procedure for Concurring and Non-concurring Recommendations:

279 All concurring and non-concurring unit committee recommendations and unit
280 administrator recommendations regarding fixed-term employment are forwarded through
281 each administrative level until reaching the appropriate vice chancellor. If the unit
282 administrator's potential recommendation for a new fixed-term faculty appointment,
283 subsequent appointment, or advancement in title will differ from the unit Personnel
284 Committee's recommendation, the unit administrator shall discuss the potential non-
285 concurrence at the unit committee level before forwarding the committee's
286 recommendation and his or her concurrence or non-concurrence to the next higher
287 administrator.

288
289 After the appropriate committee and the unit administrator transmit their
290 recommendations to the next higher administrator, that administrator performs their own
291 review, reaching a decision to either concur or not concur. The recommendation is
292 forwarded to the next higher administrator along with the recommendations from the
293 committee and the unit administrator. The unit administrator and the chair of the
294 appropriate committee are notified of the recommendation of the next higher
295 administrator. This procedure shall be repeated at each administrative level until the
296 recommendation reaches the appropriate Vice Chancellor. Immediately after the
297 completion of each level of administrative review, the administrator's recommendation
298 shall be communicated to all appropriate lower administrators, the candidate, and the
299 committee of the unit, which made the initial recommendation.

300
301 The Vice Chancellor's decision regarding all fixed-term faculty employment
302 recommendations is final.

304 C. Probationary Appointments

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

310
311 A faculty member appointed to an administrative position is eligible for permanent tenure
312 only as a faculty member in one of the professorial ranks. There is no permanent tenure in
313 an administrative position.

314
315 1. Notice of Reappointment or Non-Reappointment [UNC Code 604].

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

322
323 Timely Notice: For ~~full-time faculty members~~ at the rank of ~~instructor~~, assistant
324 professor, associate professor, or professor, the minimum requirement for timely
325 notice shall be as follows:

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

329
330 (b) During the second year of continuous service at East Carolina University, the
331 faculty member shall be given not less than 180 calendar days' notice before the
332 employment contract expires.

333
334 (c) After two or more years of continuous service at East Carolina University, the
335 faculty member shall be given not less than 12 months' notice before the employment
336 contract expires.

337
338 ~~Notice of reappointment or non-reappointment shall be written. If the decision is not to~~
339 ~~reappoint, then failure~~ Failure to give timely notice of non-reappointment will oblige the
340 ~~chancellor thereafter~~ Chancellor to offer a terminal appointment of one academic year.

341
342 2. Probationary Terms

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

348
349 (a) ~~Instructor. The rank of instructor is reserved for persons who lack the qualifications~~
350 ~~for appointment as assistant professor. Faculty members appointed as instructors are~~
351 ~~eligible for an initial three-year appointment and one successive reappointment of two~~
352 ~~years. Instructors promoted to the rank of assistant professor no later than the~~
353 ~~beginning of the fourth year of employment are eligible for a final two-year probationary~~
354 ~~appointment in the higher rank. The maximum probationary term is seven years.~~

355 Assistant Professor. The maximum probationary term is six years, ~~consisting of an~~
356 ~~initial three-year appointment and two successive two-year appointments.~~ The faculty
357 member can receive an initial three-year appointment and a maximum of two
358 successive two-year appointments. No assistant professor will receive reappointment
359 in a probationary term without a terminal degree or appropriate alternate credentials as
360 defined in the unit code. If a faculty member does not receive permanent tenure at the
361 end of his or her sixth year, the faculty member remains employed through one
362 terminal year. During that terminal year, the faculty member may not serve on the unit's
363 Personnel Committee.

364
365 Associate Professor. The maximum probationary term is ~~four~~ five years, ~~consisting of~~
366 ~~an initial three-year appointment followed by a two-year appointment.~~ The faculty
367 member can receive an initial three-year appointment and a maximum of one two-year
368 appointment. If a faculty member does not receive permanent tenure at the end of his
369 or her fourth year, the faculty member remains employed through one terminal year.
370 During that terminal year, the faculty member may not serve on the unit's Personnel
371 Committee.

372
373 Professor. The ~~maximum~~ probationary term is ~~three~~ two years, ~~consisting of one.~~ The
374 faculty member can receive a single three-year appointment. If a faculty member does
375 not receive permanent tenure at the end of his or her second year, the faculty member
376 remains employed through one terminal year. During that terminal year, the faculty
377 member may not serve on the unit's Personnel Committee.

378
379 All time served in a probationary appointment at East Carolina University must be
380 continuous, excluding any approved leaves of absence as ~~noted in subsection II.C.4.~~

381
382 When a faculty member in probationary appointment requests and is awarded promotion
383 in rank before the end of the probationary term, the original contractual probationary term
384 shall not be altered.

385
386 In order to afford the maximum opportunity for tenure, the probationary term for personnel
387 hired at the professorial ranks, whose contract date occurs earlier than the beginning of
388 the Fall semester (or July 1 for probationary faculty in the Division of Health Sciences and
389 Academic Library Services members with twelve-month appointments), will be measured
390 from the beginning of the subsequent Fall semester (or July 1 for probationary faculty in
391 the Division of Health Sciences and Academic Library Services members with twelve-
392 month appointments).

- 393
394 3. Reduction of the Normal Probationary Term for Previous Academic Employment
395 ~~Reduction~~ Although generally discouraged in favor of petitioning for early tenure (see
396 subsection II.C.6), reduction of the normal probationary term may be granted for previous
397 full-time faculty employment at the time of initial appointment as assistant professor or
398 associate professor. The granting of such a reduction shall require a strong justification
399 and the agreement of the appointee, a simple majority of the unit Personnel Committee,
400 the unit administrator, the dean, and the appropriate vice chancellor. Vice Chancellor.
401 The maximum reduction at each professorial rank shall be as follows:
402 ~~(a) For a candidate appointed at the rank of instructor, no reduction is allowed.~~
403 (a) For a candidate appointed at the rank of assistant professor, a maximum
404 reduction of three years is allowed.
405

406 (b) For a candidate appointed at the rank of associate professor, a maximum
407 reduction of two years is allowed.

408
409 (c) For a candidate appointed at the rank of professor, no reduction is allowed.
410

411 4. Extensions of the Probationary Term

412 ~~Leaves from all employment obligations which are granted to probationary-term faculty~~
413 ~~may include extension of the length of the probationary term. (Leaves of absence normally~~
414 ~~should be for not more than two academic years or occur more often than once in three~~
415 ~~years). Extensions of the probationary term must be requested by the faculty member and~~
416 ~~shall be granted only in cases of severe personal exigency, such as illness, childbirth,~~
417 ~~child care, or other compelling personal circumstances, and; such extensions shall be~~
418 ~~limited to a total of no more than two years. Probationary-term faculty members who have~~
419 ~~received paid leave of at least 15 weeks under the ECU Serious Illness and Disability~~
420 ~~Leave Policy Faculty Serious Illness and Parental Leave Policy shall receive an extension~~
421 ~~of the probationary term, if requested. Extensions of the probationary term must be~~
422 ~~expressly stated in appointment or reappointment documents or added by a written~~
423 ~~memorandum of amendment by the unit administrator during the term of an appointment.~~
424 ~~The probationary term may be extended in increments of one or more academic years:~~
425 ~~one year for leaves of one or two semesters, two years for leaves of three or four~~
426 ~~semesters. All such extensions must be approved in writing by the faculty member, the~~
427 ~~unit Personnel Committee, the unit administrator, the dean, the appropriate vice~~
428 ~~chancellor, and the chancellor or the chancellor's designee. A probationary-term faculty~~
429 ~~member who assumes a full-time administrative position or clinical position for one or more~~
430 ~~semesters may be granted extensions of the length of the probationary term; such~~
431 ~~extensions shall be limited to a total of no more than three years. All such extensions~~
432 ~~must be requested in writing by the faculty member, and the unit Personnel Committee,~~
433 ~~the unit administrator, the dean, and the appropriate Vice Chancellor each must review~~
434 ~~and make recommendations. The Chancellor or the Chancellor's designee¹ provides the~~
435 ~~final approval of the extension. Extensions of the probationary term must be expressly~~
436 ~~stated in the same way appointment or reappointment documents or added by a written~~
437 ~~memorandum of amendment by the appropriate Vice Chancellor during the term of an~~
438 ~~appointment.~~
439

