East Carolina University
FACULTY SENATE
FULL MINUTES OF JANUARY 27, 2015

The fifth regular meeting of the 2014-2015 Faculty Senate was held on Tuesday, January 27, 2015, in the Mendenhall Student Center.

Agenda Item I. Call to Order
Andrew Morehead, Chair of the Faculty, called the meeting to order at 2:10 p.m.

Agenda Item II. Approval of Minutes
The minutes of December 2, 2014 were approved as presented.

Agenda Item III. Special Order of the Day
A. Roll Call
Senators absent were: Professors Tierno (Art and Design), Sorensen (Criminal Justice), Bin (Economics), Levine (Medicine), Carpenter-Aeby (Social Work), Taggart (Music/Faculty Assembly Delegate), and Chancellor Ballard.

Alternates present were: Professors Harris for Painter-Patton (Allied Health Sciences), Chen for Tuten (Business), Meggs for Parrish (Interior Design and Merchandising), Kelly for Fletcher (Medicine), and Ryan for Yao (Engineering and Technology).

B. Announcements

The Chancellor has acted on the following resolutions from the November 2014 and December 2014, Faculty Senate meetings:

#14-76 Approval of Fall 2014 Graduation Roster, including honors program graduates.

#14-77 Formal faculty advice on curriculum and academic matters acted on and recorded in the September 8, 2014 (GC#14-40) and October 20, 2014 (GC#14-41) Graduate Council meeting minutes, including actions acted on and recorded in the September 3, 2014 (GCC#14-42) Graduate Curriculum Committee meeting minutes.

#14-78 Revisions to the Academic Unit Code Screening Committee Charge.

#14-79 Curriculum and academic matters acted on and recorded in the October 9, 2014 University Curriculum Committee meeting minutes including a new course in the School of Theatre and Dance.

#14-80 Curriculum and academic matters acted on and recorded in the October 10, 2014 Educational Policies and Planning Committee meeting minutes, including request deletion of existing concentrations within BFA in Art: Fabric Design and Weaving Design (consolidation of content under existing concentration, Textile Design) and deletion of concentration in Wood Design within the School of Art and Design; request conversion of a MA in Geography to a MS in Geography within the Department of Geography, Planning and Environment (GC#14-2); request elimination of the Jazz Studies Minor and Certificate in Jazz Studies and Certificate in Suzuki Pedagogy within the School of Music; request elimination of the Public Health Analysis and Management concentration in the MPH degree program in the Department of Public Health within the School of Medicine (GC#14-7); request to establish new concentrations in Epidemiology and Health Administration in the MPH degree program in the Department of Public Health within the School of Medicine (GC#14-7); and request for Exception to 20% Rule

on Transfer Credit from the National Defense University (NDU) to the MSTS and MSNT Degree programs in the Department of Technology Systems within the College of Engineering and Technology (GC#14-31).

#14-81 Curriculum and academic matters acted on and recorded in the October 20, 2014 Foundations Curriculum and Instructional Effectiveness Committee meeting minutes, including approval for domestic diversity designation for GEOG 4340 and global diversity designation for MUSC 2209 and HIST 3462.

#14-82 Formal Faculty Advice on Proposed Regulation on Protection for Reporting Improper Government Activities with no suggested revisions.

#14-83 Formal Faculty Advice on Proposed Employment of Related Persons (Anti-Nepotism) Policy with suggested revisions. (with comment)

#14-84 Revised Guidelines for 2014-2015 Research and Creative Activity Awards *(RCAA)* Competition.

#14-85 Formal faculty advice on curriculum and academic matters acted on and recorded in the November 17, 2014 Graduate Council meeting minutes.

#14-86 December 2, 2014 Revisions to the University Undergraduate Catalog to include adoption of key provisions of the new Student Success Policies for Fall 2015. (with revisions)

#14-87 Curriculum and academic matters acted on and recorded in the November 14, 2014 Educational Policies and Planning Committee meeting minutes, including a request to relocate the Department of Nutrition Science from the College of Human Ecology to the College of Allied Health Sciences and the Department of Microbiology and Immunology's response to their Program Review.

#14-88 Revisions to the *ECU Faculty Manual*, Part II. ECU Organization and Shared Governance, Section II, subsection IV of the By-laws of the Faculty Constitution of ECU.

#14-89 Curriculum and academic matters acted on and recorded in the October 23, 2014 University Curriculum Committee meeting minutes.

#14-90 Revised School of Medicine and College of Health and Human Performance unit code of operations. (contingent upon editorial revisions)

#14-91 Curriculum and academic matters acted on and recorded in the November 17, 2014 Foundations Curriculum and Instructional Effectiveness meeting minutes, including approval for domestic diversity designation for MRCH 2239 Fashion and Culture and ETHN 3501 - Selected Topics in Ethnic Studies: Humanities; global diversity designation for MRCH 4300 Global Economics and ETHN 3500 Selected Topics in Ethnic Studies: Global Perspectives; and foundations humanities credit for ETHN 3500 Selected Topics in Ethnic Studies: Global Perspectives.

#14-92 Curriculum and academic matters acted on and recorded in the November 10, 2014 Writing Across the Curriculum Committee meeting minutes, including approval of writing intensive (WI) designation for COMM 2500, ENGL 4091 and ENGL 4951 and removal of WI designation for NEUR 4950 & NEUR 4951.

#14-93 Curriculum and academic matters acted on and recorded in the November 11, 2014 Service Learning Committee meeting minutes, including approval of service learning (SL) designation for ENGL 1100 for specific sections only, EDTC 4001 for specific sections only and THEA 3021 for all sections.

Correspondences concerning unit elections for **2015-2016 Faculty Senate representation** were distributed last week to unit code administrators. In accordance with the *ECU Faculty Manual*, elections are to be held during the month of February. Please call the Faculty Senate office if you have any questions.

Faculty members are reminded that April 1 Chancellor Ballard will call for candidates for the prestigious Oliver Max Gardner award. University nomination procedures are available online at: http://www.ecu.edu/ofe/awards_max-gardner.cfm. Please contact Dorothy Muller, Director of the Center for Faculty Excellence with any questions.

C. Steve Ballard, Chancellor

Chancellor Ballard was out of town and so Interim Provost Ron Mitchelson presented the report on faculty employment, which included a longitudinal profile of faculty tenure status and a report on full-time and part-time faculty by unit and tenure status. Interim Provost Mitchelson shared that over 2013-14 tenured faculty declined by just under 20 FTE and tenure-track faculty declined by just over 20 FTE. These changes often reflect retirements, faculty moving geographically, faculty promotions, etc. In total, tenure and tenure-track faculty declined by approximately 41 FTE. Fixed term faculty increased by 6.5 FTE, with a net faculty decline of 34.5 FTE. In the same time, the share of fixed term faculty increased from 37.1% to 38.2%. Most of the change is attributable to budget cuts. Putting the percentage of fixed term faculty at East Carolina within the context of the UNC system, the UNC system as a whole has 42.8% of its headcount faculty as fixed term faculty. ECU has 38.8% of total faculty as fixed term faculty, which is the smallest in the UNC system. The range across the system is roughly 38% - 50%. In general, the composition of the faculty hasn't changed dramatically. Even during the budget cuts, ECU has stayed right around the 35% - 38% mark, which compares well with institutions across the system and nationally, ECU has a smaller percentage of fixed term faculty than are observed at other institutions.

Faculty FTE by Unit and Gender
Full and Part-Time Faculty by Unit and Tenure Status
Longitudinal Profile of Faculty Tenure Status (includes Medicine)
Longitudinal Profile of Faculty Tenure Status

Professor Martinez (Foreign Languages and Literatures) questioned the process of determining fixed term faculty contracts, stating that with 38.2% of faculty at ECU being fixed term faculty it appears that the university has a consistent need for fixed term faculty and that this need could be projected based on historical statistics for the coming years. Using historical statistics would allow for contracts to be renewed in a timely, efficient process. Professor Martinez asked the Interim Provost when or how the administration of the university is going to be prepared to do a serious, comprehensive study

of how to assume best practices in the hiring and retaining of fixed term faculty. Interim Provost Mitchelson responded that this is a very reasonable and valid question. Part of the determination is not simply predicting from historic numbers, but part of it is the game that is played between Academic Affairs and colleges over funding. He asserted that fixing the game is his number one project. Professor Martinez (Foreign Languages and Literatures) followed up with a request for more information about the game and how the Interim Provost is working to fix it. Interim Provost Mitchelson explained that part of the game is requesting funds from a central source when there is not clear understanding about where it is that college-level sources are allocated. The Provost and his team are working on this and have made important strides in reducing that type of give and take, but all of this takes time. The clarity of reporting is not what it needs to be and they are trying to improve that.

Professor Given (Vice Chair of the Faculty/Foreign Languages and Literatures) explained that the number of part-time faculty appears to go up and down and this year seemed to evidence a pretty large increase. A number of Affordable Care Act rules also came into play this year and he asked if, in the Interim Provost's perception, those rules had any impact on whether people were employed part-time or full-time with benefits. Interim Provost Mitchelson responded that his impression of it was that there was not a correlation, it definitely was not counseled that way. He emphatically stated that the administration wants employees to have good benefits. In the Provost's way of thinking, it is critical to make sure that there is equity. He explained that they have worked hard to identify those who are eligible for the products, as inadequate as they might be, that might be available to those folks. In a couple of cases where people have fallen through the cracks, they have stepped up to help those individuals financially.

Professor Montgomery (English) followed up on the Interim Provost's answer to Professor Martinez, sharing that the earlier comments seemed to suggest that the colleges are the main players of the game. Professor Montgomery explained that it seems like a game has two players and if the colleges have needs in the area of fixed term faculty in order to provide the courses that serve students in majors across the university each year and if the needs result in similar amounts of money each year, then could the standoff not be resolved through better budgeting? What is the role of Academic Affairs in this process? Interim Provost Mitchelson explained that it is not necessarily always need. It is more like wants and needs and there is a distinction in that regard. The Interim Provost asserted that they are well on their way to fixing the uncertainty that doesn't derive from forecasting the numbers. He reaffirmed his commitment to making sure that there are enough Intro Chemistry and Intro Biology courses for the majors that we should serve. That is in the works.

Professor Kain (English) wanted to follow-up on Professor Given's comment, explaining that faculty did receive emails that specifically said "Hire part-time people because it will be more cost-effective" and this was after the Affordable Care Act came out and she also explained that she had observed the situation where people who had been on full-year contracts initially be switched to semester-to-semester contracts and lost their insurance. Maybe this problem is more isolated or sporadic than I think, but I think the message was go more part-time. Interim Provost Mitchelson responded that this message did not come from him and that he met with English last week to try to fix some of the issues that we have seen here. He asserted that some of these issues will be resolved as some of the look-back periods are solidified. He further explained that they had tried to correct it for a few additional people as well.

Professor Montgomery (English) suggested that there may be a disconnect between what is coming from Human Resources and from Academic Affairs. She referenced an October 1, 2014 email sent from Human Resources that stated that departments need to cover the cost of health insurance under the Affordable Care Act, saying that "departments can also consider modifications to work schedules for current and future temporary and casual employees." Professor Montgomery suggested that this seems to pass the pain of making these cuts on to departments and also seems to be suggesting that it is the department's problem for getting people below the 30 hours stated by the Affordable Care Act's coverage requirements. Interim Provost Mitchelson responded that he felt there was a disconnect between Human Resources and Academic Affairs and this was why he met with leadership in English last week to make sure that everyone was on the same page. He stated that they made a good bit of progress there and that they would continue to work together.

Professor Morin (Communication) highlighted the issue of people teaching full-time but because their contracts are semester based they do not qualify for anything else but affordable health care. Though they are working full-time, they are on a semester basis and they cannot get the same benefits as their full-time colleagues. Professor Morin asked if there was a timeline for addressing this issue. Interim Provost Mitchelson responded that there are two different categories of employment, one labeled permanent and one labeled temporary. ECU has had the category of temporary full-time for many years before the Affordable Care Act came about and at this point in time as in previous years, there is just not sufficient money to bring those benefits to temporary, albeit full-time employees.

