

**East Carolina University
FACULTY SENATE
FULL MINUTES OF NOVEMBER 1, 2016**

The third regular meeting of the 2016-2017 Faculty Senate was held on Tuesday, November 1, 2016, in the Mendenhall Student Center.

Agenda Item I. Call to Order

John Stiller, Chair of the Faculty called the meeting to order at 2:10 p.m.

Agenda Item II. Approval of Minutes

Action on the minutes of [September 6, 2016](#) and [October 4, 2016](#) were postponed until December.

Agenda Item III. Special Order of the Day

A. Roll Call

Senators absent were: Professors Dellana (Business), Allen (Chemistry), Cotterill (Dental Medicine), Robinson (Mathematics), Mwachofi and Chen (Medicine), VC Horns (Health Sciences) and Chancellor Staton.

Alternates present were: Professors Durant for Hoover (Academic Library Services), Chalcraft for Goodwillie (Biology), Jones for Sorensen (Criminal Justice), McCabe for Hood (Dental Medicine), Pagliari for Frank (Engineering and Technology), Williams for Cooper (Health and Human Performance) and Baltaro for Sigounas (Medicine).

B. Announcements

We still have openings on several committees listed below. Please let faculty in your academic unit know of these service opportunities and ask anyone interested to please contact John Stiller at stillerj@ecu.edu.

<u>Academic Committees</u> (Regular voting faculty member)
General Education and Instructional Effectiveness (2019 term)
Service Learning (2017 term)
<u>Academic Committees</u> (Ex-officio voting faculty member representing Faculty Senate)
Academic Awards (2017 term)
Distance Education and Learning Technology (2017 term)
General Education and Instructional Effectiveness (2017 term)
Student Scholarships, Fellowships and Financial Aid (2017 term)
Writing Across the Curriculum (2017 term)
<u>Administrative Committees</u> (Regular voting faculty member)
Academic Integrity (2017 term)
<u>Student Activities Board Committee</u> (Regular voting faculty member)
Entertainment (2019 term)

Chancellor Staton was out of town attending the American Athletics Presidents meeting in Dallas Texas.

Resolutions from the September 6, 2016 Faculty Senate meeting have been approved, including:

- #16-47 Curriculum and academic matters contained in the meeting minutes of [April 21, 2016](#), including curriculum action within the College of Engineering and Technology.
- #16-48 Curriculum and academic matters contained in the meeting minutes of [April 12, 2016](#), including approval of service learning (SL) designation (with an asterisk) for KINE 4500 within the College Health and Human Performance.

The Chancellor has not yet acted on the resolutions from the October 4, 2016 Faculty Senate meeting.

The Chancellor's Committee on the Status of Women (CCSW) is pleased to present its annual Promotion and Tenure Workshops for faculty on Thursday, November 17, 2016 at 1:00 p.m. in Mendenhall Great Rooms 2 & 3. Refreshments will be provided. Faculty who are tenure-track or working towards promotion to full professor will want to attend for helpful information about the promotion and tenure processes. For questions please contact Brenda Wells at wellsbr@ecu.edu.

After review of the relevant sections of the *ECU Faculty Manual*, Academic Council and Chair of the Faculty agree that the allowance for an extension of a provisional code under one reasonable extenuating circumstance (i.e., fewer than three tenured faculty members in the unit) implies that provisional codes may be extended under other reasonable circumstances. This includes the current situation resulting from recent major reorganizations. Therefore, until [Part IV, Section I](#) of the Manual can be revised to remove the current ambiguity through normal Faculty Senate procedures, a Unit may request a specific time extension of its Provisional Code from the appropriate Vice-Chancellor (Academic Affairs or Health Sciences). The request should be made through the Chair of the Faculty to insure that relevant Faculty Senate Committees are informed.

The submission deadline for 2017/18 Teaching Grant proposals is 12:00 noon on Monday, November 7, 2016. Proposal guidelines are available at <http://www.ecu.edu/cs-acad/fsonline/tg/teachinggrants.cfm>. The purpose of these grants is to provide funding to improve teaching instruction at the University. Full time tenured, tenure-track, and fixed term faculty members are eligible to apply for these grants with preference given to projects that are creative and innovative or meet demonstrated needs. The total funding set aside for these grants is \$80,000 in salary dollars and \$9,000 in operating dollars. All monetary expenditures are tied to the current fiscal year and all monies must be spent by June 30, 2017. Questions may be directed to Professor Toyin Babatunde, Chair of the Teaching Grants Committee at babatundeo@ecu.edu.

The Student Scholarships, Fellowships, and Financial Aid Committee will host their annual ECU Scholarship Awarding Workshop on Monday, December 5, 2016, from 2:00 – 3:00 pm in the Heart Institute auditorium. This workshop is for all faculty and staff interested in the annual awarding of student scholarships. Questions may be directed to Professor Elaine Yontz, Chair of the Committee at yontzm@ecu.edu.