440 5. Progress Toward Tenure Letters

441 ~~Each Spring semester, the unit Tenure Committee and unit administrator will review the~~
442 ~~annual reports of each probationary term faculty member. On the basis of this review, the~~
443 ~~unit administrator, in consultation with the unit Tenure Committee, will write a progress~~
444 ~~toward tenure letter to each probationary term faculty member. This letter will address the~~
445 ~~candidate's cumulative accomplishments to date as well as the unit administrator's and~~
446 ~~tenure committee's ongoing expectations of the candidate. In the event the unit Tenure~~
447 ~~Committee and the unit administrator cannot agree on the contents of the letter, the next~~
448 ~~higher administrator shall confer jointly with the unit Tenure Committee and unit~~
449 ~~administrator, determine at his or her discretion the content of the letter, and prepare the~~
450 ~~progress toward tenure letter. Copies of the progress toward tenure letter will be placed in~~
451 ~~the faculty member's personnel file, and a copy will be sent to the unit Tenure Committee~~
452 ~~and to the next higher administrative level. The unit administrator and a representative of~~
453 ~~the unit Tenure Committee will discuss the progress toward tenure letter with the faculty~~
454 ~~member. In the event that the faculty member disagrees with the contents of the progress~~
455 ~~toward tenure letter, it is the responsibility of the faculty member to make this~~
456 ~~disagreement known in writing addressed to the unit administrator for inclusion in the~~
457 ~~personnel file and the PAD. Copies of this letter will be placed in the faculty member's~~

458 personnel file, and a copy will be sent to the unit Tenure Committee and to the next higher
459 administrative level (See subsection IV.D.3.).

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

470
471 These Progress Toward Tenure Letters will address the candidate's cumulative
472 accomplishments to date. Successes and areas for improvement shall be evaluated within
473 the context of the unit's ongoing expectations of the candidate in the unit's criteria for
474 promotion and tenure. The letter shall include evaluative and formative language that
475 advises the candidate on how to meet unit expectations, and it shall assess the
476 candidate's recent performance, cumulative performance, and overall trajectory. While
477 the letter shall include an overall summative rating of "satisfactory" or "unsatisfactory"
478 progress towards tenure, those ratings shall not substitute for thorough narrative
479 evaluations of the candidate's strengths and weaknesses. Criteria for evaluation shall be
480 limited to the candidate's assigned duties and professional conduct (Part V, Section II).
481 Letters must not be understood as a guarantee of the ultimate tenure decision; instead, the
482 final tenure recommendation vote, concurring or non-concurring recommendations, and
483 the final decision in the review process are complex decisions that are based on the
484 candidate's overall trajectory throughout the probationary period, external letters, a
485 potential for future contributions, and other factors permitted under the UNC Code 602.

486
487 In order to protect the candidate's due process rights, the review will address misconduct
488 only if the misconduct is documented in the faculty member's personnel file and the faculty
489 member's due-process rights were respected (including the right to appeal a finding or
490 sanction to the relevant committee and the right to include in the personnel file a letter
491 expressing disagreement with a finding). Should an alleged case of misconduct be too
492 recent for the candidate to appeal the University's charge or finding of misconduct, the
493 committee's review may be suspended with the approval of the Chancellor until such time
494 as determined by the Chancellor.

495
496 Representative(s) of the Tenure Committee will meet with the unit administrator and the
497 candidate to discuss in a formative manner the outcome of the progress towards tenure
498 review carried out by the Tenure Committee and the unit administrator, with suggested
499 areas of improvement. That meeting shall be documented in writing by the unit
500 administrator, and the document shall be placed in the personnel file. In the event that the
501 faculty member disagrees with the substance of the Progress Toward Tenure Letter, it is
502 the responsibility of the faculty member to make this disagreement known in writing within
503 fourteen days, in a letter addressed to the unit administrator. This letter will be placed in
504 the faculty member's personnel file, and copies will be sent to the unit Tenure Committee
505 and to the next higher administrator (see subsection IV.D.3.).

506
507 The timeline for completion of reviews of progress toward tenure is contained in the
508 Faculty Manual, Part X.

510 6. Request for Early Permanent Tenure

511 ~~During~~According to the ~~Spring semester of~~timeline in the academic year*Faculty Manual,*
512 Part X, a faculty member who has not completed the probationary term (see subsection
513 II.C.1-3) and who requests in writing that consideration be given to conferral of
514 permanent tenure will be considered for permanent tenure during the fall semester of the
515 next academic year.² No assistant professor shall be awarded permanent tenure unless
516 concurrently promoted to associate professor. When a faculty member holding the rank
517 of assistant professor requests consideration for early tenure, this request also
518 constitutes a request for consideration for promotion to associate professor.

519
520 D. Initial Appointment with Permanent Tenure

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

524
525 E. Joint Appointments

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

530 -
531 ~~Faculty members who hold joint appointments in more than one unit or center within East~~
532 ~~Carolina University shall be assigned to a primary academic unit with a greater than half-time~~
533 ~~appointment in the primary academic unit. The letter of appointment will specify the terms of~~
534 ~~the appointment, will identify the primary academic unit and will reference all units in which the~~
535 ~~faculty member holds joint appointments. A single appointment letter signed by all supervising~~
536 ~~administrators is preferable, but in instances where a jointly appointed faculty member has~~
537 ~~disparate duties in the various units, a separate joint appointment letter may be issued by the~~
538 ~~administrators of the units in which the faculty member holds joint appointments, provided that~~
539 ~~a copy of each joint appointment letter is forwarded to the unit administrator(s) of the other~~
540 ~~supervising unit(s).~~

541 -
542 ~~Each appointment letter issued by the primary and joint appointment units will specify the~~
543 ~~faculty member's responsibilities, performance expectations, and compensation, if any, for that~~
544 ~~department and/or program. Annual, written evaluations of the faculty member will be~~
545 ~~prepared by the unit administrator of the faculty member's primary academic unit, in~~
546 ~~consultation with the administrator(s) of the unit(s) to which the faculty member is jointly~~
547 ~~appointed. If the administrators of the units to which the faculty member is jointly appointed~~
548 ~~disagree on the annual evaluation, the next higher administrator to the primary academic unit~~
549 ~~will arbitrate the disagreement and will write the final annual faculty evaluation, if agreement~~
550 ~~cannot be reached among all joint appointment units.~~

551 -
552 ~~For probationary faculty appointments and permanently tenured faculty appointments, the~~
553 ~~policies and procedures of the primary academic unit shall be used for reappointment, tenure,~~
554 ~~and promotion of the faculty member, as appropriate to the appointment type. Annual~~
555 ~~progress toward tenure letters for probationary faculty will be prepared by the unit~~
556 ~~administrator of the primary academic unit, in consultation with the administrator(s) of the~~
557 ~~unit(s) to which the faculty member is jointly appointed, and in consultation with the Tenure~~

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.

558 ~~Committee of the primary academic unit. If there is disagreement on the progress toward~~
559 ~~tenure letter, the next higher administrator of the primary academic unit will confer with the~~
560 ~~Tenure Committee of the primary academic unit and with the administrators of the units to~~
561 ~~which the faculty member is jointly appointed, determine at his or her discretion the content of~~
562 ~~the letter, and prepare the progress toward tenure letter.~~

563 -
564 ~~For all faculty on joint appointments, annual salary increase recommendations will be made on~~
565 ~~each funding source of the appointment according to the guidelines of the units, the General~~
566 ~~Administration, and those of the University. If there is one source of funding, the administrators~~
567 ~~of the separate portions of the appointment will consult and recommend together. If there is~~
568 ~~disagreement, it will be appealed to the next higher administrator of the primary academic unit.~~

569 -
570 ~~All faculty members who hold joint appointments are governed by the *ECU Faculty Manual*,~~
571 ~~and all provisions of each faculty appointment must be consistent with relevant sections of the~~
572 ~~*ECU Faculty Manual*. (Faculty Senate Resolution #02-05)~~

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

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

590
591 Letters of appointment for faculty members in joint appointments to two academic code units
592 must clearly state the criteria for reappointment, promotion, and tenure contained in the unit
593 codes of both units, and the roles of the faculty member and all appropriate committees and
594 administrators in personnel actions.