Professor Dotson-Blake (Secretary of the Faculty/Education) referred to the earlier discussion of need versus want, asking how the Provost conceptualizes the appropriate balance between need versus want when considering potential to use fixed term faculty as a bridge to program growth, particularly in grim budget times. Interim Provost Mitchelson explained that there are two timed categories here, one is a short-term such as getting ready for Fall semester and one is longer-term, a potential for growth, when reallocating fixed term faculty into a particular department might actually facilitate program growth. There have been conversations about this, especially in terms of graduate enrollment and the freedom that fixed term faculty might provide to tenured and tenure-track faculty to actually expand graduate enrollment. The fixed term faculty category does actually provide you with a little more flexibility than you might have otherwise.

Professor Robinson (Mathematics) also revisited the topic of need versus want in funding, sharing that Mathematics teaches a huge number of students with half of the faculty being fixed term faculty. The department must schedule these classes before learning the budget for fixed term faculty, leaving the department to determine how to cover classes if the fixed term budget doesn't meet the full need. Professor Robinson queried why the budget can't be determined first allowing the department to make the decision that if there is no budget to teach a certain section, the section should not be taught. Interim Provost Mitchelson responded that budget uncertainties do add a layer that must be taken into account and that some of the budget cuts do not come until late in the scheduling process. He reaffirmed his agreement with the idea that the university should be more analytical, able to predict what we need and fund accordingly.

D. Rick Niswander, Vice Chancellor for Administration and Finance
Vice Chancellor Niswander was out of town so his report was postponed until later in the semester.

E. Andrew Morehead, Chair of the Faculty

Professor Morehead provided the following remarks to the Faculty Senate, prefacing his remarks by stating that, though he is a Chair of a committee for one of these matters and also a member of the Faculty Assembly, his remarks to the Faculty Senate represent his views only rather than the views of the ad hoc Committee on the Naming of Aycock Hall or the Faculty Assembly.

> "Good afternoon! Today, I have two important, and related issues that I will address. First, as you have heard, the Board of Trustees is currently considering if Aycock Hall should be renamed. I am chairing the committee that will make a recommendation to the Chancellor about that question before he then makes his recommendation to the Board. Second, the UNC Board of Governors has decided to start the process of transitioning to a new President. One might ask how these issues are related. Well, I believe that they are both about the soul of the University.
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> Governor Aycock's legacy is a complex one, and our Board of Trustees' choice now regarding a decision made in the early 1960s to name a residence hall in his honor raises difficult questions about what we wish to say about our values as a 21st century academic institution. Likewise, the UNC Board of Governors' decision to remove a well respected academic leader and the assertion of an increasing level of centralized control by the Board of Governors speaks to an attempt to usurp our prerogative, as academics, to decide what we value, what we teach, our academic freedom to pursue our research agendas free of outside influences, and our ability to work with our community in ways that reflect our institution's unique mission.
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> As I mentioned, Governor Aycock's legacy is a complex one. He graduated from UNC-Chapel Hill in 1880 with a law degree, quickly becoming active in Democratic Party politics and an advocate for the Goldsboro schools. From 1893 to 1897 he was US attorney for the Eastern District of North Carolina, but by 1898 he was taking a central role in Democratic party campaigning and leadership, pushing a white supremacy platform to attract the maximum number of white voters. Following the success of the party in capturing a majority in both houses in the 1898 elections, Governor Aycock worked closely with the legislature to pass an amendment to the constitution imposing poll taxes and literacy tests, with a grandfather clause designed to allow those who could vote in 1867 (and their descendants) to avoid such measures.
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> Thanks to the popularity of this amendment, as well as his campaigning on an education platform, and with the help of his oratorical skills, he was elected governor with a sizable majority in 1900. Under his leadership, North Carolina founded more than 1,100 public schools, originated the textbook commission for the state, built 877 libraries, and enacted temperance and child labor laws. His notable accomplishments earned him the title "the Education Governor."
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> While famous for his rhetoric in support of universal education, consider that, among many examples, during his 1904 defense of his policies and administration to the Democratic State Convention, he spoke of reducing the allocations of funds to black schools while greatly increasing those to white schools. He finished that section of the speech, "Let us cast away all fear of rivalry with the negro, all apprehension that he shall ever overtake us in the race of life. We are the thoroughbreds and should have no fear of winning the race against a commoner stock." And this is just one of many passages one can read in his published speeches, which

reflect his white supremacist views. Aycock died suddenly in 1912 while addressing the Alabama Educational Association, uttering his famous last word: "education." ECU named Aycock Hall in his honor in 1961.

ECU's roots are entirely about education, and will always be so. Governor Aycock was a tireless advocate for education, but also a tireless advocate for white supremacy. His legacy cannot be neatly compartmentalized, and I have come to believe that as a, quoting from *Beyond Tomorrow*, ECU is a "diverse community where intellectual freedom, scholarly discipline, and the rigorous pursuit of knowledge thrive," we can no longer maintain his name on a residence hall where a diverse group of students will live, learn, and grow. As educators who understand symbolism, we cannot let this stand; but we should also use this debate as an educational opportunity, a chance to have a public conversation that helps all to grow in their understanding about issues related to tolerance.

While the recent personnel actions leading to the end of President Tom Ross's tenure is the highest profile event, the UNC Board of Governors has been very active. I would include their recent review of centers and institutes, which went beyond budget questions; the system wide implementation of a standardized assessment instrument; the reductive view of education as solely being job training; centralized decision making about minimum admission requirements; increasingly intrusive post tenure review policies; and many other recent actions of the current Board of Governors that are examples of an increasingly centralized control over the UNC system's Boards of Trustees, the universities' Chancellors and their administrations, and the Faculty's definition of our mission and how we serve our communities.

Foremost among my concerns is the Board of Governors' examination of the process for Chancellor searches. Believing that the Board is not being given enough input, and that candidates with business or military backgrounds are not being selected, the Board is considering adding members to search committees and inserting more interactions with the candidate prior to the President making the nomination. In addition, there has been increasing emphasis on closed searches with minimal interaction between the candidates and faculty, staff, students, and the community. The Faculty Assembly has two resolutions on these matters, and I hope the Senate chooses to endorse those resolutions.

Thanks for your attention, and I would be happy to answer any questions."

There were no questions posed to Professor Morehead.

G. James Holloway, UNC Faculty Assembly Delegate

Professor Holloway provided a report on the January 9, 2015, UNC Faculty Assembly Meeting and stated that during the January 9th meeting, President Ross gave an update to the assembly regarding a number of issues facing the UNC System, including tuition and fees, security plan, border county tuition, budget, centers and institutes and chancellor selection. The security plan discussion focused on how to move forward on sexual assault concerns, including recommendations about training, investigators, compliance officers and the possibility that students may need to pay a security fee. The assembly also had a panel discussion on tenure and post-tenure review, in which they discussed faculty workload and the use of the Delaware study as a comparative tool. The Shared Governance Committee presented a resolution on chancellor searches that was approved by the Faculty Assembly.

Following his report, he offered the following resolution on open chancellor searches:

Whereas, the Chancellor of East Carolina University is the leader of the faculty, staff and administration of the University; and

Whereas, the Board of Trustees and Chancellor must work closely to fulfill the unique mission of East Carolina University; and

Whereas, our Chancellor is the public face of the university and sets the tone for the University's engagement with the community;

Therefore, Be It Resolved That the East Carolina University Faculty strongly endorse the January 9th, 2015 Faculty Assembly *Resolution on Chancellor Searches* (below) that states the finalists should meet with all campus and community constituent groups in open forums so they may provide written feedback to the search committee; and

Be It Further Resolved That consistent with prior Chancellor searches at East Carolina University, the faculty be well represented on the search committee, ideally by election of one or more representatives to the committee.

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RESOLUTION ON CHANCELLOR SEARCHES
(Approved by the UNC Faculty Assembly on January 9, 2015)

Whereas, Selection of a new Chancellor is one of the most important decisions for a university and the community in which it operates; and

Whereas, Faculty, staff, students, alumni and other local community members are the long term shareholders in the process of Chancellor selections; and

Whereas, An understanding and appreciation for the culture and values of the university and its community is essential for success of a Chancellor; and

Whereas, There is no better way for Chancellor candidates to get a sense of the culture of the institution than participating in open meetings with the university community; and

Whereas, The university and the candidates can model the transparency desired and required of public institutions in hiring decisions; and

Whereas, New Chancellors will have the best opportunity for a smooth transition into their positions with the support of the campus community as determined by feedback from open meetings;

Resolved, That campuses conduct searches for Chancellors whereby the process is confidential through the initial stages followed by campus visits by the finalists to meet with all campus and community constituent groups in open forums and where those in attendance are encouraged to submit written feedback to the Search Committee.

Professor Martinez (Foreign Languages and Literatures) spoke in favor of the open chancellor searches. There was no further discussion and the proposed resolution on open chancellor searches was approved as presented. **RESOLUTION #15-01**

Professor Holloway then presented a resolution endorsing the Faculty Assembly resolution regarding the transition in leadership and direction of the UNC system as follows:

Whereas, President Tom Ross has and continues to serve the University of North Carolina in an exemplary manner; and

Whereas, the Board of Governors' recent decision to transition to new leadership has occurred with a lack of transparency about the reasons behind that decision; and

Whereas, East Carolina University plays a unique role in the UNC System, and believes in open and inclusive decision making that respects the needs and missions of the constituent institutions;

Therefore, Be It Resolved That the East Carolina University Faculty strongly endorse the January 24th, 2015 Faculty Assembly *Resolution Regarding the Transition in Leadership and Direction of the UNC System* (below).

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RESOLUTION REGARDING THE TRANSITION IN LEADERSHIP AND DIRECTION OF THE UNC SYSTEM
(Approved by the UNC Faculty Assembly on January 24, 2015)

Whereas, Chairman John Fennebresque of the UNC System Board of Governors (BOG) in his press conference on 16th of January, 2015 suggested the need for a "transition in leadership" of the UNC system to move the University in new directions; and

Whereas, the stated need for transition required the precipitous decision to replace Tom Ross as President of the University of North Carolina System; and

Whereas, the UNC Faculty Assembly has observed President Tom Ross to exhibit exemplary, visionary and inclusive leadership of the UNC System; and,

Whereas, President Tom Ross continues to lead the UNC System in the best interests of the University and all the people of the State of North Carolina, in a manner that:

- Ensures access to the University system to all qualified students; and
- Provides higher education to North Carolina's citizens, regardless of race, ethnicity, or socioeconomic status, in a manner that is "as free as practicable," by developing and protecting financial aid and tuition structures; and
- Attracts and retains the best faculty and staff for all UNC campuses; and
- Builds a strong leadership team at the UNC General Administration that works effectively with the BOG to develop and support the capacity of individual campuses to fulfill their missions in the context of the system; and

- Effectively manages the system's complex budget during a period of drastically decreasing budgets; and
- Strengthens campus leadership by selecting Chancellors committed to academic excellence and the respective missions of the system's diverse campuses; and
- Promotes a comprehensive liberal arts based education that prepares students for careers and lifelong learning; and

Whereas, the UNC Faculty Assembly is deeply concerned that the precipitous decision to replace an acknowledged highly effective system leader will diminish the opportunities to attract and retain strong, effective and visionary leaders at all levels of the University system.

Therefore Be It Resolved That the Faculty Assembly of the University of North Carolina expresses its most sincere thanks and highest respect for the exemplary work and leadership of President Tom Ross; and,

Be It Further Resolved That the UNC Faculty Assembly strongly endorses the manner in which President Tom Ross continues to lead the University of North Carolina System; and

Be It Further Resolved That the UNC Faculty Assembly calls upon the Board of Governors to articulate the rationale for their stated need for a "transition in leadership," a transition that implies a change in direction that has neither been discussed nor vetted with campus leadership, faculty, or the people of North Carolina.