The Committee on Committees is seeking nominees for two delegate and two alternate seats on the upcoming 2017-2018 UNC Faculty Assembly. Nominees should be full-time faculty, holding no administrative duties outside his/her department. In addition to attending the six yearly meetings of the UNC Faculty Assembly, the delegates are expected to attend the eight monthly meetings of the Faculty Senate and Agenda Committee. The Charter of the Faculty Assembly of the University of North Carolina and objectives and functions of the Faculty Assembly are available at: <http://www.northcarolina.edu/facultyassembly/index.htm>. Before submitting a nomination, please ask

nominee if he or she is willing to serve and agrees to the conditions stated above. Then forward the names of any nominees to the Faculty Senate office via email faculty senate@ecu.edu or campus mail (140 Rawl Annex, 109 mail stop) by December 1, 2016. The Committee on Committees will present formal nominations to the Faculty Senate in January 2017.

C. Discussion on campus approaches to free speech, peaceful protests, encouraging civil dialog, and the safety of our ECU community.

Chair Stiller introduced the discussion explaining that the Agenda Committee felt that it would helpful for the community to be able to have an open discussion and opportunity to ask questions regarding campus events related to free speech, peaceful protests, civil dialogue and safety of our students and the rest of the ECU community. Chair Stiller explained that a number of guests had been invited to participate in this discussion, including Vice Chancellor Virginia Hardy who will open the discussion by sharing information about the plan for Student Affairs in terms of going forward with constructive dialogue with our students, Provost Ron Mitchelson, Bill Koch, Mary Schulken, Chris Sutton who is the Chief of Police, Donna Gooden Payne from the University Attorney's office and Mike Hanley as the representative from the Athletics Division. This is intended to be an open discussion focused on moving the dialogue forward.

Virginia Hardy, Vice Chancellor for Student Affairs provided an overview of what has been done and what is currently planned to encourage civil discourse. VC Hardy shared many examples of ways that students are invited to engage in discourse with administration and plans for strategies to engage the campus community more broadly in discourse around topics of social justice and community engagement. In VC Hardy's remarks, she explained that civil discourse has been a theme and is currently a theme within the Division of Student Affairs with a focus on understanding how we can agree to disagree in a respectful manner. After the University of Missouri student demonstrations moved into prominence, student activism peaked a bit in the sense that more folks across campuses were coming together to protest and work to have their voices heard. Many of those individuals across various campuses were going in meeting with their administration with a list of specific demands. Some of these demands were very realistic and some not so much. Here in North Carolina UNC Chapel Hill and UNC Greensboro had some of those types of demand-driven protests. ECU did not have those types of demand-driven protests last year. VC Hardy explained that ECU students are given many opportunities to speak with administration including through regular meetings of The Chancellor's Round Table. The Chancellor's Round Table is made up of 25-30 student leaders who meet once a month with the Chancellor, VC Hardy and content experts based on an agenda created by the students for lunch and discourse. VC Hardy and her team also has a monthly cookies and chat with students who are selected by the Deans and invited to come in for an open conversation session. Student Affairs has a number of these sorts of experiences that allow students to share their voice. VC Hardy stressed the importance of including student voices in critical conversations on campus and she addressed the question of "Are we encouraging students to demonstrate?" She explained that Student Affairs does not directly encourage students to demonstrate, rather they strive to help students understand that their collective voice has power and that students can use their voices collectively and strategically and Student Affairs tries to provide clear opportunities for student voices to be included in these conversations. Recently, UNCG has had students to take over their administrative building and UNCC had the same last week with their administrative building and ECU hasn't had that. One of the reasons that this approach has not been one used by students at ECU is because the students are provided with many different ways to have communication with the administration. Following this introduction of themes and intentions, VC Hardy shifted into a focus on planned and ongoing initiatives led by Student Affairs to promote discourse on campus.

VC Hardy opened this segment of her remarks by highlighting the Cuppola Conversations, which are held six times a year, three per semester. The last one was held as a FaceBook Live session and was focused on “How do you engage in civil dialogue?”. Next week there is one scheduled titled: “Election 2016: Life After.” There will be three of these again next semester, one will be a FB Live and the other two will be town hall types of meetings.

The NC Civility Summit is another important initiative being led by Student Affairs. Next Spring, we have the second NC Civility Summit. Last year, for the first summit, the keynote speaker was somewhat controversial. Her topic was not controversial, as it focused on “How do you get the community engaged? How do you as students get involved in the community?” Rather, she was viewed as controversial because of her role in founding the Black Lives Matter movement. The next summit will be held in February with the student-chosen keynote speaker, Ndaba Mandela, grandson of Nelson Mandela, sharing a talk focused on Global Entrepreneurship and leveraging student activism to support development of entrepreneurship skills.

Currently, Student Affairs has been talking with the ECU Marching Band regarding how do we continue the conversation that was initiated by their recent demonstration. Potential ideas include a “Play for Peace” event, which would allow the Band to showcase their talents and focus the conversation in on peace. Another potential strategy that is being discussed is a time in the Spring called the Social Action Week (SAW) focused on bringing together different student organizations and groups that would likely never have shared conversations for a weeklong conversation dealing with social activism and engaging students in conversations around hard topics. One of the things that will be done during that week will be a focus on “How do you have a demonstration and do it well?” (Planning, organizing, marketing, security, media). What is your message and what are your desired outcomes? The focus of this will be to help students plan demonstrations that allow them to communicate their message, not to prevent them from demonstrating or protesting. This social action week will take place February or early March after the NC Civility Summit.