595
596 Letters of appointment for faculty members in joint appointments to an academic code unit
597 and a University entity must clearly identify the criteria for reappointment, promotion, and
598 tenure contained in the unit code of the primary unit, the criteria that the relevant standing
599 committee or administrator of the entity will use in evaluating the professional performance of
600 the faculty member, and the roles of the faculty member and all appropriate committees and
601 administrators in personnel actions.

602
603 Probationary faculty members in appointments jointly held between academic code units will
604 be reviewed for reappointment, promotion, or tenure by both units, although only members of
605 the applicable committees of the primary unit are allowed to vote and recommend the
606 personnel action sought. All review materials are to be fully shared between the units.
607 Although one unit will be primary and provide the recommendation, input from the secondary
608 unit is also considered important in the review process. In the absence of specific policies and
609 procedures clearly enunciated in the *Unit Code of Operation* of either or both units, the review

610 by the secondary unit will be transmitted by written memorandum from the chair of the
611 relevant personnel committee of the secondary unit with concurrence or non-concurrence of
612 the administrator of the secondary unit to the chair of the relevant personnel committee and to
613 the administrator of the primary unit. Faculty members holding joint appointments of this type
614 are subject to a special schedule described in the *ECU Faculty Manual Part X, Section II* to
615 allow the secondary unit reasonable time to review the faculty member's Personnel Action
616 Dossier, or other relevant documentation pertaining to the personnel action sought, prior to
617 the review by the primary unit.

618
619 Probationary faculty members in appointments jointly held between an academic code unit
620 and an entity will be reviewed and recommended for reappointment, promotion, or tenure only
621 by the primary unit. All review materials are to be fully shared between the unit and the entity.
622 Although the academic unit carries all responsibilities for personnel decisions, review by the
623 entity is also considered important. In the absence of specific policies and procedures clearly
624 enunciated in the *Unit Code of Operation* of the primary unit, the results of the review by the
625 entity will be transmitted by written memorandum from the chair of a standing committee of
626 the entity authorized to review personnel matters, with concurrence or non-concurrence of the
627 entity administrator to the chair of the relevant personnel committee and to the administrator
628 of the primary unit. Absent such committee in the secondary unit, the entity administrator will
629 be responsible for transmitting the results of his or her review by written memorandum to the
630 chair of the relevant personnel committee and to the administrator of the primary unit. Faculty
631 members holding joint appointments of this type are subject to a special schedule described
632 in the *ECU Faculty Manual Part X, Section II* to allow the entity reasonable time to review the
633 faculty member's Personnel Action Dossier, or other relevant documentation pertaining to the
634 personnel action sought, prior to the review by the primary unit.

635
636 III. Promotion

637 ~~Persons holding the professorial rank of instructor, of assistant professor or associate~~
638 ~~professor may be promoted considered for promotion to the next professorial rank.~~
639 ~~Promotion shall be based primarily on the faculty member's demonstrated professional~~
640 ~~competence and achievements. See Part VIII, Personnel Policies and Procedures for the~~
641 ~~Faculty of ECU. Promotion is governed by the policies and procedures set forth in subsection~~
642 ~~IV, below. By the first week of March of every academic year, a. In evaluating a candidate~~
643 ~~for promotion, all of the candidate's teaching, scholarship, service, and other professional~~
644 ~~activity shall count, but activity since the last promotion at ECU shall carry a greater weight~~
645 ~~than activity prior to the last promotion. Additional criteria for promotion may be contained in~~
646 ~~each unit's code. A faculty member who wishes to be considered for promotion to the next~~
647 ~~professorial rank shall write a letter requesting a personnel action of promotion in rank to her~~
648 ~~or his unit administrator by the deadline stated in Part X of the *Faculty Manual*. The request~~
649 ~~for promotion shall be considered by the appropriate unit committee during the Fall semester~~
650 ~~of the next academic year. When a request is received by the deadline, the unit administrator~~
651 ~~shall notify the chair of the unit Personnel Committees. The chair of the unit Personnel~~
652 ~~Committee shall facilitate the procedure for considering the candidate for promotion. The~~
653 ~~committee's promotion recommendation shall be made during the fall term of the next~~
654 ~~academic year, in accordance with the timeline stated in Part X of the *Faculty Manual*.³~~

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.

656 IV. Procedures for Initiation, Review, and Approval of Appointments, Reappointments,
657 Promotions, and the Conferral of Permanent Tenure for Probationary-term Faculty
658 Members (Please refer to *Faculty Manual* Interpretation [#106-22](#).)
659

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

673
674 The committee's recommendation shall be forwarded to the unit administrator. A committee
675 cannot reconsider a vote on a personnel recommendation after the committee has notified
676 the unit administrator of its recommendation. The unit administrator shall forward the
677 committee's recommendation and his or her recommendation to the next higher
678 administrator. If an existing unit, school, or college is reorganized, until such a time as new
679 promotion and tenure criteria are established in an approved unit code, the provisional code
680 shall address the manner in which existing unit code promotion and tenure criteria shall be
681 maintained. The provisional code should ensure that faculty members are evaluated by
682 personnel, tenure, and promotion committees composed of faculty members with the
683 appropriate expertise.

684
685 ~~Confidentiality must be maintained when conducting any substantive business pertaining to~~
686 ~~initiation, review, conferral of permanent tenure, and approval of appointments,~~
687 ~~reappointments, and promotions. Email should be used with discretion because it does not~~
688 ~~guarantee confidentiality. Formal correspondences relating to any substantive business~~
689 ~~pertaining to initiation, review, conferral of permanent tenure, and approval of appointments,~~
690 ~~reappointments, and promotions should be maintained in paper form.~~

691
692 If the faculty member in a probationary appointment does not provide a PAD for
693 reappointment, promotion, or conferral of permanent tenure on or before the deadline
694 outlined in Part X of the *ECU Faculty Manual*, the failure to submit the required PAD will be
695 considered as notice that the faculty member is withdrawing the request for consideration for
696 reappointment, promotion, or conferral of permanent tenure. The Personnel Committee and
697 the unit administrator shall notify the faculty member in writing, with a copy to the next
698 higher administrator, within 30 calendar days after the deadline that failure to submit the
699 required PAD for consideration constitutes withdrawal from consideration. From the time of
700 this notification, the faculty member may not serve on the unit's Personnel Committee.

701
702 A. Description of "voting faculty" members:

703 1. Tenure-granting units

704 For the purposes of Part IX, Section I (IV.), voting faculty members are determined by the
705 permanently tenured faculty of the unit using the following criteria; a voting faculty member of
706 a unit is someone who:
707

- holds a full-time faculty position with East Carolina University and a greater than ~~one-half~~ 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 load/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.

759 ~~Related faculty within the same academic department (or other comparable institutional~~
760 ~~subdivision of employment) shall not participate, either individually or as a member of a~~
761 ~~committee, in the evaluation of related persons for appointment, reappointment, promotion,~~
762 ~~the conferral of permanent tenure, cumulative review, salary recommendations, or any other~~
763 ~~personnel action.~~

764
765 A faculty member who is ineligible for participation in the evaluation of a related person
766 does not count for quorum purposes and his/her ineligibility does not constitute a
767 recommendation against the proposed personnel action.
768

769 B. Unit Committees⁴

770 1. Personnel Committee

771 (a) Function

772 The Personnel Committee shall be responsible for making recommendations
773 regarding initial probationary appointments and initial and additional special fixed-
774 term faculty appointments.
775

776 (b) Composition

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

778 The composition of each unit's Personnel Committee shall be determined by the unit
779 Unit Code but shall consist of at least three members. The membership of the
780 committee shall be composed of some or all of the permanently tenured and
781 probationary-term voting faculty members of the unit, including those who are on non-
782 medical leave but in attendance at the meeting at the time of the committee's vote, but
783 excluding the unit administrator. At least two-thirds of the unit Personnel Committee
784 membership shall be permanently tenured voting faculty members. When there are
785 not enough permanently tenured voting faculty members in the unit to satisfy this
786 requirement, additional permanently tenured faculty members shall be appointed by
787 the next higher administrator from a list selected by the unit's voting faculty members
788 and containing at least twice the number of faculty members required to complete the
789 membership of the committee. All other members of the unit Personnel Committee
790 shall be elected by the permanently tenured and probationary-term voting faculty
791 members of the unit. The chair of the unit Personnel Committee shall be permanently
792 tenured and shall be elected annually by and from the committee's membership.
793

794 ii. Non-tenure-granting units and transitioning units, as defined above, and clinical 795 tenure-granting units in Health Sciences that include fixed-term faculty members in 796 personnel actions in their unit code

798 In units with faculty structures, all full-time faculty members in at least the twelfth
799 consecutive calendar month of appointment to the faculty of the unit, shall be eligible
800 to serve on the unit Personnel Committee, and to serve as Chair of the unit Personnel
801 Committee. Members of the unit Personnel Committees of these transitioning faculty
802 units are to be elected by the voting faculty of each unit, as defined in Part IX, Section
803 I (IV).
804

805 For limitations on participation in personnel actions due to potential conflicts of interest,
806 see Part IX, Section IV (A.3.).
807

⁴ 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*.