There was no discussion and the proposed resolution endorsing the Faculty Assembly resolution regarding the transition in leadership and direction of the UNC system was approved as presented.
RESOLUTION #15-02

H. John Tucker, University Historian
Professor Tucker continued his monthly presentation focused on the history of East Carolina University and the Faculty Senate relating to the past 50 years of shared governance.

There were no questions posed to Professor Tucker.

I. Question Period
Professor Popke (Geography, Planning and Environment) asked for an update on Centers and Institutes. Interim Chief Research Officer Van Scott replied that the Board of Governors had put off issuing their report until February 27. He explained that there is a Chief Research Officers meeting on the 17th and there might be an update at that point.

Professor Robinson (Mathematics) asked what the process would be for both resolutions just passed by the body. Chair Morehead replied that the two Faculty Assembly resolutions passed at their meetings would be forwarded to President Ross who will share them with the Board of Governors. Both resolutions passed by ECU's Faculty Senate would be forwarded to the Chancellor for his acceptance and also forwarded to the Chair of the Faculty Assembly who will share them with President Ross.

Agenda Item IV. Unfinished Business

There was no unfinished business to come before the body.

Agenda Item V. Report of Graduate Council

Professor Bob Thompson (Political Science), Chair of the Graduate Council, presented for formal review and advice curriculum and academic matters acted on and recorded in the December 8, 2014 Graduate Council meeting minutes including Exception to academic eligibility (min. GPA) for students readmitted after an absence (GC#14-47); Revision of the Graduate Transfer Credit Policy (GC#14-48); November 5, 2014 Graduate Curriculum Committee meeting minutes including curriculum actions (GC#14-45) College of Education - Department of Literacy Studies, English Education, and History Education; College of Nursing; College of Engineering and Technology - Department of Computer Science; College of Allied Health Sciences - Department of Communication Sciences and Disorders; and College of Engineering and Technology - Department of Construction Management; Programmatic actions (GC#14-46), which were forwarded to Educational Policies and Planning Committee included proposal for a new graduate certificate in Residential Construction Management in the Department of Construction Management, within the College of Engineering and Technology; November 19, 2014 Graduate Curriculum Committee meeting minutes; December 3, 2014 Graduate Curriculum Committee meeting minutes including curriculum actions (GC#14-49) College of Health and Human Performance – Department of Health Education and Promotion; College of Arts and Sciences – Department of Biology, Department of Geography, Planning and Environment, Department of Economics; annual graduate banked courses cleanup (deletion of courses banked five or more years); Programmatic actions (GC#14-50), which were forwarded to Educational Policies and Planning Committee included proposal of an Accelerated Pathway: DNP (Doctor of Nursing Practice) to PhD within the College of Nursing; title revision of the MS in Applied Resource Economics to the MS in Quantitation Economics and Econometrics within the Department of Economics; and proposal of a new Coastal and Marine Economics and Policy concentration in the Coastal Resources Management degree within the Coastal Resources Management Program.

There was no discussion and the curriculum and academic matters acted on and recorded in the December 8, 2014 Graduate Council meeting minutes including Exception to academic eligibility (min. GPA) for students readmitted after an absence (GC#14-47); Revision of the Graduate Transfer Credit Policy (GC#14-48); November 5, 2014 Graduate Curriculum Committee meeting minutes including curriculum actions (GC#14-45) College of Education - Department of Literacy Studies, English Education, and History Education; College of Nursing; College of Engineering and Technology - Department of Computer Science; College of Allied Health Sciences - Department of Communication Sciences and Disorders; and College of Engineering and Technology - Department of Construction Management; Programmatic actions (GC#14-46), which were forwarded to Educational Policies and Planning Committee included proposal for a new graduate certificate in Residential Construction Management in the Department of Construction Management, within the College of Engineering and Technology; November 19, 2014 Graduate Curriculum Committee meeting minutes; December 3, 2014 Graduate Curriculum Committee meeting minutes including curriculum actions (GC#14-49) College of Health and Human Performance – Department of Health Education and Promotion; College of Arts and Sciences – Department of Biology, Department of Geography, Planning and Environment, Department of Economics; annual graduate banked courses cleanup (deletion of courses banked five or more years); Programmatic actions (GC#14-50), which were forwarded to Educational Policies and Planning Committee included proposal of an Accelerated Pathway: DNP to PhD within the College of Nursing; title revision of the MS in Applied Resource Economics to the MS in Quantitation Economics and Econometrics within the Department of

Economics; and proposal of a new Coastal and Marine Economics and Policy concentration in the Coastal Resources Management degree within the Coastal Resources Management Program were reviewed and approved as formal faculty advice to the Chancellor. **RESOLUTION #15-03**

Agenda Item VI. Report of Committees

A. Committee on Committees

Professor Boklage (Medicine), Chair of the Committee, first presented nominees Professor Mike Felts (Health and Human Performance) and Professor Crystal Chambers (Education) for the two open seats on the UNC Faculty Assembly Delegation. He also noted that there was an error in the reporting because Professor Nelson Cooper (Health and Human Performance) was also being nominated. Following the vote, Professor Mike Felts (Health and Human Performance) was elected a delegate with a 2018 term and Professor Crystal Chambers (Education) was elected as alternate delegate with a 2018 term.

Professor Boklage then presented the second reading of proposed revisions to the University Curriculum Committee Charge. There was no discussion and the proposed revisions to the University Curriculum Committee Charge were approved as presented. **RESOLUTION #15-04**

Professor Boklage then presented the first reading of proposed revisions to the Student Academic Appellate Committee Charge. Professor Boklage noted that final action by the Senate on these revisions will occur during the February 17, 2015 meeting.

B. University Curriculum Committee

Professor Lori Flint (Education), Chair of the Committee, presented the curriculum and academic matters acted on and recorded in the November 13, 2014 and December 11, 2014 meeting minutes. Professor Flint explained that the committee acted primarily on routine matters, all of which are noted in the minutes attached to the agenda.

There was no discussion and the curriculum and academic matters acted on and recorded in the November 13, 2014 and December 11, 2014 University Curriculum Committee meeting minutes were approved as presented. **RESOLUTION #15-05**

C. Writing Across the Curriculum Committee

Professor Anne Spuches (Chemistry), Secretary of the Committee, presented first the curriculum and academic matters acted on and recorded in the December 8, 2014 meeting minutes, including removal of writing intensive (WI) designation from BIOL 3504, BIOL 4505, BIOL 4550, and RCLS 4004.

There was no discussion and the curriculum and academic matters acted on and recorded in the December 8, 2014 Writing Across the Curriculum Committee meeting minutes, including removal of writing intensive (WI) designation from BIOL 3504, BIOL 4505, BIOL 4550, and RCLS 4004 were approved as presented. **RESOLUTION #15-06**

Professor Spuches then presented curriculum and academic matters acted on and recorded in the January 12, 2015 meeting minutes, including notification of change in prefixes of WI courses: ENGL 2760 and ENGL 3770 (re-prefixed as LING 2760 and LING 3770); notification of change in credit hours of WI course CMGT 4300 from 4 to 3 SCH; and approval of writing intensive (WI) designation

for CMGT 4320 and COMM 2010.

There was no discussion and the curriculum and academic matters acted on and recorded in the January 12, 2015 Writing Across the Curriculum Committee meeting minutes, including notification of change in prefixes of WI courses: ENGL 2760 and ENGL 3770 (re-prefixed as LING 2760 and LING 3770); notification of change in credit hours of WI course CMGT 4300 from 4 to 3 SCH; and approval of writing intensive (WI) designation for CMGT 4320 and COMM 2010 were approved as presented. **RESOLUTION #15-07**

D. Unit Code Screening Committee

Professor Patricia Anderson (Education), Chair of the Committee, presented proposed revisions to School of Hospitality Leadership Unit Code of Operation. There was no discussion and the proposed revisions to School of Hospitality Leadership Unit Code of Operation were approved as presented. **RESOLUTION #15-08**

E. Educational Policies and Planning Committee

Professor Ed Stellwag (Biology), Chair of the Committee, presented first curriculum and academic matters acted on and recorded in the meeting minutes of December 12, 2014 including request from the Department of Foreign Languages to consolidate all of its major programs (B.A. in French, B.S. in French, B.A. in German, B.S. in German, B.A. in Hispanic Studies, B.S. in Hispanic Studies Education) into one single B.A. program called Foreign Languages and Literatures, and to establish six concentrations in French, French Education, German, German Education, Hispanic Studies and Hispanic Studies Education within the Department of Foreign Languages and Literatures; Request from the Department of Recreation and Leisure Studies to eliminate concentrations in Outdoor Recreation, Community and Nonprofit Recreation, Recreational Sport Leadership and Commercial Recreation and Tourism in the B.S. in Recreation and Parks Management within the College of Health and Human Performance.

There was no discussion and the curriculum and academic matters acted on and recorded in the December 12, 2014 Educational Policies and Planning Committee meeting minutes including request from the Department of Foreign Languages to consolidate all of its major programs (B.A. in French, B.S. in French, B.A. in German, B.S. in German, B.A. in Hispanic Studies, B.S. in Hispanic Studies Education) into one single B.A. program called Foreign Languages and Literatures, and to establish six concentrations in French, French Education, German, German Education, Hispanic Studies and Hispanic Studies Education within the Department of Foreign Languages and Literatures; Request from the Department of Recreation and Leisure Studies to eliminate concentrations in Outdoor Recreation, Community and Nonprofit Recreation, Recreational Sport Leadership and Commercial Recreation and Tourism in the B.S. in Recreation and Parks Management within the College of Health and Human Performance were approved as presented. **RESOLUTION #15-09**

Professor Stellwag then presented the request from the Thomas Harriot College of Arts and Sciences to remove the college level restriction on declaring a major and update the *University Undergraduate Catalog* to reflect this removal.

Professor Sprague (Physics/Past Chair of the Faculty) asked what was the restriction that was being proposed for removal. Professor Maher (Philosophy and Religious Studies) replied that the restriction was 32 semester hours of foundation credit before a student could declare a major.

Following discussion, the request from the Thomas Harriot College of Arts and Sciences to remove the college level restriction on declaring a major and update the *University Undergraduate Catalog* to reflect this removal was approved as presented. **RESOLUTION #15-10**

Professor Stellwag then presented a report on Department of Child Development and Family Relations Program's Unit Academic Program Review; Department of Sociology Unit Academic Program Review; and Department of Physics Unit Academic Program Review.

There was no discussion and the Department of Child Development and Family Relations Program's Unit Academic Program Review; Department of Sociology Unit Academic Program Review; and Department of Physics Unit Academic Program Review as recorded in the December 12, 2014 Educational Policies and Planning Committee meeting minutes were all approved as presented. **RESOLUTION #15-11**

Professor Stellwag then presented for information only a report on low productivity programs including December 2014 Productivity Study Letter and Low Productivity Program Review and Recommendation Summary. No action was taken on this report.

F. Faculty Governance Committee

Professor Nelson Cooper (Health and Human Performance), Chair of the Committee presented formal faculty advice on proposed Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay Regulation.

There was no discussion and the proposed Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay Regulation was reviewed and approved as formal faculty advice to the Chancellor with no additional revisions. **RESOLUTION #15-12**

G. Distance Education and Learning Technology Committee

A report on formal faculty advice on proposed Web Content Regulation was postponed until the February 17, 2015 Faculty Senate meeting.

H. Admission and Retention Policies Committee

Professor Jonathan Morris (Political Science), Chair of the Committee, presented first proposed revisions to the *University Undergraduate Catalog* Referencing Readmission Under Forgiveness Policy.

Professor Montgomery (English) expressed support for the revisions, stating that the proposal was an excellent change because it is very difficult for students that come back and lose credits. She then offered an editorial revision to add an “s” after “GPA” in #2. The editorial revision was accepted.