Another focus for Student Affairs is engaging students in conversations about art and what it means and how it can be interpreted. Last Spring there was an art exhibit that had the potential to be offensive to others and Chancellor Ballard and Virginia Hardy selected a group of students to go through the exhibit and then engage in rich conversation about how the works could be interpreted by others or responses that might be elicited and how art may be used to address social injustices.

Professor Gueye (English) Thank you for that list. I wanted to know if this plan for playing for peace is more like a redemptive act where the band has to apologize to the public for kneeling down. Does this mean that the kneeling down was considered as not peaceful? Secondly, have we thought about engaging in discussions about race or police brutality as a form of teaching?

VC Hardy replied that the playing for peace is not at all about being redemptive or a type of apology. It is just to allow the band to continue the conversation that they started on October 1. The idea is that in between the pieces of music there would be conversations about some of those injustices. This is not about being an apology at all. This is an idea from the students. We are not making them do that. In terms of your second question, yes, very much so, thinking about how we engage from a race perspective. The NC Civility Summit will talk about the big picture. One thing that was very difficult from the October 1 band kneeling was the idea that the students were being unpatriotic or against the military and/or the police. The students were adamant that it was not about that at all. It was not about being anti-country or anti-military at all. The SGA and Black Student Union are doing a Cookies and Cops at different times during the year

to express appreciation for the police and the work that they do. We want to have the hard conversations around race. It is necessary.

Professor Christensen (Biology) I would like to thank you as I have heard first hand and second hand about the impact your programs have had on our students and I have heard from them how you have personally comforted a number of our students experiencing challenges about free speech issues on campus. I recognize that it is very likely that some missteps and mistakes were made in the recent process and I would like you to comment on what we have learned from those missteps and what we have learned and how we intend to do things differently in the future.

VC Hardy responded by saying, We have done some debriefing in regard to some of the missteps and have talked with students about some of their planning process and about some of what the administration did as well. We have learned from this is that we have to have really strong communication and maybe even over-communicate and put all of the cards on the table and all of the pros and cons and about all of the plusses and minuses on all fronts, put all of the cards on the table, we must bring all of the stakeholders to the table both beforehand and afterwards. This is an important thing we have learned. We are here to help our students. We are an institution of higher learning and we are here to help them learn. It is important that we support them and help them learn from all that they do, good, bad and indifferent. That is going to be our main focus.

Professor Treadwell (Medicine) I never heard you mention why the students did the demonstration at first – was it one person, sometimes one person might act out and it is like a roller coaster and other just join or was it a collective? VC Hardy explained that it was a collective body that did kneel. That group discussed it and they are the ones that committed to doing it. Part of their misstep was not communicating within the entire band. Their reason for doing it was to highlight the social injustices of Black men being killed by police officers.

Professor Tucker (History) at our last History department meeting, we discussed this and a number of people wanted to know who knew what, when and how? Faculty have been hearing many rumors and now we have 450 pages of emails from the News & Observer. You know I love you Virginia, but they mentioned that you were one of the communicants of this knowledge in advance and that Mary Schulken also knew the day before as well. Because the response from other faculty engaged in doublespeak in then later saying that this kind of thing would not be tolerated. VC Hardy responded that most of the ones who knew in advance learned about the demonstration on Thursday night prior to the football game and those individuals were at a social event when they learned of it. On Friday, VC Hardy asked Eric Kneubeuhl, Associate Vice Chancellor for Student Involvement and Leadership to get with the Band Director and see if there is a possibility to have a conversation with the band. Associate VC Kneubeuhl was able to meet with the students at 6 pm on Friday, and prior to that time the decision to demonstrate had been made and this conversation focused on how the entire band did not know it, to encourage them to consider if this was the right time to do it in order to be able to inform the full band and then to ascertain how they are going to do it. At that time there were many different ideas the students were considering regarding how to do it. Associate VC Kneubeuhl, Dean Buddo, Professor Staub then left the room and gave the band time to discuss together without having the administration there. Then at Saturday afternoon at the game, the band did what they did.

Professor Ticknor (Education) – If this was known, this possibility that students were going to demonstrate, what security measures were in place to ensure safety and security? VC Hardy explained that hindsight is

20/20 and at other campuses, they didn't have any issues and I'm not sure that even if we had known far in advance that we would have anticipated any event.

Bill Koch, Associate Vice Chancellor for Environmental Health and Safety responded that Yes, we knew about it Friday, we didn't know what was going to happen, what extent, we knew there would be some kind of protest and we expected that there would be some kind of reaction from the crowd and so on Friday night, we developed a safety plan to protect the band as they played on the field, as they came off the field, as they walked under the stands and as they walked up into the stands. During all of that time Mr. Koch, several other administrators and police were all in place throughout the stadium to observe and try to address any safety issues. As a follow-up, Professor Ticknor stated "But there were acts of violence against some of the band members." Associate VC Koch responded, "None that we observed and none that we heard about. There was an incident after the game where someone threw a can, but it didn't hit anyone and that person was detained and a citation was written."