808 (c) Additional Roles of Unit Personnel Committee

809 In addition to making recommendations to the unit administrator on initial and
810 additional fixed-term appointments and initial probationary-term appointments, the
811 unit Personnel Committee has the following responsibilities:

- 812 i. Notifying fixed-term faculty members that the Personnel Committee will or will
813 not recommend an additional fixed-term appointment when the fixed-term
814 faculty member requests notification ~~not earlier than 180 calendar days nor later~~
815 ~~than 90 calendar days before the current term expires.~~ (see subsection II.B.1).
- 816 ii. ~~Reviewing~~ Making recommendations on requests for reduction in the normal
817 probationary term at the time of initial appointment (see subsection II.C.2-3).
- 818 iii. ~~Reviewing~~ Making recommendations on requests for the extension of the normal
819 probationary term (see subsection II.C.4).
- 820 iv. Consulting, by request of the faculty member, with faculty members who are
821 considering requesting conferral of permanent tenure prior to the end of the
822 probationary term (see subsection II.C.6).
- 823 v. Consulting, by request of the faculty member, with faculty members who are
824 considering requesting promotion (see subsection III.).
- 825 vi. Reviewing additional materials submitted by faculty members for inclusion in
826 their personnel action dossier (PAD); consulting with the unit administrator
827 regarding responses to such materials (see subsection IV.B-). E.2).
- 828 vii. ~~7. The personnel committee may elect~~ Electing a search committee as
829 prescribed by the unit's code to fulfill the responsibilities of soliciting and
830 screening applicants and recommending to the unit's Personnel Committee
831 candidates for initial appointments. A majority of ~~the unit~~ search committee
832 members must have at least one academic year's employment at ECU and
833 must be voting full-time faculty members holding either a fixed or probationary-
834 term appointment or permanent tenure. For the purposes of this section, unit
835 administrators may not be a part of the committee.
- 836 viii. Making recommendations for advancement in title for fixed-term faculty
837 members.

838 (d) Role of the Chair of the Unit Personnel Committee

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

860 ~~communicate the results of such votes to the appropriate faculty and to the unit~~
861 ~~administrator, and perform other duties as designated by the unit.~~

863 2. Promotion Committee

864 (a) Function

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

877
878 In order to protect the candidate's due process right, the review will address
879 misconduct only if the misconduct is documented in the faculty member's personnel
880 file and the faculty member's due-process rights were respected (the right to appeal a
881 finding or sanction to the relevant committee and the right to include in the personnel
882 file a letter expressing disagreement with a finding). Should an alleged case of
883 misconduct be too recent for the candidate to appeal the charge or finding of
884 misconduct by the University, the committee's review may be suspended with the
885 approval of the Chancellor until such time as determined by the Chancellor.

887 (b) Composition

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

897
898 When a unit has fewer than three permanently tenured voting faculty members of
899 sufficient rank and not holding administrative status, the next higher administrator
900 above the unit level shall appoint permanently tenured faculty members at the required
901 rank from other units across the University to increase the committee's membership to
902 three, ~~with at least two-thirds of the members being permanently tenured faculty.~~
903 These appointments to the committee must be from one list of candidates selected by
904 a vote of the permanently tenured ~~and probationary-term~~ faculty members having rank
905 at least equal to the ~~candidate~~faculty member(s) being considered for promotion in
906 addition to the faculty member(s) seeking promotion. The list forwarded to the next
907 higher administrator by the faculty will contain at least twice the number of faculty
908 members required to complete the membership of the committee(s). Before voting on
909 the list to be forwarded to the next higher administrator, the chair of the committee will
910 ascertain that faculty members nominated to have their names placed on the list are

911 willing and able to serve in this important capacity. The list of faculty names
912 recommended to the next higher administrator may not be returned for revision.
913 ~~Meetings of the promotion committee shall be convened by the Chair of the unit's~~
914 ~~Personnel Committee. The first order of business for a newly convened Promotion~~
915 ~~Committee shall be to elect a Chair from among its membership.~~

917 3. Tenure Committee

918 (a) Function

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

934
935 In order to protect the candidate's due process rights, the review will address
936 misconduct only if the misconduct is documented in the faculty member's personnel
937 file and the faculty member's due-process rights were respected (the right to appeal a
938 finding or sanction to the relevant committee and the right to include in the personnel
939 file a letter expressing disagreement with a finding). Should an alleged case of
940 misconduct be too recent for the candidate to appeal the charge or finding of
941 misconduct by the University, the committee's review may be suspended with the
942 approval of the Chancellor until such time as determined by the Chancellor.

944 (b) Composition

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

951
952 When a unit has fewer than three permanently tenured voting faculty members not
953 holding administrative status, the next higher administrator above the unit level shall
954 appoint permanently tenured voting faculty members from other units to increase the
955 committee's membership to three. These appointments to the committee must be
956 from one list of candidates selected by a vote of the permanently tenured and
957 probationary-term faculty members of the unit, including the faculty member(s)
958 seeking tenure. In cases where multiple candidates are being considered for
959 promotion, a unit may decide to constitute different committees for each candidate in
960 an effort to ensure candidates are reviewed by committee members with relevant
961 expertise. The list forwarded to the next higher administrator by the appropriate
962 faculty members will contain at least twice the number of faculty members required to

963 complete the membership of the committee. Before voting on the list to be forwarded
964 to the next higher administrator, the voting faculty members will ascertain that faculty
965 members nominated to have their names placed on the list are willing and able to
966 serve in this important capacity. The list of faculty names recommended to the next
967 higher administrator may not be returned for revision.
968

969 For limitations on participation in personnel actions due to potential conflicts of interest,
970 see Part IX, Section IV (A.3.).
971

972 (c) Additional roles of the unit Tenure Committee.

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

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

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

985
986 iii. Selects, with the unit administrator, the ~~research and creative activity~~
987 scholarship materials to be sent to external peer reviewers (see subsection
988 IV.C).

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

991
992 iv. In consultation with the unit administrator, prepares Progress Toward Tenure
993 Letters annually during each candidate's probationary term, except for the
994 year immediately preceding candidate's tenure decision year.
995

996 C. Role of Unit Administrator

997 The unit administrator serves to provide leadership, support, and guidance to the total
998 functioning of the unit.
999

1000 The unit administrator is responsible for maintaining the personnel files, providing timely
1001 notification to the chair of the Personnel Committee on all personnel actions required or
1002 expected, reviewing candidates' Personnel Action Dossiers to ensure that all required
1003 documentation is present, and distributing all personnel documents and materials to the
1004 appropriate secure location. For probationary term faculty members, the unit administrator
1005 annually confers with the Tenure Committee on the candidate's Progress Toward Tenure
1006 Letter. For tenure or promotion, the unit administrator prepares a cumulative evaluation in
1007 narrative form of the candidate's teaching, scholarship, service, and any other relevant
1008 duties. As indicated at the beginning of this section, the personnel recommendations of the
1009 unit administrator shall be forwarded to the next higher administrator along with the
1010 recommendation of the appropriate faculty committee.
1011

1012 ~~The unit administrator is responsible for maintaining the personnel files, providing timely~~
1013 ~~notification to the chair of the unit Personnel Committee on all personnel actions required or~~
1014 ~~expected, and distributing all personnel documents and materials to the appropriate location.~~

1015 The unit administrator, in consultation with the unit Tenure Committee (or properly constituted
1016 subcommittee), will write a progress toward tenure letter to each probationary term faculty
1017 member as described in subsection II.C.5. The unit administrator prepares a cumulative
1018 evaluation in narrative form of the candidate's teaching, research, service, and any other
1019 relevant duties.