Following discussion, the proposed revisions to the *University Undergraduate Catalog* Referencing Readmission Under Forgiveness Policy were approved as editorially revised. **RESOLUTION #15-13**

Professor Morris then presented a response to the UNC Fostering Undergraduate Student Success (FUSS) Policies. There was no discussion and the response to the UNC Fostering Undergraduate Student Success (FUSS) Policies was approved as presented. **RESOLUTION #15-14**

Agenda Item VII. New Business

Following a call from Chair Morehead for any new business, Professor Kulesher (Allied Health Sciences) offered the following resolution concerning weeknight football games.

Whereas, the education of our students is always the first priority; and

Whereas, the disruption of the schedule required to host a weeknight football game, with class rescheduling, parking issues, and higher rates of absenteeism is antithetical to that priority; and

Whereas, the East Carolina Pirates are a big enough draw that during the first year in a new conference ESPN scheduled the Pirates for two home games on Thursday night, a particularly disruptive decision as it doubled the impact on classes meeting Thursday;

Therefore Be It Resolved That the ECU Faculty Senate urges that Athletic Director Jeff Compher and Chancellor Steve Ballard strongly advocate to the American Athletic Conference that it adopts a policy that no institution in the conference have more than one weeknight home football game per year; and

Be It Further Resolved That the ECU Faculty Senate also endorses the Department of English Resolution (below) on the conflict between parking changes required for Thursday night football games and instructional needs.

_____

DEPARTMENT OF ENGLISH RESOLUTION ON WEEKNIGHT FOOTBALL GAMES
(Approved by the Department of English, November 19, 2014)

Whereas, the primary purpose of a university is instruction.

Whereas, Students and state citizens pay fees for said instruction.

Whereas, the policy of towing vehicles in parking lots effectively mandates a cancellation of classes by depriving students of their vehicles if they do not leave class to retrieve them.

Whereas, the completion of online assignments is not a suitable replacement for face to face classes, as indicated by the university's own policy forbidding extensive use of online instruction in courses designated face-to-face.

Whereas, the primary conflict between class time and football is due to issues related to parking.

Therefore Be It Resolved That the English Department of East Carolina University objects to the recommended class cancellations, and the disruption of parking facilities on the ECU campus in advance of Thursday night football games as a violation of the central function of the university.

Be It Further Resolved That the English department urges the Provost and the Chancellor to

work towards a solution that would eliminate the current conflict between the academic function of the university and the occurrence of Thursday night football games.

Professor Robinson (Mathematics) stated that the wording was weak given the breadth of the scandal at UNC Chapel Hill and the impact on athletics and academics. He asserted that scheduling Thursday night football games results in the same issue as the one evidenced at Chapel Hill, but makes it an issue for all students rather than only an issue for athletes. He firmly asserted that the university should have no weeknight football games and requested that faculty advocate for that outcome. However, he said that he would still support the proposed resolution as it stands.

Professor Julian (Nursing) asked for clarification if Senators were being asked to act on both resolutions or just the first one. Chair Morehead replied that the Faculty Senate should consider action on the first one which supports the Department of English resolution.

Following discussion the resolution on weeknight football games was approved as presented.

RESOLUTION #15-15

Professor Rebecca Powers (Sociology) offered the following resolution on renaming Aycock Hall.

Whereas, Governor Charles B. Aycock's record of strong support and accomplishments in building public schools and increasing funding for education earned him the nickname "the Education Governor;" and

Whereas, the East Carolina University Board of Trustees and Chancellor Leo Jenkins honored those accomplishments by naming a newly constructed resident hall in Governor Aycock's honor in 1961; and

Whereas, there is now an increased understanding of Governor Aycock's belief in white supremacy and his actions to disenfranchise African-American voters; and

Whereas, East Carolina University's 2014-2019 strategic plan *Beyond Tomorrow* states that we will "Keep our commitment to diversity and inclusiveness. ECU welcomes all people to be part of our living, working, and learning community. We grow in strength as we diversify our students, staff, and faculty."; and

Whereas, Persons of Color comprise 22% of ECU's student body and 24% of the Faculty;

Therefore, Be It Resolved That the East Carolina University Faculty strongly endorse the recommendation of the Chancellor and his *ad hoc* Naming Committee to rename the Hall and as stated in the report that "continued use of that name dishonors the University's standards and is contrary to the best interest of the University in that it prevents the University from fostering a 'diverse community where intellectual freedom, scholarly discipline, and the rigorous pursuit of knowledge thrive" for students, staff, and faculty, and does not reflect our intolerance of such racist actions.';" and

Be It Further Resolved That consistent with ECU's academic mission, the complete legacy of Charles Brantley Aycock be reflected in appropriate educational materials, presentations, lectures and displays and that any new name for the Hall reflect the diversity of the university.

Professor Tucker (History, University Historian) was granted speaking privileges and he encouraged faculty to reconsider taking action on this resolution at this time. He stated that faculty should come up with other ways of moving forward. Professor Tucker explained that faculty who feel offended by Aycock would find themselves more offended by other names that were central to ECU and its history. Professor Tucker expressed his belief that renaming Aycock starts the university down a route of wholesale renaming of other buildings on campus due to the shared beliefs and politics of the individuals after whom the buildings were named. He shared that these people were all of the same generation, shared beliefs, shared ideals and shared participation in Democratic party politics. He stated clearly that the solution to this is that "we must look our history square in the eye, understand it and move forward, know who we were, who we are now, and who we want to be and when you take the name down you are ending the conversation, you are erasing history, you are trying to sabatoge the campus and reinvent yourself as though you weren't that once upon a time. A decision was made and the decision was made, most importantly because Aycock stood for education." He implored faculty to understand that "if you take this action, you will be disassociating yourself from the values of this man," highlighting Governor Aycock's focus on universal education and sharing additional excerpts from speeches given by Governor Aycock.

Professor Kain (English) stated that she does challenge what might be considered universal, particularly with the use of "man" in all of those statements shared by Professor Tucker from passages excerpted from Governor Aycock's speeches. She further highlighted that not all people would be considered equal or included during the time period in which Governor Aycock was making the speeches. As far as the future renaming of additional buildings, she asserted that faculty should take this one building at a time and one issue at a time. Though many people contributed to education and to this institution and we remember them, they are not forgotten. And she shared that she did not feel that we would forget our history because we take a name off a building as an action that suggests who we are not and what we respect now. She expressed her concern that some of the students that walk in the building would not have been permitted in the building if Aycock had had his way. She expressed her support for the resolution.

Professor Powers (Sociology) offered a clarification in that what we are resolving as a unit is to support the Chancellor and his *ad hoc* Naming Committee in the decision that they made after extensive deliberation and review of all of the material. Chair Morehead replied yes.

Professor Sprague (Physics) spoke in favor of the resolution sharing some additional historical elements and suggesting that as a university community we could recognize Governor Aycock's contribution to education and contributions to ECU in a different way than by having a dorm named after him.

Professor Robinson (Mathematics) stated that Governor Aycock may have said words to the effect of endorsing "universal education" but he was referring to segregated education. Professor Robinson stated that he had no problem with divorcing himself from the views of Governor Aycock.

Professor Tucker (History, University Historian) stated that, regarding segregation, in 1895 schools were segregated and not changed until the 1960's noting that ECU, in many respects, is an institutional expression of this very same thing and was a Jim Crow school. Professor Tucker further reported that the literacy requirement was going to be met by training teachers in the eastern part of the State. He stated, "It was a very different world back then. Governor Aycock was not in Wilmington

at the time the violence took place. CM Eppes Middle School was named after a highly respected, prominent African American educator. Eppes and Aycock were contemporaries and Eppes wrote repeatedly letters to editors, published in the Washington Post as well as the News and Observer in defense of Aycock and saying that there was no better friend of the Negro than the Governor and when Aycock died in 1912, Eppes wrote another letter to the News and Observer saying that thoughtful Negroes were grief-stricken. Perhaps then you would like to see the school on Elm Street renamed as well."

Professor Dotson-Blake (Education) stated that the senators could continue to debate history for the rest of the afternoon. However, we must recognize that we are part of history right now so which side do we want to be on.

Professor Kulesher (Allied Health Sciences) asked for point of clarification what was the Chancellor and *ad hoc* Naming Committee's recommendation. Chair Morehead replied that it was to remove the name of Aycock from the dorm.

Following discussion, the resolution on renaming Aycock Hall was approved as presented.
RESOLUTION #15-16

Professor Maher (Philosophy and Religious Studies) introduced a resolution on tuition.

Whereas, the mission of East Carolina University is
"To serve as a national model for public service and regional transformation by:

- Preparing our students to compete and succeed in the global economy and multicultural society,
- Distinguishing ourselves by the ability to train and prepare leaders,
- Creating a strong, sustainable future for eastern North Carolina through education, research, innovation, investment, and outreach,
- Saving lives, curing diseases, and positively transforming health and health care, and
- Providing cultural enrichment and powerful inspiration as we work to sustain and improve quality of life,

We accomplish our mission through education, research, creative activities, and service while being good stewards of the resources entrusted to us;" and

Whereas, a strong faculty is required to fulfill this mission; and

Whereas, a broad, diverse, and talented student body is also key to transforming eastern North Carolina; and

Whereas, years of declining state funding have placed increasing pressure on the institution to find funds to recruit and retain faculty; and

Whereas, while the faculty regard raising tuition as a last resort, the rate of loss of outstanding faculty to other institutions has reached crisis proportions.

Therefore Be It Resolved That the faculty of East Carolina University support the tuition increase needed to generate the salary increases needed to maintain competitive salaries with our peer institutions; and

Be It Further Resolved That the faculty support the use of a portion of that tuition increase to maintain access for students with demonstrated financial need.

Professor Robinson (Mathematics) spoke in opposition stating that in the United States generally, student tuition has risen to cover more than 50% of operating budgets of public institutions and that in North Carolina, though we are somewhat different, we are asking students to cover more of the operating costs at the very same time that we are cutting instructional resources. He stated that we should call on the State to support financially what it is supposed to do and support higher education.

Following the brief discussion, the resolution on tuition was approved as presented. **RESOLUTION #15-17**

There being no further business, the meeting adjourned at 4:02 p.m.

Respectfully submitted,

Kylie Dotson-Blake
Secretary of the Faculty
College of Education

Lori Lee
Faculty Senate

FACULTY SENATE RESOLUTIONS APPROVED AT THE JANUARY 27, 2015 MEETING

Resolution #15-01
Resolution on Open Chancellor Searches

Whereas, the Chancellor of East Carolina University is the leader of the faculty, staff and administration of the University; and

Whereas, the Board of Trustees and Chancellor must work closely to fulfill the unique mission of East Carolina University; and

Whereas, our Chancellor is the public face of the university and sets the tone for the University's engagement with the community;

Therefore, Be It Resolved That, the East Carolina University Faculty strongly endorse the January 9th, 2015 Faculty Assembly *Resolution on Chancellor Searches* (below) that states the finalists should meet with all campus and community constituent groups in open forums so they may provide written feedback to the search committee; and

Be It Further Resolved That, consistent with prior Chancellor searches at East Carolina University, the faculty be well represented on the search committee, ideally by election of one or more representatives to the committee.

Resolution on Chancellor Searches
(Approved by the UNC Faculty Assembly on January 9, 2015)

Whereas, selection of a new Chancellor is one of the most important decisions for a university and the community in which it operates; and

Whereas, faculty, staff, students, alumni and other local community members are the long term shareholders in the process of Chancellor selections; and

Whereas, an understanding and appreciation for the culture and values of the university and its community is essential for success of a Chancellor; and

Whereas, there is no better way for Chancellor candidates to get a sense of the culture of the institution than participating in open meetings with the university community; and

Whereas, the university and the candidates can model the transparency desired and required of public institutions in hiring decisions; and

Whereas, new Chancellors will have the best opportunity for a smooth transition into their positions with the support of the campus community as determined by feedback from open meetings;

Resolved, that campuses conduct searches for Chancellors whereby the process is confidential through the initial stages followed by campus visits by the finalists to meet with all campus and community constituent groups in open forums and where those in attendance are encouraged to submit written feedback to the Search Committee.