Professor Justiniano (Physics) stated that it still disturbs me that the administration would react in such a tone deaf way as to refer to the incidents as not tolerable and will not tolerate. I would like to ask you, "Did you learn from this incident the lesson of being more tolerant." VC Hardy questioned, the word Tolerant or Accepting. Professor Justiniano responded, I think the word used was that the demonstration would not be tolerated. VC Hardy responded that she thinks we have learned to be more accepting of who we are and the differences we have on this campus. We want to be more accepting of and sensitive to the different voices we have on this campus.

Provost Mitchelson shared that this has been actually the most difficult episode he has ever dealt with in his entire 30 years of education. He stated, "I was in the room when this statement was written. I was helping to compose the statement. Part of me believes that the committee approach to writing the statement was a bad approach. Part of me believes we got into a bit of time crunch and got a bit too hurried. I'm describing a Communication issue. Part of me believes that we didn't contextualize the statement properly. The people in that room were thinking about the safety. The difference between before that Saturday and the after that Saturday is primarily fan reaction that was loud and clear and difficult to cope with. And so our major concern was the safety of these students. Please also understand that we met with the students, we met with the Band on Monday at practice and they were provided extra safety there at their practice. We met with the Band on Wednesday and talked about their power and consequences of their power and all of that. You know, I think before Saturday, we were likely not to constrain the behaviors, the freedoms, but after the Saturday, we were much more likely to overstate the case to make sure those students were safe. I must also tell you, as well, that at the next Saturday's game, not knowing what would happen from the students or the fans, there was a tremendous amount of precaution that was taken, including a statement that was read to the fan base. I'm not going to read the whole statement, but I'll read the ending of that statement, "Today we remind everyone that ECU does not tolerate words or deeds of intimidation or violence. This is a time to unite as one Pirate nation, to be ECU Strong, to be ECU Proud, and to be ECU United." We wanted a clear statement to the fan base that regardless of what the students might do, the MOST intolerable is the tendency to intimidate or resort to violence against peaceful demonstration. I think that my hindsight suggests that we got into a communication series that is not the way we would design it today. Thank you."

Professor Gustafson (Music) I would just like to make the point that one of my sophomore students was indeed assaulted and grabbed from behind and a policeman intervened and stopped it. So somewhere in the police blotter there should be a record of that incident.

Professor Francia (Political Science) The Chancellor issued a statement right afterwards that seemed very supportive of the Band's right to protest and afterwards that position changed. If I understood Provost Mitchelson correctly, that position changed because of the reactions of the fans at the game. That disturbs me, are we saying that if an angry mob gets loud enough and angry enough, the administration will 180 on a decision as important as wanting to protest?

Provost Mitchelson the series that you just suggested, the initial statement came out at halftime. In hindsight, I think a different kind of composition could have been constructed that took into account the freedoms and the reactions that were witnessed. This would probably have influenced Communication. I don't think I would paint this as a lack of courage or willingness to stand up to violence or intimidation. I have certainly seen our new Chancellor do that behind closed doors with people who don't agree with most of you. I think there is plenty of courage on the side and you'll have to forgive the transgressions if there were any.

Professor Kain (English) I think a number of us were confused about who knew what and when and the pulling back of the supportive statement that came out initially and that we have heard a lot of rumors that donors were indicating that they were pulling back funding and I would hate for us to be responding just to that. So when the big group of alums came out with the full page ad in the East Carolinian it made me very happy to see that. I think we have to be very sensitive to that not everyone is going to respond badly to our students having a voice and taking a knee. I was encouraged to see that.

Professor Ferreira (Geography) I wonder if any of the Band students were told that they would be kicked out of the band if they protested again. VC Hardy asserted clearly that no band member was told that they would be kicked out of the band if they protested again. When asked why they did not protest again, VC Hardy explained that it was their choice.

Provost Mitchelson also added that the students reaffirmed their willingness to perform. They went through a process with each other as a group. They are a remarkably cohesive group, despite as much variation within the group regarding their views of the flag, the anthem, nationalism as would be present in this group, but very cohesive in their desire to perform. When we asked them questions like, How many of you had experienced bad behaviors from fans and from others, about 1/3 said yes. When we asked how many were afraid, about 2/3 said yes. And when we asked them how many of you want to perform, 100% said yes. They went through as a unified cohesive group and said yes we are performing and it resulted in what my dear wife described to me as their best performance ever. They played their hearts out. I'm very proud of the Band Director Bill Staad for seeing this through. This has been hard and that is not to distract from the issue. There has been sleep lost, nausea and all that goes with this.

Professor Mazow (Anthropology) I would still like some clarification of the timeline. We received the same email on Monday where he was supportive of the students and it was the second notification on Thursday when it seemed he threw the students under the bus. Provost Mitchelson shared that the first email, Saturday, was a press release at half-time and then the message sent on Monday was exactly the same statement.