1020
1021 In personnel matters, the unit administrator functions as an administrator rather than a faculty
1022 member. ~~Therefore~~Consequently, the unit administrator does not have a faculty vote in
1023 personnel matters, and is. ~~Therefore,~~ unit administrators are excluded from all unit committee
1024 deliberations and votes concerning candidates for appointment, re-appointment, promotion,
1025 or permanent tenure. ~~(for procedure for nonconcurring recommendations, see Part IX,~~
1026 ~~Section I (IV.H.).~~ However, there may be occasions on which a unit administrator and a
1027 committee wish to confer for informational purposes. However, at the invitation, by a majority
1028 vote of the membership of the Personnel, Tenure, or Promotion Committee, a unit
1029 administrator may meet with that committee to discuss initial appointments. Further, the
1030 administrator may meet with the Tenure Committee (or properly constituted subcommittee) in
1031 reference to progress toward tenure letters as noted in subsection II.C.5

1032
1033 D. G.—External Peer Review for Promotion and the Conferral of Permanent Tenure
1034 “External peer review” means a review of a candidate’s research and creative activity
1035 scholarship by persons who are not faculty members or employees of East Carolina
1036 University. ~~External~~Every effort must be made to ensure that the process of external peer
1037 review is conducted fairly and without bias. ~~External peer reviews~~ of the quality of the
1038 research and creative activity candidate’s scholarship, as evidenced by the material
1039 submitted by the candidate for promotion or conferral of permanent tenure or both, will be
1040 used by the appropriate committee(s) in conjunction with its own evaluation of the
1041 material. The unit administrator and the unit Tenure Committee shall select the material
1042 from the dossier to be sent to external reviewers. The candidate may include additional
1043 published or accepted material if the candidate disagrees with the initial selection.
1044 Inclusion of such additional items in the materials sent to reviewers shall be noted by
1045 memorandum of the unit administrator in the dossier and the candidate’s personnel file.

1046
1047 Qualifications of the reviewers and criteria for their selection are to be determined by the
1048 faculty of each unit and contained in the unit code. According to the provisions of unit codes,
1049 other materials that reflect the candidate’s scholarly activities may be included in the
1050 selectionselections to be sent to external reviewers.

1051
1052 ~~By~~In accordance with the last week of March of timeline in the Spring term Faculty Manual Part
1053 X, prior to the academic year in which a promotion or tenure decision is scheduled, the unit
1054 Tenure Committee shall produce a list of at least six possible external reviewers. The
1055 candidate for promotion and/or permanent tenure shall independently provide a similar list,
1056 noting for each name ~~the professional~~any potential conflicts of interest and a description of any
1057 current and past relationship, if any, between the reviewer and the candidate. The candidate
1058 shall also provide similar relationship information for each name on the unit Tenure
1059 Committee's list. ~~These two lists must be independently compiled and if the two lists contain a~~
1060 ~~common set of prospective external reviewers, the unit Tenure Committee list shall be revisited~~
1061 ~~and new possible external reviewers shall be identified as replacement for those originally on~~
1062 ~~both lists.~~

1063
1064 The unit Tenure Committee shall select a sufficient number of names from the unit Tenure
1065 Committee's list and the candidate's list to ensure that a minimum of three external
1066 reviewerstwo from the unit Tenure Committee's list and one from the candidate's list. a

1067 minimum of six names from its list and the candidate's list with the goal of ensuring that a
1068 minimum of three external reviewers agree to provide letters. If fewer than three external
1069 reviewers agree to provide letters, the unit administrator shall request additional names from
1070 the Tenure Committee. The unit administrator and Tenure Committee shall ensure that at least
1071 one-third of the reviewers come from the candidate's list. Code units that require more than
1072 three external reviewers shall make special provisions in their unit codes. These provisions
1073 must clearly indicate the number of external reviewers required by the unit. In those cases
1074 where a unit requires more than three reviewers, the choice of reviewers must reflect, as
1075 nearly as possible, the two to one ratio of reviewers proposed by the unit Tenure Committee to
1076 those proposed by the candidate. In cases where membership on the committee's list and the
1077 candidate's list overlaps, it is permissible that all reviewers be on the candidate's list. External
1078 reviewers shall hold a rank not less than that to which the candidate is requesting promotion
1079 or, if a member of a foreign University, be of at least equivalent academic standing to the rank
1080 being sought as determined by the tenure committee. If the reviewer is not an academic, the
1081 reviewer shall demonstrably possess the professional experience necessary to evaluate the
1082 candidate's qualification for the rank being sought. Code units that require more than three
1083 external reviewers shall make special provisions in their unit codes. These provisions must
1084 clearly indicate the number of external reviewers required by the unit.

1085
1086 The unit administrator or his or her delegate shall serve as the contact person with potential
1087 and actual external reviewers. If a situation arises in which a unit administrator or his or her
1088 delegate is unable to communicate with a potential or actual reviewer in a timely manner, the
1089 unit Tenure Committee chair will do so. If the unit administrator, his or her delegate, or the
1090 Tenure Committee chair is unable to communicate with external reviewers in a timely way, the
1091 next higher administrator shall appoint someone to perform the necessary communication
1092 duties. Only procedural matters may be discussed with potential and actual reviewers for the
1093 duration of the personnel action.

1094
1095 The unit administrator will notify the potential reviewers in writing that they have been
1096 nominated to conduct the review and will ascertain their willingness to serve as reviewers.
1097 ~~Selected material~~ To assist the potential reviewer in determining their own suitability to perform
1098 the review, the request to serve as an external reviewer will be accompanied by a copy of the
1099 candidate's Curriculum Vitae, and it will solicit both information about potential conflicts of
1100 interest and a description of the current and past relationship, if any, between the potential
1101 reviewer and the candidate. If any potential conflicts are disclosed, the unit administrator and
1102 the Tenure Committee will meet to determine whether the disclosed relationship should
1103 preclude the potential external reviewer from serving in that capacity. If the unit administrator
1104 and the committee do not agree, the next higher administrator will reach a determination. All
1105 communications on such a disclosed relationship and a memo describing the decision written
1106 by the unit administrator should be included in the PAD.

1107
1108 No later than the date specified in Part X of the *Faculty Manual*, selected scholarship from the
1109 candidate's PAD and the candidate's Curriculum Vitae, along with a cover letter prescribed by
1110 the appropriate Vice Chancellor, shall be sent to the reviewers. Units may send an excerpt
1111 from the Unit Code describing the criteria for tenure and/or promotion, as applicable.
1112 Correspondence with the reviewers shall be written in neutral terms, serving to neither support
1113 nor oppose the candidate and shall not deviate substantially from the University-prescribed
1114 cover letter.