Resolution #15-02
Resolution Endorsing The Faculty Assembly Resolution Regarding The Transition in Leadership and Direction of The UNC System

Whereas, President Tom Ross has and continues to serve the University of North Carolina in an exemplary manner; and

Whereas, the Board of Governors' recent decision to transition to new leadership has occurred with a lack of transparency about the reasons behind that decision; and

Whereas, East Carolina University plays a unique role in the UNC System, and believes in open and inclusive decision making that respects the needs and missions of the constituent institutions;

Therefore Be It Resolved That, the East Carolina University Faculty strongly endorse the January 24th, 2015 Faculty Assembly *Resolution Regarding the Transition in Leadership and Direction of the UNC System* (below)*.*

_____

Resolution Regarding The Transition in Leadership And Direction of The UNC System
(Approved by the UNC Faculty Assembly on January 24, 2015)

Whereas, Chairman John Fennebresque of the UNC System Board of Governors (BOG) in his press conference on 16th of January, 2015 suggested the need for a "transition in leadership" of the UNC system to move the University in new directions; and

Whereas, the stated need for transition required the precipitous decision to replace Tom Ross as President of the University of North Carolina System; and

Whereas, the UNC Faculty Assembly has observed President Tom Ross to exhibit exemplary, visionary and inclusive leadership of the UNC System; and,

Whereas, President Tom Ross continues to lead the UNC System in the best interests of the University and all the people of the State of North Carolina, in a manner that:

- Ensures access to the University system to all qualified students; and
- Provides higher education to North Carolina's citizens, regardless of race, ethnicity, or socioeconomic status, in a manner that is "as free as practicable," by developing and protecting financial aid and tuition structures; and
- Attracts and retains the best faculty and staff for all UNC campuses; and
- Builds a strong leadership team at the UNC General Administration that works effectively with the BOG to develop and support the capacity of individual campuses to fulfill their missions in the context of the system; and
- Effectively manages the system's complex budget during a period of drastically decreasing budgets; and
- Strengthens campus leadership by selecting Chancellors committed to academic excellence and the respective missions of the system's diverse campuses; and
- Promotes a comprehensive liberal arts based education that prepares students for careers and lifelong learning; and

Whereas, the UNC Faculty Assembly is deeply concerned that the precipitous decision to replace an acknowledged highly effective system leader will diminish the opportunities to attract and retain strong, effective and visionary leaders at all levels of the University system.

Therefore Be It Resolved That, the Faculty Assembly of the University of North Carolina expresses its most sincere thanks and highest respect for the exemplary work and leadership of President Tom Ross; and,

Be It Further Resolved That, the UNC Faculty Assembly strongly endorses the manner in which President Tom Ross continues to lead the University of North Carolina System; and

Be It Further Resolved That, the UNC Faculty Assembly calls upon the Board of Governors to articulate the rationale for their stated need for a "transition in leadership," a transition that implies a change in direction that has neither been discussed nor vetted with campus leadership, faculty, or the people of North Carolina.

Resolution #15-03
Curriculum and academic matters acted on and recorded in the December 8, 2014 Graduate Council meeting minutes including Exception to academic eligibility (min. GPS) for students readmitted after an absence (GC#14-47); Revision of the Graduate Transfer Credit Policy (GC#14-48); November 5, 2014 Graduate Curriculum Committee meeting minutes including curriculum actions (GC#14-45) College of Education - Department of Literacy Studies, English Education, and History Education; College of Nursing; College of Engineering and Technology - Department of Computer Science; College of Allied Health Sciences - Department of Communication Sciences and Disorders; and College of Engineering and Technology - Department of Construction Management; Programmatic actions (GC#14-46), which were forwarded to Educational Policies and Planning Committee included proposal for a new graduate certificate in Residential Construction Management in the Department of Construction Management, within the College of Engineering and Technology; November 19, 2014 Graduate Curriculum Committee meeting minutes; December 3, 2014 Graduate Curriculum Committee meeting minutes including curriculum actions (GC#14-49) College of Health and Human Performance – Department of Health Education and Promotion; College of Arts and Sciences – Department of Biology, Department of Geography, Planning and Environment, Department of Economics; annual graduate banked courses cleanup (deletion of courses banked five or more years); Programmatic actions (GC#14-50), which were forwarded to Educational Policies and Planning Committee included proposal of an Accelerated Pathway: DNP to PhD within the College of Nursing; title revision of the MS in Applied Resource Economics to the MS in Quantitation Economics and Econometrics within the Department of Economics; and proposal of a new Coastal and Marine Economics and Policy concentration in the Coastal Resources Management degree within the Coastal Resources Management Program were reviewed and approved as formal faculty advice to the Chancellor.

Resolution #15-04
Revisions to the University Curriculum Committee Charge as follows:

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

1. Name: University 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.** ~~and requests to establish new minors.~~
   ~~D. The committee reviews and acts on proposals for new courses and programs and modifications of existing programs, the banking and deletion of courses (and programs), and standards and requirements for admission to, and retention in, degree programs.~~
   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.
   ~~E~~**G.** The committee considers other items that affect the curriculum of undergraduate programs.
   ~~F~~**H**. The committee acts on recommendations from the Council ~~of~~ **for** Teacher Education regarding proposed changes in teacher education requirements.
   ~~G~~**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.
   ~~H~~**J**. The chair or appointed representative serves as **a** ~~ex-officio~~ member on the **Academic Program Development Collaborative Team, and as appropriate, any university-wide administrative committee that involves undergraduate curriculum.** ~~University Online Quality Council~~.

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.

Resolution #15-05
Curriculum and academic matters acted on and recorded in the November 13, 2014 and December 11, 2014 University Curriculum Committee meeting minutes.

Resolution #15-06
Curriculum and academic matters acted on and recorded in the December 8, 2014 Writing Across the Curriculum Committee meeting minutes, including removal of writing intensive (WI) designation from BIOL 3504, BIOL 4505, BIOL 4550, and RCLS 4004.

Resolution #15-07
Curriculum and academic matters acted on and recorded in the January 12, 2015 Writing Across the Curriculum Committee meeting minutes, including notification of change in prefixes of WI courses: ENGL 2760 and ENGL 3770 (re-prefixed as LING 2760 and LING 3770); notification of change in credit hours of WI course CMGT 4300 from 4 to 3 SCH; and approval of writing intensive (WI) designation for CMGT 4320 and COMM 2010.

Resolution #15-08
Revised School of Hospitality Leadership Unit Code of Operation.

Resolution #15-09
Curriculum and academic matters acted on and recorded in the December 12, 2014 Educational Policies and Planning Committee meeting minutes including request from the Department of Foreign Languages to consolidate all of its major programs (B.A. in French, B.S. in French, B.A. in German, B.S. in German, B.A. in Hispanic Studies, B.S. in Hispanic Studies Education) into one single B.A. program called Foreign Languages and Literatures, and to establish six concentrations in French, French Education, German, German Education, Hispanic Studies and Hispanic Studies Education within the Department of Foreign Languages and Literatures; Request from the Department of Recreation and Leisure Studies to eliminate concentrations in Outdoor Recreation, Community and Nonprofit Recreation, Recreational Sport Leadership and Commercial Recreation and Tourism in the B.S. in Recreation and Parks Management within the College of Health and Human Performance.

Resolution #15-10
Request from the Thomas Harriott College of Arts and Sciences to remove the college level restriction on declaring a major and update the *University Undergraduate Catalog* to reflect this removal.

Resolution #15-11
Department of Child Development and Family Relations Program's Unit Academic Program Review; Department of Sociology Unit Academic Program Review; and Department of Physics Unit Academic Program Review as recorded in the December 12, 2014 Educational Policies and Planning Committee meeting minutes.

Resolution #15-12
Formal Faculty Advice on Proposed Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay Regulation

No changes are being recommended.

Related Policies:
Objectivity in Research Under Public Health Service Grants, Cooperative Agreements, or Contracts-REG10.45.02
ECU Patent Policy-POL10.40.01
ECU Copyright Regulation-REG10.40.02
ECU Use of University Facilities and Outdoor Facilities Regulation-REG07.30.05
UNC Policy Manual 300.2.2-Conflicts of Interest and Commitment
UNC Policy Manual 300.2.2[G]-Guidelines on Implementing the UNC Conflict of Interest and Commitment Policy
UNC Policy Manual 300.2.2.1[R]-Regulations on External Professional Activities for Pay by Faculty and Non-Faculty EPA Employees
UNC Policy Manual 300.2.2.2[R]-Regulations for Senior Academic and Administrative Officers on External Professional Activities for Pay and Honoraria
UNC Policy Manual 300.5.1-Political Activities of Employees
UNC Policy Manual 500.1-University Research Relationships with Private Enterprise and Publication of Research Findings
UNC Policy Manual 500.2-Patent and Copyright Policies
ECU COI/COC Standard Operating Procedures
BSOM Standard Operating Procedure - Conflicts of Interest Regarding Interactions with Industry

Additional References:
N.C. Gen. Stat. § 14-234 Public Officers or Employees Benefiting from Public Contracts; Exceptions
N.C. Gen. Stat. § 133-32 Gifts and Favors Regulated
N.C. Gen. Stat. § 138A State Government Ethics Act
N.C. Gen. Stat. § 126-22 The Privacy of State Employee Personnel Records
Public Health Service Conflict of Interest Regulation, Promoting Objectivity in Science 42 CFR 50 Subpart F
NIH Conflicts of Interest Resource Page
National Science Foundation Grant Policy Manual-Chapter V-Section 510
UNC GA Opinion Letter from David Lombard Harrison dated August 3, 3012

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APPENDIX
I. Inappropriate Use or Exploitation of University Resources

1.INTRODUCTION

As relationships between ECU employees and students and private industry, federal and state governments, and nonprofit agencies have grown in number and scope, there has been a corresponding increase in concern about conflicts of interest and commitment. While these individuals are encouraged to engage in appropriate relationships with public and private agencies outside of the University, there is a need for commonly understood principles and corresponding procedures that will identify, address, and manage potential conflicts that would detract from or interfere with an employee's dedication of unbiased primary professional loyalty, time, and energy to University teaching, research, and service.

All members of the University community are expected to avoid conflicts of interest and conflicts of commitment that have the potential to directly and significantly affect the University's interests or compromise their objectivity in carrying out their University Employment Responsibilities, including research, service, and teaching activities and administrative duties, or otherwise compromise performance of University responsibilities, unless such conflicts are disclosed, reviewed, and appropriately managed in accordance with the provisions of this Regulation.

2.POLICY AND SCOPE

2.1 This Regulation sets forth procedures for implementation of the UNC Board of Governors' policy and guidelines concerning conflicts of interest and commitment and external professional activities for pay affecting University employment. Every individual has an obligation to become familiar with, and abide by, the provisions of this Regulation.

2.2 It is the policy of East Carolina University that activities undertaken by its faculty, staff, and students in furtherance of the mission of the University shall be conducted in an ethical and transparent manner, consistent with federal and state law and university policy.

All Covered Individuals (as defined at Section 3.6), including full-time and part-time EPA faculty and professional employees, are covered by this Regulation. This Regulation covers faculty and EPA non-faculty employees who are on leave if the leave is funded at least partially from University sources. It covers faculty and EPA non-faculty employees insofar as their University

responsibilities are concerned, with additional specific requirements for individuals that apply for or receive, Public Health Service (PHS) funding by means of a grant or cooperative agreement.

3. DEFINITIONS

3.1 "Conflict of Commitment" (COC) relates to an individual's distribution of time and effort between obligations to University employment and participation in other activities outside of University employment. The latter may include such generally encouraged extensions of professional expertise as professional consulting (i.e. External Professional Activities for Pay). Such activities promote professional development and enrich the individual's contributions to the institution, to the profession, and to society. However, a conflict of commitment occurs when the pursuit of such outside activities involves an inordinate investment of time or is conducted at a time that interferes with the employee's fulfillment of University Employment Responsibilities.