Professor Bailey (Philosophy and Religious Studies) stated that his concern was what happens next. I would like to pick up on Ron's use of the term fan base. What I have learned from this episode is how many of our fan base just "don't get it." I'm using this term because this is the phrase "Just Don't Get It" is the phrase that is used time and time again in the Daily Reflector. The question to me is what role will we play both on campus and off campus to help these well-meaning people who just don't get it, some of

whom are very successful businessmen, finally get it. On November the 14th at 4 in the afternoon, we are going to have a panel discussion of the Pirate Read, the Pirate Read is a book about racial injustice in America and on corrupt criminal justice system. I recommend as many of you who can be there participate. On the evening of the 14th, we are having another panel discussion in which more faculty, administrators and students will discuss other dimensions of racial injustice. I don't know anything else as faculty that we can do except use our skills in educating people to help these people who just don't get it to finally get it.

Professor Morin (Communication) I understand the confusion that the first statement and following statement created and I understand Provost Mitchelson's explanation about being a time crunch and the concerns about students' safety, but I would like to know where the administration is on this issue now, what is the official stand of the administration on this issue now, today, a month later.

VC Hardy responded that the Chancellor sent out a letter on Thursday of that week and that statement has been shared and that statement is pretty much where we are in regards to we are an institution of higher learning hence we are going to provide a venue and an opportunity for our students to exercise their freedom of speech and have their voices heard. At the same time we are going to work to ensure a safe environment for our students to do that.

Professor Gilliland (Medicine) as a faculty officer I received at least three emails from the fan base asking us as faculty to do something about these students and I thought, "He doesn't get it." And I realized that is a major issue, having a lovely in-the-castle discussion about an important topic is important but is it enough? How are we going to help them get it, George that is exactly what our question needs to be. When I was in Dallas, I attended the community relations group that sprang up after a number of police shootings. I am the Medical Examiner and I am the one who picks the lead out of both sides. So I know how those things turn out and I don't favor that. It is terrible when you are picking the lead out of someone you know and I think that it is terrible when you don't yet know someone that you are picking the lead out of. That's something that needs to be addressed and we may not get it right the first twelve times we address it, but we've got to keep talking about it. The well-meaning folks thought it would be helpful if they sent people into bars to tell folks, don't confront the officers. That is as far afield as the "don't get it" crowd can get. It was well-intended, it wasn't a good plan. Let's do something else and make other suggestions about what to do. How about we train the police officers not to immediately shoot somebody dead. Well, we are working on that.

Professor Winterbauer (Medicine) In addition to the other concerns that have been raised, I am concerned about the impact of this event on the non-ECU community in Greenville, specifically young African Americans and I'm wondering if the administration has any plans to engage community support? VC Hardy responded that the Chancellor is going to be meeting with community leaders in the next few weeks to talk with them about these sorts of plans, to help to discern community perceptions and needs. That meeting is being scheduled as we speak.

Professor Holloway (Faculty Assembly/Business) we say that this took place in a class environment but it happened in the stadium. Does the university have a policy if students decided to protest while they are at the state capital or while their class was somewhere else? Provost Mitchelson explained that certainly part of the policy requirement is what students agree to do before the class starts so if it is an internship or co-op, certainly we have had students removed from those kind of settings for a variety of reasons. And in the case of the band there is a syllabus, there is a course, there is a grade and they have re-committed themselves to perform and they have been instructed that if they are going to have difficulty in doing that coursework they should see the instructor of record. I'm not sure if we have singled out if there is a policy

that focuses clearly on that particular behavior. But if we are talking about courses, there are expectations when they sign up for the course, there is a syllabus and they will be expected to execute it.

Professor Maher (Philosophy and Religious Studies) this body has approved a Classroom Disruption Policy that relates to student disruption of classroom setting. This does not apply to the Band and this issue but when people ask about the classroom setting, there are rules that guide that.

Professor Gueye (English) Provost Mitchelson when you said that part of you thought that this was a wrong approach. Did I hear that clearly? Provost Mitchelson responded that certainly this was an unfortunate communication series. Professor Gueye responded that she did not agree with the Provost that the students recommitted themselves to playing just because they wanted to because I think that the letter that said this was not going to be tolerated has had an effect on their freedom of speech and has served as a threat of what would happen if they did it again. Provost Mitchelson explained that yes, that was discussed and those who would have difficulty performing the National Anthem would see the instructor of record for that particular purpose. I do believe, that if we had been able to anticipate the fan reaction, then I believe the initial communication would have been modified and would have been two-dimensional in some fashion. That we respect the right and that we are concerned for the safety. Because that is what happened.

Professor Francia (Political Science) I wanted to follow up on that, again it seems, unless I'm hearing it wrong, over and over, the statement is that if we could have anticipated the reaction ahead of time. That is what led to the change in statements. So my question is that if that if the crowd had reacted in a tolerant fashion, you are saying then that there wouldn't have been a change in the statement from the administration. So in other words, again I want to make sure that I'm getting this right, it is the crowd reaction that led to a change in position of the administration. Again, I'll say that a second time that concerns me because that is the principle that we are laying forth now we are saying that if the people in Greenville at a Football game don't like the statements made by our students we are going to turn around and let the mob rule. So again educate me on what I am not getting. Provost Mitchelson responded, I don't know, Professor, I think it is a bit of an exaggeration and right now I think that the less exaggeration we have now the better off we are going to be moving forward. I firmly believe that what changed for me was the safety of the students so if that means mob rule, then so be it. I'm not equating those two.