1115
1116 All external reviews received by the deadline specified in Part X of the *Faculty Manual* must be
1117 included in the PAD. In the case that the number of reviews received exceeds the number of
1118 reviews set by the candidate's Unit Code, all reviews received shall be included in the

1119 candidate's PAD. Copies of all written communications with reviewers who complete timely
1120 reviews shall be placed in the candidate's Personnel Action Dossier. Copies of all written
1121 communications with other potential reviewers shall be placed in the candidate's personnel file.
1122

1123 If the faculty member under review does not provide the material to be submitted to external
1124 reviewers by the deadline outlined in Part X of the ECU *Faculty Manual*, the failure to submit
1125 the required materials will be considered as notice that the faculty member is withdrawing the
1126 request for consideration for promotion or conferral of permanent tenure. The Personnel
1127 Committee and the unit administrator shall notify the faculty member in writing, with a copy to
1128 the next higher administrator, within 30 calendar days of the deadline that failure to submit
1129 the required materials for external review constitutes withdrawal from consideration. From
1130 that time, the faculty member may not serve on the unit's Personnel, Tenure, or Promotion
1131 committees.
1132

1133 (Copies of the prescribed letters are available on the Faculty Senate website at
1134 <http://www.ecu.edu/cs-acad/fsonline/fg/facultygovernance.cfm>. ~~http://www.ecu.edu/cs-~~
1135 ~~acad/fsonline/fg/facultygovernance.cfm~~.) Copies of all correspondence with the reviewers
1136 and the reviews shall be made a part of the Personnel Action Dossier (hereinafter, "the
1137 dossier") (see subsection IV.D.2.).
1138

1139 [Sample of an External Review Letter](#) (used by both Academic Affairs and Health Sciences)
1140

1141 ~~Only the unit administrator will communicate with the external reviewers and only on~~
1142 ~~procedural matters for the duration of the personnel action.~~
1143

1144 ~~The unit administrator and the unit Tenure Committee shall select the material from the~~
1145 ~~dossier to be sent to external reviewers. The candidate may include additional published or~~
1146 ~~accepted material if he or she disagrees with the initial selection. Upon receipt of a review, the~~
1147 ~~unit administrator will place the original review in the candidate's personnel file and copies of~~
1148 ~~the review in the candidate's dossier. Copies of the external review letter will only be made~~
1149 ~~available to candidates upon petition. The unit administrator shall then notify the members of~~
1150 ~~the appropriate committee and the candidate that the review Personnel Action Dossier,~~
1151 ~~including external reviews, is available. Within 7 calendar days after receipt, the unit~~
1152 ~~administrator will provide candidates for Tenure and/or Promotion with copies of their external~~
1153 ~~review letters.~~
1154

1155 If, prior to August 1 of the summer during which a candidate's material is under review,
1156 someone who has agreed to conduct a review withdraws or it otherwise becomes known
1157 that an agreed-upon review will not be forthcoming, the Tenure Committee will provide the
1158 unit administrator with the name of an additional reviewer from the prioritized list, following
1159 the same procedure that resulted in the original list. When fewer than three external
1160 reviews are received by the deadline set in the letter to the external reviewers ~~respond~~ that
1161 accompanied the candidate's materials, this information, by memorandum from the unit
1162 administrator, shall be made a part of the candidate's personnel file and dossier. PAD as
1163 the review process continues.
1164

1165 ~~D.~~ Documentation for Personnel Actions

1166 1. Employment Applications

1167 Information on job applicants is to be kept in a secure file available to the appropriate
1168 committee members (see subsection IV.A).
1169

1170 2. Personnel Action Dossier for Reappointment, Promotion, and Permanent Tenure

1171 The Personnel Action Dossier (PAD) is a file containing materials for evaluating a faculty
1172 member's professional ~~activity~~ activities and accomplishments. The dossier is compiled by
1173 candidates for reappointment, promotion, and/or permanent tenure~~in~~. If the faculty member
1174 is considering requesting promotion or the early conferral of permanent tenure, he/she may
1175 request consultation with the unit administrator and the chair of the unit Personnel
1176 Committee. Personnel Committee. Additional materials submitted by the faculty member for
1177 inclusion in the PAD will be reviewed by the Personnel Committee in consultation with the
1178 unit administrator. The dossier will be used by the appropriate committee in making
1179 personnel recommendations. A ~~fixed-term faculty member seeking to be recommended for a~~
1180 ~~second or subsequent fixed-term appointment need not compile the dossier.~~ Documents
1181 may not be added to the PAD after the deadline for submitting the PAD to the Tenure and/or
1182 Promotion Committee, as specified in Part X, except where revised deadlines are approved
1183 in writing by the Chancellor. Prior to a committee's review, the unit administrator will confirm
1184 that the candidate's PAD contains all required materials. If a candidate's PAD is missing any
1185 required document, the review process is halted until the Chancellor approves an extension
1186 of time to secure required documents. A committee's deliberations are not limited to the
1187 contents of the Personnel Action Dossier and may address any of the candidate's contractual
1188 duties and professional conduct (Part V, Section II).

1189
1190 In order to protect the candidate's due process rights, the review will address misconduct
1191 only if the misconduct is documented in the faculty member's personnel file and the faculty
1192 member's due-process rights were respected (the right to appeal a finding or sanction to the
1193 relevant committee and the right to include in the personnel file a letter expressing
1194 disagreement with a finding). Should an alleged case of misconduct be too recent for the
1195 candidate to appeal the charge or finding of misconduct by the University, the committee's
1196 review may be suspended with the approval of the Chancellor until such time as determined
1197 by the Chancellor.

1198
1199 For details on the organization, content, and limitations of the dossier, see Part X of the *ECU*
1200 *Faculty Manual*.

1201 1202 3. Disagreements as to inclusion or removal of documents

1203 ~~The dossier shall include the required documents and lists relevant to the faculty member's~~
1204 ~~teaching, research/creative activity, and service as described above.~~ If the faculty member
1205 disagrees with the unit administrator and/or the unit ~~personnel committee~~ Personnel
1206 Committee as to the inclusion of relevant documents, the documents will be included and
1207 each may include a statement about the document in the dossier.

1208
1209 ~~For details on organization, content and limitations of the dossier, see Part X of the *ECU*~~
1210 ~~*Faculty Manual*~~.

1211 F. ~~E.~~—Initiation of Recommendations by Unit Personnel, Tenure, and Promotion Committees

1212 1. Procedural Rules for conducting committee business

1213 The unit administrator shall give timely notice to the chair of the unit Personnel
1214 Committee when personnel actions are to be initiated and of the date defined in Part X of
1215 the *Faculty Manual* by which the committee's recommendation and cumulative evaluation, if
1216 applicable, must be communicated to the unit administrator. After being notified by the unit
1217 administrator that a personnel action is required, the chair of the ~~unit Personnel Committee~~
1218 appropriate committee shall make at least three attempts at intervals of no ~~less~~ fewer than
1219 five working days each to hold a meeting of the appropriate committee for the pending
1220 personnel action. In order to conduct business, a committee shall not meet without a
1221 quorum.
1222

1223 A quorum is defined as three-quarters of the membership for a committee that has twenty
1224 or fewer members; and a quorum is defined as a majority, defined as 50% plus one, of the
1225 membership for a committee that has more than twenty members. A list of all committee
1226 members who were absent during a vote on a personnel action will be forwarded to the unit
1227 administrator. The committee may develop policies to designate certain absences as
1228 excused absences. Faculty members on approved medical leave do not attend and do not
1229 count for purposes of determining a quorum of the committee. Unexcused absences should
1230 be considered in annual evaluations.
1231

1232
1233 The purpose of this meeting is to deliberate and hold a vote by secret ballot on the pending
1234 personnel action. All materials pertaining to the pending personnel action (see subsection
1235 IV.D.) must be available for inspection in a secure location at least five business days prior to
1236 the meeting. Members of the committee(s) ~~having authority over~~ who are responsible for
1237 the pending personnel action shall review the materials individually in preparation for discussion
1238 at the meeting. A faculty member on leave and not in attendance at a meeting shall not be
1239 counted for the purposes of determining a quorum for that meeting. A faculty member on
1240 non-medical leave but in attendance at a meeting shall be counted for the purposes of
1241 determining a quorum for that meeting.
1242

1243 For limitations on participation in personnel actions due to potential conflicts of interest, see Part
1244 IX, Section IV (A.3.).
1245

1246 If the committee fails to meet the deadline for ~~receipt~~ the submission of the committee's
1247 recommendation specified in Part X, this outcome shall count as a recommendation by the
1248 committee against appointment, reappointment, promotion, or tenure. In such a case, the
1249 chair of the ~~unit Personnel Committee~~ appropriate committee shall report in writing to the
1250 unit administrator that after at least three attempts the committee has failed to meet due to a
1251 lack of a quorum, and that this outcome constitutes a recommendation against appointment,
1252 reappointment, promotion, or tenure. The unit administrator shall forward the committee's
1253 recommendation and the unit administrator's recommendation to the candidate and to the
1254 next higher administrator.
1255

1256 2. Voting Procedures for Personnel Actions

1257 (a) In the case of initial appointment recommendations, each member of the unit
1258 Personnel Committee will indicate by secret ballot his or her choice for the
1259 appointment.
1260

1261 For limitations on participation in personnel actions due to potential conflicts of interest,
1262 see Part IX, Section IV (A.3.).
1263

1264 A candidate who receives a majority vote of the committee members present shall be
1265 recommended for appointment. (For recommendations of rank of initial appointments
1266 at the associate professor or professor level, see subsection IV.B.2.a.; ~~f~~For conferral of
1267 tenure for initial appointments see subsection IV.B.3.a.) A committee shall not
1268 reconsider a vote on a personnel recommendation after the committee has notified the
1269 unit administrator of its recommendation.
1270

1271 (b) Faculty recommendations for ~~reappointment~~, promotion and conferral of permanent
1272 tenure shall come from the appropriate committee (see Section IV.A). The committee
1273 prepares a cumulative evaluation and written recommendation that is approved by
1274 secret ballot, provided to the candidate for response, and forwarded to the unit

1275 administrator. The committee's deliberations may address any of the candidate's
1276 professional activities and conduct.