3.2 "Conflict of Interest" (COI) relates to situations in which financial or other personal considerations, circumstances, or relationships may compromise, may involve the potential for compromising, or may have the appearance of compromising a Covered Individuals' objectivity in fulfilling their University duties or responsibilities, including research, service and teaching activities and administrative duties. The bias that such conflicts may impart can affect many University responsibilities, including decisions about personnel, the purchase of equipment and other supplies, the selection of instructional material for classroom use, the collection, analysis and interpretation of data, the sharing of research results, the choice of research protocols, the use of statistical methods, and the mentoring and judgment of student work. A Covered Individual may have a conflict of interest when he or she, or any member of that person's Immediate Family, has a personal financial interest in an activity that may affect decision making with respect to his or her University Employment Responsibilities.

3.3 "Conflict of Interest Committee" (COIC) is a standing committee appointed by the Institutional Official to make recommendations to the Conflict of Interest Officer regarding this Regulation, associated Standard Operating Procedures, and the management of COI/COC, including the development of appropriate COI/COC management mechanisms. The Committee shall consist of at least five members, four of which shall be faculty members and/or staff. An attorney from the Office of University Counsel will serve as a non-voting ex officio member of the COIC and will be available to advise regarding applicable law and university policies.

3.4 "Conflict of Interest Officer" (COIO) means the individual within the ECU Office of Research Integrity and Compliance who is delegated responsibility from the Institutional Official to implement this Regulation and associated SOPs, including the day-to-day operations of COI/COC management.

3.5 "Covered Employee" is defined as any faculty or EPA non-faculty person employed by the University of North Carolina or a Constituent Institution or other agency or unit of the University of North Carolina.

3.6 "Covered Individual" includes Covered Employee, Postdoctoral Fellow, or any individual involved in the design, conduct, and/or reporting of sponsored research at ECU, regardless of employee classification (CSS, SPA) or student status.

3.7 "External Professional Activities for Pay" is defined as any activity that: 1) is not included within one's University Employment Responsibilities; 2) is performed for any entity, public or private, other than the University employer; 3) is undertaken for compensation; and 4) is based upon the professional knowledge, experience and abilities of the employee. External activities for pay of employees covered by the State Personnel Act are addressed separately from this Regulation in the State Personnel Act, Section 3 Employment and Records, Secondary Employment.

3.8 "Department" means an academic department, a professional school without formally established departments, or any other administrative unit designated by the Chancellor for the purposes of implementing this Regulation. "Department Head" refers to the person with supervisory responsibility for the Covered Individual, whether in an academic or non-academic department.

3.9 "Disclosure" refers to a formal statement made by a Covered Individual that a Conflict of Interest or Commitment does or may exist. At a minimum, disclosures are made annually and as specified in the COI/COC SOPs and shall include the Covered Individual's Financial Interests. The process for making a Disclosure and the review thereof is described in the COC/COI SOPs.

3.10 "Financial Interest" is defined as:

3.10.1 Payment for services to the Covered Individual not otherwise defined as institutional salary (e.g. consulting fees, honoraria, paid authorship, royalties);

3.10.2 Equity or other ownership interest in publicly or non-publicly traded entities (e.g. stock, stock options, or other ownership interest); or

3.10.3 Intellectual property rights and interests upon receipt of income related to such rights and interests, held by the Covered Individual or members of his/her immediate family.

Income from investment vehicles, such as mutual funds or retirement accounts, in which the Covered Individual or member of his/her immediate family do not directly control the investment decisions and intellectual property rights assigned to the Institution and agreements to share in royalties related to such rights are excluded from the definition of Financial Interest. Covered Individuals are required to disclose Financial Interests in a timely manner.

3.11 "Honoraria" means a gratuitous payment of money or anything of value made to a person for services rendered for which fees cannot legally or are not traditionally made. Such payment is distinguished from hire or compensation for service. An example of Honoraria includes, but is not limited to, a payment made to a Covered Individual by an agency of the federal government or a private entity to offset costs incurred by that Covered Individual (such as travel, lodging, and food) incident to the performance of a service for the party paying the Honoraria.

3.12 "Human Subjects Research" means any systematic investigation that (a) is designed to develop or contribute to generalizable knowledge and (b) obtains data through intervention or interaction with living human individuals and/or obtains identifiable private information about living human individuals, including by means of observation or recording of behavior.

Intervention includes both physical procedures and manipulations of the human subject or human subject's environment that are performed for study purposes. Interaction includes communication or interpersonal contact between an investigator and a human subject. Private information includes information that individuals can reasonably expect will not be made public. This definition also encompasses any experiment that involves a test article and one or more human subjects (i.e., a "clinical investigation" per FDA regulations).

3.13 "Immediate Family" of a Covered Individual includes his or her spouse and dependent children.

3.14 "Inappropriate use or exploitation of University Resources" means using any services, facilities, equipment, supplies or personnel which members of the general public may not freely use for other than the conduct of University or other Institutional Responsibilities. A person engaged in external professional activities for pay may not use University Resources in the course and conduct of externally compensated activities, except as allowed by this Regulation. Under no circumstances may any employee use the services of another employee during University employment time to advance the externally compensated employee's professional activities for pay. (See Appendix I)

3.15 "Institutional Official" (IO) means the individual responsible for implementation of this Regulation and associated SOPs and is the institution's Chief Research Officer. The IO delegates this authority to the COIO, but remains ultimately responsible.

3.16 "Project" means any research, creative activity, testing, evaluation, service, training, and/or instructional plan conducted under the auspices of the University.

3.17 "Public Health Service" (PHS) means the section of the U.S. Department of Health and Human Services, and any components of the PHS to which the authority of the PHS may be delegated. The components of the PHS include, but are not limited to: the National Institutes of Health; Centers for Disease Control and Prevention; Food and Drug Administration; and Health Resources and Services Administration. Funding overseen by the financial conflict of interest regulations is issued by the Department of Health and Human Services (DHHS) and administered by the National Institutes of Health (NIH).

3.18 "University Employment Responsibilities" include primary duties and secondary duties.

3.18.1 Primary Duties consist of assigned teaching, scholarship, research, institutional service requirements, administrative duties and other assigned employment duties.

3.18.2 Secondary Duties may include professional affiliations and activities traditionally undertaken by Covered Individuals outside of the immediate University employment context. Secondary Duties may or may not entail the receipt of honoraria, remuneration, or the reimbursement of expenses (UNC Policy Manual, 300.2.2.2 [R]) and include:

3.18.2.1 membership in and service to professional associations and learned societies;
3.18.2.2 membership on professional review or advisory panels;
3.18.2.3 presentation of lectures, papers, concerts or exhibits;

3.18.2.4 participation in seminars and conferences;
3.18.2.5 reviewing or editing scholarly publications and books without receipt of compensation; and
3.18.2.6 service to accreditation bodies.

Secondary Duties, which demonstrate active participation in a profession, are encouraged provided they do not conflict or interfere with the timely and effective performance of the individual's Primary University Duties or University policies.

4. CONFLICT OF INTEREST

This Regulation informs faculty about situations that generate conflicts of interest related to employment responsibilities, provides mechanisms for individuals and the Institution to manage those conflicts of interest that arise, and describes situations that are prohibited.

Every individual has an obligation to become familiar with, and abide by, the provisions of this Regulation. At a minimum, all are required to receive COI/COC training and annually complete a Disclosure. If a situation raising questions of COI/COC arises, Covered Individuals should discuss the situation with the COIO and are encouraged to make a formal Disclosure to the University.

4.1 Categories of Potential Financial Conflicts of Interest.

Activities that may involve financial conflicts of interest can be categorized under four general headings: (1) those that are allowable if disclosed appropriately; (2) those that are allowable with administrative approval and are disclosed; (3) those that generally are not allowable and require an approved conflict of interest management plan; and (4) those that are not allowable under any circumstances. The following examples are merely illustrative and do not purport to include all possible situations within the four categories:

4.1.1 Activities allowable if disclosed appropriately.

The examples cited below involve activities external to University employment, and thus, may present the appearance of a financial conflict of interest but have little or no potential for affecting the objectivity of the Covered Individual's performance of University Employment Responsibilities; at most, such situations could prompt questions about Conflicts of Commitment.

If a Covered Individual meets his/her assigned workload, participation in allowable activities would permit:

4.1.1.1 A Covered Individual receiving royalties from the publication of books or for the licensure of patented inventions subject to ECU Patent and Copyright Policies.

4.1.1.2 A Covered Individual receiving compensation in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on review panels, presentation of scholarly works, and participation in accreditation reviews.

4.1.2 Activities requiring disclosure for further administrative review and analysis.

The examples cited below suggest a possibility of conflicting interests that can impair objectivity, but disclosure and resulting analysis of relationships may render the activity permissible and may result in the establishment of an approved management plan.

4.1.2.1 A Covered Individual requiring students to purchase the textbook or related instructional materials of the employee or members of his or her immediate family, which produces compensation for the employee or family member.

4.1.2.2 A Covered Individual receiving compensation or gratuities from any individual or entity doing business with the University. Note that no university employee may seek or receive any gift, reward, or promise of reward for recommending, influencing, or attempting to influence the award of a contract by his or her employer (See G.S. 14-234 and G.S 138A).

4.1.2.3 A Covered Individual serving on the board of directors or scientific advisory board of an enterprise that provides financial support for University research and the employee or a member of his or her immediate family may receive such financial support.

4.1.2.4 A Covered Individual or a member of his or her immediate family having an equity or ownership interest in a publicly or non-publicly-traded entity or enterprise.

4.1.2.5 Covered Individual accepting support for University research under conditions that require research results to be held confidential, unpublished, or inordinately delayed in publication. Research conducted by faculty or students under any form of sponsorship must maintain the University's open teaching and research philosophy and must adhere to a policy that prohibits secrecy in research. Such conditions on publication must be in compliance with *UNC Policy Manual,* 500.1 and 500.2, and with campus Intellectual Property policies.

4.1.3 Activities or relationships generally not allowable or permitted unless an approved Conflict of Interest management plan is in place.

The examples cited below involve situations that are not generally permissible because they involve potential financial conflicts of interest or they present obvious opportunities or inducements to favor personal interests over institutional interests. An approved Conflict of Interest management plan is required.

4.1.3.1 A Covered Individual participating in University research involving a technology owned by or contractually obligated (by license, option to license, or otherwise) to an enterprise or entity in which the individual or a member of his or her immediate family has a consulting or EPAP relationship, has an equity or ownership interest, or holds an executive position.

4.1.3.2 A Covered Individual participating in University research that is funded by a grant or contract from an enterprise or entity in which the individual or a member of his or her immediate family has an equity or ownership interest.

4.1.3.3 A Covered Individual assigning students, postdoctoral fellows, or other trainees to University sponsored research projects sponsored by an enterprise or entity in which the individual or a member of his or her immediate family has equity or ownership interests.

4.1.4 Activities NOT allowable under any circumstances.

4.1.4.1 A Covered Individual making referrals of University business to an external enterprise in which the individual or a member of his or her immediate family has a financial interest.

4.1.4.2 A Covered Individual associating his or her own name with the University in such a way as to profit financially by trading on the reputation or goodwill of the University.

4.1.4.3 A Covered Individual making unauthorized use of privileged information acquired in connection with one's University responsibilities.

4.1.4.4 A Covered Individual signing agreements that assign Institution patent and other intellectual property rights to third parties without prior Institutional approval.

4.1.4.5 Any activity otherwise prohibited by law or university policy.

4.2 Honoraria

4.2.1 Honoraria Received Performing Secondary Duties.

Except as otherwise noted in this section, Covered Employees who receive an Honoraria while performing Secondary Duties, and not secondary employment, may receive and retain the Honoraria; provided, however, that all Honoraria, including the nature and amount of said Honoraria, must be disclosed to the Covered Employee's supervisor and to the COIO.

Covered Employees who are Senior Academic and Administrative Officers are subject to special regulations regarding honoraria which require leave to be taken when External Professional Activities for Pay will take place during the regular work week. Please refer to the *UNC Policy Manual,* 300.2.2.2[R].