Following the lengthy discussion, Professor Stiller, Chair of the Faculty thanked all of the guests who agreed to attend the meeting and were prepared to address any concerns the faculty had on this issue.

D. Mike Felts, UNC Faculty Assembly Delegate

Professor Mike Felts (Health and Human Performance) provided a report on [October 21, 2016](#) UNC Faculty Assembly Meeting and stated the first order of business was a report by Vice President Junius Gonzalez who spoke about the general issues facing higher education. He talked a lot about assessment and a number of kinds of analyses that they were looking at, including metrics specific to student learning outcomes, measures of engagement and the Gallup Perdue Index and he talked about the first year seminar which tends to be an ongoing issue on this campus as well as others and meta analyses of these seminars. He also used a new term that the system is using called part-way home students, these are students who have 90 or more hours but who have stalled and you are looking at how to move those people on. That is a phrase that I believe you are likely to hear going forward. The bulk of the assembly's time was spent on the strategic plan. The assembly worked the remainder of the day in small groups focused on the five areas of the strategic plan. The Chancellor has distributed an email about the strategic plan. They will try to make those notes available to you prior to the November 17th workshop on campus

focused on the University System Strategic Plan. The time on this strategic plan was actually quite truncated. They intend to have the plan in place to try to use it to leverage it to secure resources from the General Assembly. This is the reason for the truncated planning process.

No questions were posed to Professor Felts at this time.

E. Mike Van Scott, Interim Vice Chancellor for Research, Economic Development and Engagement and Hiromi Sanders, Assistant Director of Compliance within the Office of Research Integrity and Compliance Interim VC Van Scott began with a brief introduction, explaining that some people call the last two decades the age of regulation. There are others who call the present age the age of enforcement. All the regulations that have built up over the last few decades, they are claiming the right to enforce. The area of Export Control is a very broad set of regulations that covers everything from physical to intellectual to institutional to personal. It is one of the very few places that the regulation reaches down to you as a faculty member personally. Under these regulations, the Federal Government reaches directly down to the individual faculty member. Hiromi Sanders is the contact for faculty members regarding this issue. Hiromi Sanders shared some examples and asked that faculty engaging with foreign nationals contact the Office of Research Integrity and Compliance and they will gladly provide advice and work to determine if a license is necessary to engage in these activities. A few examples were explored.

Professor Schinasi (Foreign Languages and Literatures) asked about the foreign institutions and travel to those destinations. Asst. Director Sanders replied that is a transaction and we have to do our due diligence before a faculty member travels.

Professor Justiniano (Physics) stated that a few months ago he had a situation which would have been a violation of the same problem referenced today. The candidate selected for interview resided in Canada. He was unable to obtain a visa to enter the States so the Provost stopped colleagues from meeting the Canadian candidate. Asst. Director Sanders found the circumstance suspicious that the candidate could not receive a Canadian visa.

Professor Morin (Communication) what is the process? And what should I tell to my colleagues and my department about where they can go to get this information? Assistant Director Sanders replied that if it is an open forum, conference that is open to all, it should be fine, but we should encourage them to reach out to the Office of Research Integrity and Compliance for a check. There is some subject matter that is not controlled but it really depends on the situation. I encourage all faculty to call and we can discuss this.

Professor Chalcraft (Biology) some of the places that scientists share research are publicly available, what are the policies regarding that? Assistant Director Sanders replied any information that is out in the public domain is fine. Depositing information into the Internet puts it out in the public domain. Certain subject matter is going to be controlled but beyond the subject matter, it is who we are collaborating with or who we are sharing information with that matters if we share information with specific groups then it goes from there. Dr. Epley explained that it is not a long process, it is a day or two at the most for the review of requests.

Assistant Director Sanders strongly encouraged faculty to make sure that they disclose anything collaboration or sharing of information with international partners. She asked if faculty were engaging with foreign nations to please take a moment to contact Director Norma Epley.

Professor Kain (Secretary of the Faculty/English) asked if faculty needed to submit their travel paperwork to anyone outside of the academic unit before finalizing travel plans? Asst. Director Sanders replied no.

Professor Duffrin (Medicine) stated that in regard to students coming here, did the office prescreen them? Asst. Director Sanders replied that they work directly with the dean of the graduate school and only screen if there is a problem. Visiting scholars are handled differently, with Asst. Director Sanders doing a lot of work before the scholars arrive in Greenville.

Professor Kain (Secretary of the Faculty/English) asked who should we let know about faculty wanting to visit the university. Interim VC Van Scott replied that his area would pick up on anything that comes through the various university systems and if there is a problem, someone will contact the academic unit and/or faculty member. He noted that external professional activities for pay will be reviewed extensively by the office and encouraged faculty to do disclosures ahead of travel. Although that does not remove your liability. The Office of Research Integrity and Compliance is accountable to everyone down to the department chairs.

F. John Stiller, Chair of the Faculty

Professor Stiller provided the following remarks to the Faculty Senate.

“Good afternoon Senators and guests. It is good to see you all survived another Halloween, although some aspects of this season of horror will continue for another week, at least.