1277
1278 For limitations on participation in personnel actions due to potential conflicts of interest,
1279 see Part IX, subsection IV.A.3.

1280
1281 A committee shall not reconsider a vote on a personnel recommendation after the
1282 committee has notified the unit administrator of its recommendation.

1283
1284 The committee members may choose to vote by mail according to the latest edition of
1285 *Robert's Rules of Order, Newly Revised*. Within fifteen working days of notification by
1286 the unit administrator of the need to initiate a personnel action, the chair of the ~~unit~~
1287 ~~Personnel Committee~~ appropriate committee shall convene a meeting of the
1288 ~~appropriate~~ committee (see subsection IV.E.1.). At this meeting, the chair of the ~~unit~~
1289 ~~Personnel Committee~~ committee shall ascertain whether or not the committee will
1290 vote by mail. If a motion to vote by mail is approved by a majority of the committee
1291 members present and voting, voting shall be by mail. If a committee chooses to vote
1292 by mail, all members must vote by mail. In the event that the university officially
1293 adopts a secure and confidential system for online voting, the committee may elect
1294 to use it in place of mailed ballots as described in part d below. If the committee
1295 chooses to vote by mail in the case of a promotion or tenure recommendation, a sub-
1296 committee consisting of at least five members of the Tenure Committee may meet
1297 and prepare the cumulative evaluation and written recommendation. The sub-
1298 committee shall be chaired by the chair of the Tenure Committee. Members may be
1299 elected to the sub-committee by email ballot.

1300
1301 In the case of promotion and conferral of permanent tenure, each member of the
1302 appropriate committee will indicate by secret ballot his or her vote for or against a
1303 cumulative evaluation and recommendation for or against the candidate's being
1304 promoted and/or granted permanent tenure.

1305
1306 (c) In the case of recommendation(s) for new ~~for~~ appointments or for subsequent
1307 appointments of faculty members currently holding fixed-term appointments, each
1308 member of the unit Personnel Committee will indicate by secret ballot his or her choice
1309 for or against the recommendation. This vote may be taken at a committee meeting or
1310 by mail ballot as described in subsection IV.F.2.b.

1311
1312 For limitations on participation in personnel actions due to potential conflicts of interest,
1313 see Part IX, Section IV (A.3.).

1314
1315 The committee's deliberations may address any of the candidate's professional
1316 activities and conduct. A vote for the recommendation by a majority of the
1317 committee members present shall constitute a recommendation for a new or
1318 subsequent appointment. A member who is present when a vote is taken but who
1319 does not vote counts as part of the membership of the committee for the
1320 purposes of determining ~~what constitutes~~ a majority vote. Failure to obtain a
1321 majority vote constitutes a recommendation against a new or subsequent
1322 appointment (Faculty Senate Resolution #03-30). A committee shall not
1323 reconsider a vote on a personnel recommendation after the committee has
1324 notified the unit administrator of its recommendation.

1326 (d) If a committee votes by mail, the ballots shall be sent by a method that provides
1327 delivery verification and is consistent with ~~UNC Policy 101.3.3~~Robert's Rules of
1328 Order, Newly Revised or distributed by the committee chair. The refusal by a
1329 committee member to receive the correspondence containing the ballot within five
1330 business days of the first delivery attempt shall count as a vote against appointment,
1331 reappointment, promotion, or tenure. If ballots are distributed by the committee chair,
1332 the committee chair shall assure that recipients acknowledge receipt in writing. The
1333 acknowledgment must include the date of receipt. A ballot either shall be returned by
1334 a method that provides delivery verification and is consistent with ~~UNC Policy~~
1335 ~~101.3.3~~Robert's Rules of Order, Newly Revised or shall be personally returned by
1336 hand to the committee chair, at the discretion of the individual committee member.
1337 Committee members returning ballots by hand shall sign a confirmation form that is
1338 retained by the committee chair, with the secrecy of the ballot preserved according to
1339 procedures in Robert's Rules of Order, Newly Revised.

1341 e. Ballots not returned within ~~twenty~~ten working days of verified receipt shall count as
1342 a vote against recommending appointment, reappointment, promotion, or tenure. If a
1343 committee votes by mail or a university-adopted electronic system, a faculty member
1344 on non-medical leave may choose either to vote or not to vote, at his or her
1345 discretion. The unit administrator shall ascertain and shall inform the chair of the ~~unit~~
1346 ~~Personnel Committee~~appropriate committee in writing as to whether or not a faculty
1347 member on non-medical leave will participate in ~~a mail~~balloting. Faculty members on
1348 approved medical leave are not permitted to participate in University business during
1349 the approved leave. If a faculty member on non-medical leave chooses to participate
1350 in ~~a mail~~balloting, the faculty member shall count in determining ~~what is required for~~
1351 a majority vote in favor of the recommendation. If the faculty member on non-
1352 medical leave chooses not to participate in ~~a mail~~balloting, the faculty member shall
1353 not count in determining ~~what is required for~~ a majority vote in favor of the
1354 recommendation (Faculty Senate Resolution #03-30).

1356 G. College Promotion and Tenure Committee

1357 1. Function

1358 A College Promotion and Tenure Committee, if established in the unit code or College
1359 constitution or bylaws, shall be responsible for advising the dean regarding promotion
1360 and the conferral of permanent tenure.

1362 2. Composition and Election

1363 The composition and election of a College Promotion and Tenure Committee shall be
1364 determined by the college according to procedures in its College Unit Code, constitution,
1365 or bylaws. The College Committee shall consist of at least three permanently tenured
1366 faculty members from the College holding the rank of professor, but excluding the dean and
1367 unit administrators. If the committee consists of only three members, there shall be a
1368 sufficient number of alternates, as needed, to ensure there are always three voting
1369 members of the committee. Procedures shall ensure that faculty members serving on the
1370 College committee shall have only one vote, either on the unit committee or the College
1371 committee.

1373 For limitations on participation in personnel actions due to potential conflicts of interest, see Part
1374 IX, Section IV (A.3.).

1376 ~~3. In the case of reappointment, promotion, and conferral of permanent tenure, each member~~
1377 ~~of the appropriate committee will indicate by secret ballot his or her vote for or against~~

1378 recommending that the candidate be reappointed, promoted, and/or granted permanent
1379 tenure. This vote may be taken at a committee meeting or by mail ballot as described in
1380 subsection IV.E.2.d. A vote for the recommendation by a majority of the committee
1381 members present shall constitute a recommendation for reappointment, promotion, and/or
1382 conferral of permanent tenure. A member of a committee who is present when a vote is
1383 taken but who does not vote counts as part of the membership of the committee for the
1384 purposes of determining what constitutes a majority vote. Failure to obtain a majority vote
1385 shall constitute a recommendation against reappointment, promotion, and/or the conferral
1386 of permanent tenure. (Faculty Senate Resolution #03-30)

- 1387
1388 4. ~~The recommendation of the appropriate committee shall be communicated by the chair of~~
1389 ~~the unit Personnel Committee or the Promotion Committee to the candidate and the unit~~
1390 ~~administrator (see subsection IV.A.1.d.).~~

1391
1392 H. F.—Notification of Recommendations

1393
1394 The faculty member shall be informed in writing of all personnel recommendations at every
1395 level, beginning with the appropriate unit committee's recommendation and continuing up to
1396 the level where the final decision is made.