4.2.2 Honoraria Received Performing Activities Related to University Employment Responsibilities.

In those instances when State-reimbursed travel, work time, or resources are used or when the activity can be construed as related to the Covered Individual's University Employment Responsibilities on behalf of the State, the employee shall not receive any financial consideration, including Honoraria. In these instances, the employee may

request that the Honoraria be paid to the University. The Honoraria may be retained by the employee only for activities performed outside of normal working hours, as defined by the University, or while the employee is on earned paid or annual leave, and all expenses are the responsibility of the employee or a third party that is not a State entity.

Specifically, Covered Employees may not receive any financial consideration, including Honoraria, for engaging in activities that are related to general University Employment Responsibilities, but which are not Secondary Duties as defined in this Policy. For example, a University employee may be invited to speak at an event unrelated to the University, unrelated to research or field of study, and unrelated to that Covered Employee's Primary and Secondary Duties. In this case the Covered Employee may receive Honoraria, but may not request reimbursement or perform the activities on work time, without taking leave. Another example would be if a Covered Employee were asked to speak at a privately-sponsored symposium at the University, because of the Covered Employee's position on the faculty or the administration, but not in the course of performing Secondary Duties. Even if all speakers were to be given Honoraria at the symposium, the Covered Employee could not accept it because this activity would be considered related to that Covered Employee's University Employment Responsibilities.

4.3 Gifts and University Contracts

4.3.1 Gifts Regulated. Pursuant to N.C. Gen. Stat. § 133-32(a), University employees who are charged with the duty of: 1) preparing plans, specifications, or estimates for public contract; or 2) award or administer public contracts; or 3) inspect or supervise construction may not willfully receive or accept any gift or favor from a contractor, subcontractor, or supplier who currently has a contract with a governmental agency, or has performed under such a contract within the past year, or anticipates bidding on such a contract in the future; provided, however, unless the gift or favor is permitted under N.C. Gen. Stat. 133-32(d). Further, pursuant to N.C. Gen. Stat. § 14-234, no University employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the University. Violation of these laws is a criminal offense.

4.3.2 No influencing of contract maker/administrator. Pursuant to N.C. Gen. Stat. § 14-234(a)(2), no University employee who will derive a direct benefit from a contract with the University (i.e., if the employee or his or her spouse) (1) has more than a ten percent (10%) ownership or other interest in an entity that is a party to a contract with the University; (2) derives income or commission directly from such contract; or (3) acquires property under the contract, may attempt to influence any person who is involved in making or administering the contract (i.e., if he or she: 1) participates in the development of specifications or terms or in the preparation of the contract; or 2) oversees performance of the contract or has the authority to make decisions regarding the contract or to interpret the contract). This includes, but is not limited to, contracts for employment of an employee's spouse.

4.3.3 Although customary honoraria and reimbursement for actual costs generally are not considered to be gifts, if reimbursements or honoraria are significantly in excess of fair

market value or customary amounts (e.g., expensive resort sojourns, coverage of family member expenses, etc.), they are de facto gifts and must be disclosed as such. Receipt of Honoraria or reimbursement is conditioned upon such being in compliance with all applicable laws and University policies, including Standard Operating Procedures adopted by University Departments.

4.3.4 University employees may not accept any financial or other favors in exchange for privileged access by current or potential University vendors to University facilities or employees. Covered individuals must report any personal compensation a project sponsor pays to or for the benefit of a covered individual outside contracted project support to the University.

4.3.5 A University employee may not receive compensation from an external source for performance of University work except through a University contract or grant. Any situation that involves a grant or a contract and an EPAP requires careful COI/COC management.

4.3.6 For purposes of this Regulation, gifts and donations that have been made to the University or to a University-affiliated foundation for the benefit of the professional activities of a covered individual, are considered to be a financial interest of the intended beneficiary and must be disclosed.

4.4 Intellectual Property Transactions

4.4.1 Required Action:

4.4.1.1 All Covered Individuals who are University inventors are required to disclose their and their Immediate Family's personal or financial interests related to the invention in the course of the licensing process.

4.4.1.2 Covered Individuals who are inventors of technologies licensed or otherwise made available by the University to a third party must complete and submit an applicable Conflict of Interest Disclosure before execution of the license or other agreement by the Office of Technology Transfer. Any Covered Individual who is an inventor and who holds equity in, is an officer or director of, or provides consultative services to, an entity that has licensed or otherwise acquired rights to University invention(s) or copyright(s) will be deemed to have a Conflict of Interest under this Regulation.

4.4.1.3 External consulting relationships between a Covered Individual who is an inventor and the licensee of that invention are permitted only when reviewed and approved in accordance with this Regulation and the COI/COC SOPs.

4.5 Managing Conflicts of Interests

The Conflict of Interest Officer (COIO) administers the University's program to manage conflicts of interests and conflicts of commitment. The COIO will work with faculty, unit heads and other appropriate administrators, and the COIC to define appropriate management mechanisms for identified COI/COC or to determine that a COI/COC may not

be managed. Possible measures to be taken in managing COI/COC include, but are not limited to:

- Public disclosures of Financial Interests
- Reformulation of the work plan
- Close monitoring of the project by an independent review committee
- Substituting supervisors and/or other personnel
- Termination or reduction of involvement in the project where a COI/COC cannot be managed
- Termination of inappropriate student involvement in projects
- Severance of relationships that pose actual, potential, or the appearance of conflicts
- Separation of the Covered Individual from involvement in Human Subjects Research in the critical areas of recruitment, inclusion/exclusion evaluation, enrollment, and adverse event evaluation and reporting

Covered Individuals shall comply with management mechanisms established by the COIO, including the COIO's determination that conflicts cannot be managed for a particular activity/activities. If a Covered Individual disagrees with management mechanisms established by the COIO, or the COIO's determination that conflicts cannot be managed for a particular activity/activities, the Covered Individual may appeal to the Institutional Official. The decision of the Institutional Official is final.

4.6 Confidentiality

Conflict of Interest Disclosures, review information, and any related management plans containing information having direct bearing on a Covered Employee's employment are considered, generally, to be a part of that Covered Employee's Personnel File; provided, however, in certain circumstances, federal or state law may require or permit the University to disclose such information to third parties.

5. CONFLICT OF COMMITMENT AND EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY

5.1 Although full-time faculty and other non-faculty EPA employment is not amenable to precise, time-clock analysis and monitoring, administrators at the department and school levels regularly evaluate the work of employees within their units. The formal occasions for determining whether a Covered Employee/Individual is devoting sufficient time and energy to University employment include regular reviews of performance. In addition, complaints from students, colleagues, or administrators about possible failures to meet assigned responsibilities may arise and require investigation. The issue, in each case, is whether the employee is meeting the requirements of the job. If presented with evidence that a faculty member is not meeting full-time responsibilities to the University, the UNC Policy Manual Chapter 100.1 prescribes that "neglect of duty" is a ground for disciplinary action, including the possibility of discharge. The following describe instances of activities that require specific monitoring to demonstrate the absence of conflict of commitment.

5.2 External Professional Activities for Pay

The University of North Carolina and its constituent institutions seek to appoint and to retain, as employees, individuals of exceptional competence in their respective fields of professional endeavor. Because of their specialized knowledge and experience, these individuals have opportunities to apply their professional expertise to activities outside of their University employment, including secondary employment consisting of paid consultation with or other service to various public and private entities. These practical compensated applications of professional qualifications enhance capabilities in teaching, research, and administration. Thus, participation of covered individuals in external professional activities for pay, typically in the form of consulting, is an important characteristic of academic employment that often leads to significant societal benefits, including economic development through technology transfer. However, such external professional activities for pay are to be undertaken only if they do not:

5.2.1 Create a Conflict of Commitment by interfering with the obligation of the individual to carry out all primary University Employment Responsibilities in a timely and effective manner;

5.2.2 Create a Conflict of Interest because of the individual's status as a Covered Individual of the University;

5.2.3 Involve any inappropriate use or exploitation of University resources;

5.2.4 Make any use of the name of the University of North Carolina or ECU for any purpose other than professional identification;

5.2.5 Claim, explicitly or implicitly, any University responsibility for the conduct or outcome of the External Professional Activities for Pay.

5.3 Process

The UNC Policy Manual, 300.2.2.1 [R], contains provisions established to monitor possible Conflicts of Commitment. A faculty or non-faculty EPA employee who wishes to engage in External Professional Activity for Pay must adhere to this regulation to provide satisfactory assurances that such activity will not interfere with University Employment Responsibilities. This regulation may not apply to faculty and non-faculty EPA employees serving on academic year (9-month) contracts, if the External Professional Activity for Pay is wholly performed and completed outside of the contract service period and the activity does not conflict with the policies of ECU or The UNC Board of Governors and is not conducted concurrently with a contract service period for teaching, research, or other services to the Institution during a summer session.

5.4 Use of Annual Leave. Covered Employees who are faculty do not need to take annual leave for External Professional Activities for Pay so long as the faculty member complies with the notice and approval procedures of this Policy and that of the UNC Board of Governors (UNC Policy Manual 300.2.2.1[R]). In contrast, Senior Academic or Administrative Officers usually have to take annual leave for External Professional Activities for Pay.

5.5 Faculty may only engage in External Professional Activities for Pay when it does not interfere with the individual's University Employment Responsibilities with express approval from the appropriate Department Head, as stated in UNC Policy Manual, 300.2.2.1[R].

5.6 Political Activities. The Board of Governors has established rules for monitoring and regulating the involvement of University employees in political candidacy and office holding that could interfere with fulltime commitment to University duties. Please refer to *UNC Policy Manual,* 300.5.1 for specific policy details.

6. ENFORCEMENT OF REGULATIONS

6.1 Possible sanctions for violation of this Regulation and associated COI/COC SOPs can range from administrative intervention to termination of employment or of enrollment in accordance with applicable University policies, including the Faculty Manual (Part IX, Section I, VI). Violations may include, but are not limited to: (a) failure to timely disclose personal or financial interests as required, failure or refusal to respond to requests for additional information, providing incomplete, misleading, or inaccurate information; (b) failure to comply with a prescribed management or monitoring plan; or (c) engaging in an External Activity for Pay without receiving prior approval.

APPENDIX I. Inappropriate use or exploitation of University Resources

1. "Inappropriate use or exploitation of University Resources" means using any services, facilities, equipment, supplies or personnel which members of the general public may not freely use for other than the conduct of University or other Institutional Responsibilities. A person engaged in external professional activities for pay may not use University Resources in the course and conduct of externally compensated activities, except as allowed by the ECU Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay. Under no circumstances may any employee use the services of another employee during University employment time to advance the externally compensated employee's professional activities for pay.

2. Except where the use is in compliance with all of the following requirements, Covered Employees may not use University resources for the conduct of External Activities for Pay. Examples of such resources include, but are not limited to, offices, laboratories, classrooms, athletic facilities, materials, property, equipment, scientific instruments, software, databases, IT resources, or the services of another University employee. By using any University resource in the conduct of an EPAP, a Covered Employee is deemed to have agreed to the requirements specified in this Appendix I. The requirements for the use of University resources for the conduct of EPAPs include:

2.1 The use must comply with all laws, regulatory requirements, applicable University policies, and the terms and conditions of university contracts. For example, if a software license states that software may only be used by the University for its business use, said software may not be used by a Covered Employee in his or her conduct of an external professional activity for pay.

2.2 The Covered Employee is responsible for the use of the University resource(s) and shall indemnify and hold harmless the University for any damages, losses, costs, or other injuries sustained by the University, as a result of third party claims or otherwise, that result from or are related to such use. A Covered Employee shall always exercise reasonable care and use

University resources in a safe and professional manner. In its sole discretion, the University may require a Covered Employee to purchase insurance coverage in connection with her/his use of University resources for EPAP, naming the University as an insured party, if the University determines at any time that the institution has any material risk of liability because of the employee's activity. The amount and other requirements of such a policy shall meet or exceed any parameters the University deems appropriate for the situation.