When I was thinking about my comments for today, I thought back to some meetings I attended as Faculty Senator from Biology and remembered asking myself whether the Chair of the Faculty really needed to wax eloquent (or otherwise) at each and every meeting, particularly those meetings where time would be better reserved for more comments and discussion by Senators on important issues before the body. I think today is one of those days, so I have just two quick reminders that I would ask Senators to take home to your constituent faculty.

First, you all received a memo from the Chancellor earlier in the day regarding the ongoing development of a UNC Strategic Plan at the state level, and Mike provided some context in his report on the last Faculty Assembly meeting. I want to encourage Senators, and ask you to encourage your unit faculty, to complete the online survey and attend the open forum planned for November 17th in Wright Auditorium. By the way, I understand as of last week, ECU had the highest response rate in the UNC system, so we want to remain in first place. I know that sometimes faculty feel that their feedback will be ignored, but I also know that there are people in the UNC general administration who are working to develop language to take to the Board of Governors who both value, and are honestly soliciting, our input. Besides, your views can't be ignored, much less listened to, if you don't offer them at all.

My second reminder flows from the first. Article IX, of the NC State Constitution requires that the General Assembly assures that “the benefits of The University of North Carolina and other public institutions of higher education, as far as practicable, be extended to the people of the State free of expense.” In our discussions in the Faculty Assembly on the five proposed core areas of the draft strategic plan, affordability and accessibility in particular, I am more convinced than ever that the most important thing we can do is to advocate effectively that the State Legislature follow the North Carolina State Constitution. That is that they provide strong support and funding for public higher education. Such advocacy will be most effective if those on the receiving end agree with the

Constitutional mandate on higher education to begin with. Therefore, I urge everyone to get out and vote a week from now and to vote for those candidates you believe value UNC's core missions most highly.

Thank you, and I'll be happy to take any questions."

No questions were posed to Chair Stiller at this time.

G. Approval of Fall 2016 Graduation Roster, including honors program graduates
Professor Andrew Morehead (Past Chair of the Faculty/Chemistry) moved approval of the Fall 2016 Fall 2016 Graduation Roster, including honors program graduates. **RESOLUTION #16-55**

H. Question Period
There were no questions at this time.

Agenda Item IV. Unfinished Business

There was no unfinished business to come before the body at this time.

Agenda Item V. Report of Graduate Council

There was no report from the Graduate Council at this time.

Agenda Item VI. Report of Committees

A. University Budget Committee

Professor Jeff Popke (Geography, Planning and Environment), Chair of the Committee presented formal faculty advice on revised Reimbursable Travel for Non-State Employees PRR, noting that the Committee had no suggestions revisions to the proposed PRR. There was no discussion and the formal faculty advice on the proposed PRR was accepted as presented. **RESOLUTION #16-56**

B. Writing Across the Curriculum Committee

Professor Jen Scott Mobley (Theatre and Dance), a member of the Committee presented curriculum and academic matters acted on and recorded in the meeting minutes of [October 24, 2016](#), removing WI designation from JUST 3200, renumbering WI courses for IDSN 2700 to IDSN 2103 and IDSN 2750 to IDSN 2203 and removing from catalog WI IDSN 4750. There was no discussion and the curriculum and academic matters were approved as presented. **RESOLUTION #16-57**

C. Research/Creative Activities Committee

Professor Richard McCabe (Dental Medicine), Chair of the Committee presented proposed revisions to the 2017 Research/Creative Activity Awards Guidelines. There was no discussion and the proposed revised [guidelines](#) were approved as presented. **RESOLUTION #16-58**

D. General Education and Instructional Effectiveness Committee

Professor George Bailey (Philosophy and Religious Studies), Chair of the Committee presented first the curriculum and academic matters acted on and recorded in the meeting minutes of [October 17, 2016](#) including Global Diversity credit for FREN 3443 Special Topics in the Culture of France, FREN 3444 Special Topics in Francophone Cultures of the World and Nursing 4220, Perspectives in International Community Health.

There was no discussion and the curriculum and academic matters were approved as presented.

RESOLUTION #16-59

Professor Bailey then presented a proposed revision to the title of the East Carolina Peer Observation of Teaching [Instrument](#) for Non Tenured and Fixed Term Faculty. There was no discussion and the proposed revisions to the title was approved as presented. **RESOLUTION #16-60**

Professor Bailey then presented a recommendation on the Survey of Student Opinion of Instruction Instrument.

Professor Morehead (Chemistry, Past Chair of the Faculty) clarified that the committee was requesting feedback for the Survey of Student Opinion of Instruction by December and suggested that it would be more optimal to work through a full cycle and then seek feedback from faculty after a much broader pool of faculty have had the opportunity to use the instrument.

Professor Bailey asked Ying Zhou, Associate Provost of IPAR what would be best in terms of timing for feedback from the Senate. Dr. Zhou explained that timing-wise, it is very important to consider early-ending courses, which typically meet for only the first six or eight weeks of the semester. So, any faculty senate solution needs to be made early enough for IPAR to set up the course evaluation for early ending courses as well as regular courses. Dr. Zhou shared that results from the Fall semester cycle will be ready two weeks after the evaluation is closed and she explained that the January meeting of the Senate should be early enough for the decision to enable the set-up of the process for early ending courses.