1397
1398 ~~The notification letter from the Tenure Committee and the notification letter from the unit~~
1399 ~~administrator shall contain (a) the cumulative evaluation of the candidate's teaching, research~~
1400 ~~and service, and any other relevant duties, in accordance with Part X, Section I (B) – Personnel~~
1401 ~~Action Dossier of the *ECU Faculty Manual* and (b) the statement that the candidate has four~~
1402 ~~working days from the date of the notification letter to include a response to the cumulative~~
1403 ~~evaluation, in accordance with subsection D. – Supporting Materials of Part X – Personnel~~
1404 ~~Action Dossier.~~

1405
1406 Tenure and/or promotion recommendations shall be communicated by the chair of the
1407 respective committee(s) to the candidate, , sent by a method that provides delivery
1408 verification, along with a notification that the candidate has seven working days to respond to
1409 the cumulative evaluation(s), if desired. In accordance with the deadline in Part X, Section II
1410 of the *ECU Faculty Manual*, the committee shall forward to the unit administrator its
1411 recommendation, cumulative evaluation, and the candidate's response, if any.

1412
1413 A committee shall not reconsider a vote on a personnel recommendation after the committee
1414 has notified the unit administrator of its recommendation.

1415
1416 For tenure and/or promotion decisions, the unit administrator prepares a separate
1417 cumulative evaluation with a recommendation and communicates it to the candidate, the
1418 committee, and the next higher administrator. The written notification shall contain the
1419 statement that the candidate has seven working days from the date of receipt of the
1420 notification letter, sent by a method that provides delivery verification, to provide a written
1421 response to the cumulative evaluation for inclusion in the PAD, if desired.

1422
1423 G.—Procedure for Concurring Recommendations

1424 In the case of disagreement at any level refer to the procedures outlined in H. below.
1425 If the recommendations of the appropriate committee and unit administrator agree, the next
1426 higher administrator shall either concur or not concur, then notify the unit administrator and the
1427 chair of the unit Personnel Committee of the recommendation and forward all
1428 recommendations to the immediate supervisor. This procedure shall be repeated at each
1429 administrative level until the recommendation reaches the appropriate vice chancellor.

1430 Immediately after the completion of each level of administrative review, the administrator's
1431 recommendation shall be communicated to all appropriate lower administrators, the candidate,
1432 and the committee of the unit which made the initial recommendation.

1433 If the vice chancellor concurs in a recommendation for promotion and/or conferral of
1434 permanent tenure, he or she shall forward the recommendation to the chancellor. The
1435 chancellor shall consider the recommendation from the vice chancellor to promote and to
1436 confer permanent tenure.

1437 If the vice chancellor concurs in a decision not to recommend reappointment, promotion,
1438 and/or conferral of permanent tenure, he or she shall give the faculty member being
1439 considered a simple, written statement of the decision. This decision is final except as it may
1440 later be reviewed in accordance with the provisions of Part IX, Section I (V) or the grievance
1441 procedure of Part XII, Section I.

1442 If the chancellor concurs in a recommendation to confer permanent tenure, he or she shall
1443 submit the recommendation to the Board of Trustees for final approval. If the chancellor
1444 concurs in a recommendation for promotion, the chancellor's approval shall be final.

1445 H. Procedure for Nonconcurring Recommendations

1446 If the recommendations of an administrator and the appropriate committee disagree, that
1447 administrator shall discuss the potential nonconcurrence at the unit committee level before
1448 forwarding the committee's recommendation and his or her concurrence or nonconcurrence to
1449 the next higher administrator. If the unit administrator and the appropriate committee do not
1450 agree, their conflicting recommendations shall be forwarded through each administrative level,
1451 together with the recommendation of the administrator at each level, until they reach the
1452 appropriate vice chancellor. In the case of fixed term employment recommendations the
1453 decision of the appropriate vice chancellor is final. All other personnel actions shall be handled
1454 in accordance with the procedures provided in subsection IV.G. Procedures for Concurring
1455 Recommendations.

1456 In the event that the vice chancellor is considering a recommendation that is contrary to the
1457 vote of the appropriate unit committee, the vice chancellor shall meet with the committee to
1458 discuss the potential non concurrence. If the vice chancellor decides not to recommend
1459 reappointment, promotion, and/or conferral of permanent tenure, the vice chancellor shall give
1460 the faculty member being considered a simple, written statement of the decision. This decision
1461 is final except as it may be reviewed in accordance with the provisions of subsection V. or the
1462 grievance procedure of Part XII, Section I as appropriate⁵.

1463 If the chancellor decides not to recommend promotion or the conferral of permanent tenure,
1464 the chancellor shall give the faculty member being considered a simple, written statement of
1465 the decision. This decision is final except as it may be reviewed in accordance with the
1466 provisions of subsection V or the grievance procedure of Part XII, Section I, as appropriate.

1467 I. Procedure for Concurring and Non-Concurring Recommendations concerning Reappointment, 1468 Promotion, and/or the Conferral of Permanent Tenure

1470 If a unit administrator and the appropriate committee disagree on a recommendation for
1471 reappointment, promotion, and/or the conferral of permanent tenure, the unit administrator
1472 shall discuss the potential non-concurrence with the unit committee before forwarding the
1473 committee's recommendation and his or her concurrence or non-concurrence to the next
1474 higher administrator.

⁵ 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.

1475
1476 A committee shall not reconsider a vote on a personnel recommendation after the committee
1477 has notified the unit administrator of its recommendation.
1478

1479 After the appropriate committee and the unit administrator transmit their recommendations
1480 to the next higher administrator, that administrator performs his or her own review. The
1481 administrator shall discuss any potential non-concurrence with the unit committee before
1482 forwarding his or her concurrence or non-concurrence, along with the recommendations
1483 from the committee and the unit administrator, to the next higher administrator. The same
1484 procedure shall be repeated at each administrative level until the recommendation reaches
1485 the appropriate Vice Chancellor.
1486

1487 Immediately after the completion of each level of administrative review, the administrator's
1488 recommendation shall be communicated to all appropriate lower administrators, the
1489 candidate, and the committee of the unit which made the initial recommendation.
1490

1491 If the Vice Chancellor concurs in a recommendation for promotion and/or conferral of
1492 permanent tenure, the Vice Chancellor shall forward the recommendation to the Chancellor
1493 for the Chancellor's review.
1494

1495 A decision by the Vice Chancellor to reappoint is final unless it is accompanied by a request
1496 for tenure or a request for promotion; a decision to reappoint with tenure is final only upon
1497 recommendation of the Chancellor and approval by the Board of Trustees; a decision to
1498 promote without tenure is final only when approved by the Chancellor.
1499

1500 In the event that the Vice Chancellor is considering a recommendation concerning
1501 reappointment, promotion, and/or the conferral of permanent tenure that is contrary to the
1502 recommendation of the appropriate unit committee, the Vice Chancellor shall meet with the
1503 committee to discuss the potential non-concurrence. Regardless of the recommendation of
1504 the appropriate unit committee, if the Vice Chancellor decides against-reappointment,
1505 promotion, and/or conferral of permanent tenure, the Vice Chancellor shall give the faculty
1506 member being considered a simple, written statement of the decision. This statement serves
1507 as notification of non-reappointment in accordance with UNC Code 604. This decision is
1508 final except as it may later be reviewed in accordance with the provisions of Part IX, Section
1509 I (V) or the grievance procedure of Part XII, Section I.
1510

1511 If the Chancellor concurs in a recommendation to confer permanent tenure, the Chancellor
1512 shall submit the recommendation to the Board of Trustees for approval, which is final except
1513 in the case of a denial, which may be reviewed in accordance with the provisions of Part IX,
1514 Section I (V). If the Chancellor concurs in a recommendation in favor of promotion in the
1515 absence of a request for tenure, the Chancellor's approval shall be final.
1516

1517 If the Chancellor decides not to recommend promotion or the conferral of permanent tenure,
1518 the Chancellor shall give the faculty member being considered a simple, written statement of
1519 the decision. This decision is final except as it may be reviewed in accordance with the
1520 provisions of subsection V or the grievance procedure of Part XII, Section I, as appropriate.
1521