2.3 The overall cost to the University must be negligible, i.e., the marginal cost of the use is nearly zero. There should be no financial consequence to the University for use of a University resource by a Covered Employee in the conduct of an EPAP.

2.4 The use must not interfere with a Covered Employee's ability to carry out University Employment Responsibilities in a timely and effective manner. Time spent engaged in the use of a University resource for the conduct of an External Professional Activity for Pay is not considered to be University work time.

2.5 The use must in no way interfere with the use of University resources for University purposes. The use of such resources in the support the University's teaching, research, service missions will at all times take priority.

2.6 The use neither expresses nor implies sponsorship or endorsement by the University of the Covered Employee's conduct of the EPAP. Mere identification of the University as the Covered Employee's employer is permitted, provided that such identification is not used in a manner that implies sponsorship or endorsement by the University. Any other use of the University's name, marks, or other indicia by the Covered Employee is prohibited.

2.7 Covered Employees do not have any expectation of privacy in the use of University Resources for the conduct of EPAPs. Employees are prohibited from storing confidential information associated with his/her EPAP on any University device or in any University facility, including but not limited to, computer hard drives, remote storage, or campus office space. The ECU Office of Internal Audit and Management Advisory Services, the State Auditor and others (including government regulatory agencies) may examine uses of University resources, including reviewing any and all information related to EPAP that may be found in or on any University facility or device, and the Covered Employee should not expect notification of such reviews.

2.8 The use of specialized equipment and/or facilities by a Covered Employee requires advance approval, in writing by:

2.8.1 Administrator with the appropriate authority to approve EPAP use of a facility or site;
2.8.2 The Covered Employee's Immediate Supervisor or Department Chair;
2.8.3 The Covered Employee's next highest University Administrator; and
2.8.4 Final Approval from the Chief Research Officer.

2.9 Documentation that the Covered Employee has received any specialized training necessary to appropriately conduct activities with said equipment, facilities, or site must be provided as part of a Covered Employee's request to use specialized equipment or facilities.

2.10 Employees must consult their supervisors and the COIO, in advance, regarding use of University resources for EPAPs to ensure that said use is appropriate under University policy and applicable law.

2.11 The University may require a Covered Employee, or his or her affiliated legal entity, to enter into a Facility Use Agreement with the University that specifies the terms and conditions under which the Covered Employee may use University facilities, which may include payment of use fees and other charges. For example, such an agreement would be required where an Athletic Coach or a faculty member may wish to operate a for-profit summer camp on University property.

2.12 Confidential information in the possession of the University, including that to which the Covered Employee may otherwise have access to in the performance of University Employment Responsibilities, may never be used by a Covered Employee for the conduct of an EPAP. Such information includes, but is not limited to, education records, protected health information, personally identifiable information (such as social security numbers and credit card information), personnel file materials, university research records and information relating to University owned intellectual property, generally, and any other information that is made confidential by law.

2.13 Under no circumstances may any employee use the services of another employee during University employment time to advance the externally compensated employee's professional activities for pay.

2.14 Covered Employees acknowledge that violation of these requirements is grounds for disciplinary action, up to and including, termination of University employment.

Resolution #15-13
Revisions to the *University Undergraduate Catalog* referencing Re**admission Under Forgiveness Policy**

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

"Readmission Under Forgiveness Policy
Former East Carolina University students who have not been enrolled at ECU for a minimum of ~~three~~ **two** consecutive academic years (~~six semesters~~ **four semesters**, summer sessions excluded) may request readmission under the Forgiveness Policy. Such requests must be submitted on the application for readmission according to application deadline dates as specified above. Students who have been enrolled at another regionally accredited college or university since their last enrollment at East Carolina University must submit to the Office of Admissions official transcripts indicating that a minimum cumulative 2.5 average has been earned in all transferable courses attempted.
Subsequent East Carolina University-based GPAs of students readmitted under this policy will be computed without inclusion of previous course work in which a failing grade (F) was received.
Students returning under the forgiveness policy will return under one of the following classifications:

1. **Students whose cumulative GPAs are 2.0 or above once the failing grades are removed will be placed on Good Standing during the first semester of attendance.**
2. **Students whose cumulative GPAs are less than 2.0 once the failing grades are removed will be placed on Probation during the first semester of attendance.**

Students will be held accountable for the Academic Standing and Academic Progress requirements as identified in the Academic Rules and Regulations section.
~~Student should be aware, however, that all ECU grades, including those earned prior to readmission under the forgiveness policy, will be included in calculations for consideration for degrees with distinction.~~
~~A student may take advantage of the readmission under the Forgiveness Policy only one time. Those readmitted under this policy are on academic probation for the first 19 semester hours of attempted course work. At the end of the term in which the nineteenth semester hour is attempted, a minimum cumulative 2.0 average must have been earned at East Carolina University on all course work attempted since readmission under forgiveness. Failure to meet this stipulation will result in the student being ineligible, except for summer school, until such time as the 2.0 average is obtained.~~
A student may be readmitted under the Forgiveness Policy only one time.

For degrees with distinction, all ECU grades, including those earned prior to readmission under the forgiveness policy, will be included in calculations.

Students should be aware that the Readmission under Forgiveness Policy is an ECU policy that is not recognized in the US Department of Education's calculation of financial aid eligibility. Students who plan to apply to or receive financial aid should contact the financial aid office. Cashier accounts must be cleared of any outstanding balance, if any, prior to registration for the term of readmission.

Students should also be aware that a substantial tuition surcharge may be applied in accordance with the rules established by the Board of Governors or other appropriate legislative body."

Resolution #15-14
Response to the UNC Fostering Undergraduate Student Success (FUSS) Policies

In response to the UNC Fostering Undergraduate Student Success (FUSS) policies, the Admission and Retention Policies Committee was charged with the task of addressing East Carolina University's compliance. The specific charged was to review items 1-5 below and suggest how the compliance will be monitored, and bring them forward to the Senate for approval.

1. Determine whether it is reasonable or desirable to implement a campus-wide practice of monitoring course offerings to ensure students' ability to graduate within four years, or whether current, department and college-level efforts are sufficient.

Response: Course offerings are sufficiently monitored at the college and unit levels to ensure students' ability to graduate within four years.

2. Determine what "appropriate student progress" is vis-à-vis the general education curriculum and where ECU's Foundations Curriculum requirements allow students to make such progress (Part III,

Section C(1)).

Response: Appropriate student progress is the successful completion of a significant number of courses at the appropriate numerical level in accordance with a given student's years enrolled at ECU.

3. Determine what constitutes potentially "excessive" and "unnecessary" extra-foundations requirements and whether ECU program currently have any such excessive or unnecessary requirements.

Response: Excessive Foundations requirements are those that are so restrictive that if a student were to change programs/majors he/she would require additional semesters to meet the FC of another program/major. The programs that ECU has in this category are high-demand and successful programs.

4. Determine what constitutes '"excessive" admission requirements to majors and whether ECU has programs that impose such excessive requirements.

Response: Excessive admission requirements are admission requirements so high/extensive that those not admitted to the program require additional time (semesters) in another program to attain graduation. The programs that ECU has in this category are high-demand and successful programs.

5. Determine how compliance with these regulations will be maintained into the future, including the triennial review called for in Part III, Section C.

Response: The role of overseeing compliance with FUSS policies must be written into the charge of a Faculty Senate Committee. This is the responsibility of ECU's Committee on Committees.

Resolution #15-15
Resolution on Weeknight Football Games

Whereas, the education of our students is always the first priority; and

Whereas, the disruption of the schedule required to host a weeknight football game, with class rescheduling, parking issues, and higher rates of absenteeism is antithetical to that priority; and

Whereas, the East Carolina Pirates are a big enough draw that during the first year in a new conference ESPN scheduled the Pirates for two home games on Thursday night, a particularly disruptive decision as it doubled the impact on classes meeting Thursday.

Therefore Be It Resolved That, the ECU Faculty Senate urges that Athletic Director Jeff Compher and Chancellor Steve Ballard strongly advocate to the American Athletic Conference that it adopts a policy that no institution in the conference have more than one weeknight home football game per year; and

Be It Further Resolved That, the ECU Faculty Senate also endorses the Department of English Resolution (below) on the conflict between parking changes required for Thursday night football games and instructional needs.

_____

Department of English Resolution on Weeknight Football Games
(Approved by the Department of English, November 19, 2014)

Whereas, the primary purpose of a university is instruction.
Whereas, students and state citizens pay fees for said instruction.

Whereas, the policy of towing vehicles in parking lots effectively mandates a cancellation of classes by depriving students of their vehicles if they do not leave class to retrieve them.

Whereas, the completion of online assignments is not a suitable replacement for face to face classes, as indicated by the university's own policy forbidding extensive use of online instruction in courses designated face-to-face.

Whereas, the primary conflict between class time and football is due to issues related to parking.

Therefore Be It Resolved That, the English Department of East Carolina University objects to the recommended class cancellations, and the disruption of parking facilities on the ECU campus in advance of Thursday night football games as a violation of the central function of the university.

Be It Further Resolved That, the English department urges the Provost and the Chancellor to work towards a solution that would eliminate the current conflict between the academic function of the university and the occurrence of Thursday night football games.

Resolution #15-16
Resolution on Renaming Aycock Hall

Whereas, Governor Charles B. Aycock's record of strong support and accomplishments in building public schools and increasing funding for education earned him the nickname "the Education Governor;" and

Whereas, the East Carolina University Board of Trustees and Chancellor Leo Jenkins honored those accomplishments by naming a newly constructed resident hall in Governor Aycock's honor in 1961; and

Whereas, there is now an increased understanding of Governor Aycock's belief in white supremacy and his actions to disenfranchise African-American voters; and

Whereas, East Carolina University's 2014-2019 strategic plan *Beyond Tomorrow* states that we will "Keep our commitment to diversity and inclusiveness. ECU welcomes all people to be part of our living, working, and learning community. We grow in strength as we diversify our students, staff, and faculty."; and

Whereas, Persons of Color comprise 22% of ECU's student body and 24% of the Faculty;

Therefore Be It Resolved That, the East Carolina University Faculty strongly endorse the recommendation of the Chancellor and his *ad hoc* Naming Committee to rename the Hall and as stated in the report that "continued use of that name dishonors the University's standards and is contrary to the best interest of the University in that it prevents the University from fostering a 'diverse community where intellectual freedom, scholarly discipline, and the rigorous pursuit of knowledge thrive" for students, staff, and faculty, and does not reflect our intolerance of such racist actions.';" and

Be It Further Resolved That, consistent with ECU's academic mission, the complete legacy of Charles Brantley Aycock be reflected in appropriate educational materials, presentations, lectures and displays and that any new name for the Hall reflect the diversity of the university.

Resolution #15-17
Resolution on Tuition

Whereas, the mission of East Carolina University is
"To serve as a national model for public service and regional transformation by:

- Preparing our students to compete and succeed in the global economy and multicultural society,
- Distinguishing ourselves by the ability to train and prepare leaders,
- Creating a strong, sustainable future for eastern North Carolina through education, research, innovation, investment, and outreach,
- Saving lives, curing diseases, and positively transforming health and health care, and
- Providing cultural enrichment and powerful inspiration as we work to sustain and improve quality of life,

We accomplish our mission through education, research, creative activities, and service while being good stewards of the resources entrusted to us;" and

Whereas, a strong faculty is required to fulfill this mission; and

Whereas, a broad, diverse, and talented student body is also key to transforming eastern North Carolina; and

Whereas, years of declining state funding have placed increasing pressure on the institution to find funds to recruit and retain faculty; and

Whereas, while the faculty regard raising tuition as a last resort, the rate of loss of outstanding faculty to other institutions has reached crisis proportions.

Therefore Be It Resolved That, the faculty of East Carolina University support the tuition increase needed to generate the salary increases needed to maintain competitive salaries with our peer institutions; and

Be It Further Resolved That, the faculty support the use of a portion of that tuition increase to maintain access for students with demonstrated financial need.