Professor Christensen (Biology) observed that Assistant Professors were rated significantly higher than Associate or Full professors by students during the pilot. Dr. Bailey stated that this is the national norm.

Professor Morin (Communication) expressed her discomfort with using the evaluation that is not yet in the final form. She requested that the Senate consider extending the pilot period of the instrument into the Spring, allowing the faculty member to determine whether or not to submit the results for administrative use for evaluation. Dr. Zhou explained that the technical structure of the survey means that the results are fully available to administrators and that only the comments are not directly available to administrators and that making it not available to administrators would require a completely different technical procedure.

Professor Justiniano (Physics) expressed his hesitation regarding using the evaluation instrument for evaluations of faculty for Fall 2016. He explained that it has been a very complicated semester with many interruptions and schedule changes. He is not certain that it is fair to ask faculty to be evaluated by a new instrument that was not being used at the beginning of the semester and for that reason he cannot support the resolution for the Fall 2016.

Professor Christian (Business) highlighted the response rates and asked there is a way to determine if the course delivery method (online vs. face-to-face) impacts response rate. Dr. Zhou responded that she believes it is possible to do additional analysis and that currently in the same college, same course, different sections, and the response rates may vary from 0% to 100% completion. Basically, this indicates that it is individual faculty behaviors and that response rates are responsive to individual faculty behavior. Dr. Zhou's recommendation was that Faculty Senate have a resolution or a campaign to encourage our colleagues to encourage their students to respond.

Professor Morehead (Past-Chair of the Faculty, Chemistry), offered a couple of points for consideration from his vantage point as a unit administrator, SPOTS was also an untested instrument when it was rolled out, as would be any new instrument until we use it and refine it. Secondly, to a large extent it is also important that all administrators try and recognize that any instrument has its flaws and it is well-established in the professional literature that any student opinion survey tends to have a bias against female faculty and international faculty. And so the question then is how does one take it in that context and use it in a faculty evaluation context. The UNC Code mandates and Dr. Morehead philosophically agrees that students should be able to provide some feedback. It is a question of how it is used and we cannot control necessarily through instrument design or any of these other things how the results are going to be used. In the end it is a question of dealing with the appropriate training of administrators and the appropriate use of any instrument. Dr. Morehead's concern is that if you make it in some way optional that faculty members can choose not to submit the results into the evaluation process, it gives the impression that there is something to hide. So Dr. Morehead believes that results should either all be shared or none shared. And we will have to ask that we ask our administrators to do the best they can.

Professor Bailey shared that the committee is currently working on articulating in Appendix C where this fits in the bigger picture. Right now Appendix C says, "We would like you to do some of the following." The committee is planning to break this into different categories to clarify how the faculty evaluation process should work. The committee hopes this will be in place before the Spring evaluation cycle.

Following a lengthy discussion, the [recommendation](#) on the survey was approved as presented.

RESOLUTION #16-61

E. Educational Policies and Planning Committee

Professor Don Chaney (Health and Human Performance), Chair of the Committee presented first proposed revisions to the BSUS Faculty Oversight Committee Manual and Guidelines.

There was no discussion and the proposed revisions were approved as presented. **RESOLUTION #16-62**

Professor Chaney then presented curriculum and academic program matters contained in the meeting minutes of [October 21, 2016](#) including proposed new graduate certificate in Dual Language Immersion (DLI) Administration within the Department of Educational Leadership, College of Education; program review revision response for the Certificate Programs in (1) Health Informatics, (2) Health Care Administration, and (3) Health Care Management within the Department of Health Services and Information Management, College of Allied Health Sciences; program review revision response for the Interdisciplinary Program in African and African American Studies within the College of Arts and Sciences; program review revision response for the BA/BS in Multidisciplinary Studies within the College of Arts and Sciences; and program review revision response for the MA in International Studies within the College of Arts and Sciences. *(Copies of items listed are available through the Faculty Senate office.)*

There was no discussion and the curriculum and academic matters were approved as presented.

RESOLUTION #16-63

F. Committee on Committees

Professor Crystal Chambers (Education), Chair of the Committee presented the names of two nominees to fill the open seats on the Appellate Hearing Committee. There were no other nominations from the floor and Professor Jason Yao (Engineering and Technology) was elected to fill the open regular 2019 term

and Professor Joy Karriker (Business) was elected to fill the open alternate 2018 term on the Appellate Hearing Committee.

Agenda Item VII. New Business

Professor Justiniano (Physics) opened the discussion of the proposed resolution with a heartfelt statement sharing his history as an immigrant from Brazil who has experienced life under a dictatorship prior to becoming a United States citizen. He asserted that free speech is paramount for any working society. And he shared that he felt it an honor to present the resolution to the Senate. The resolution on Freedom of Speech, read as follows:

Whereas, the first amendment to the United States Constitution protects individual rights to free speech; and

Whereas, the Supreme Court of the United States has affirmed the right to free speech even when some may find it outrageous; and

Whereas, the university is a place dedicated to fostering the free and open exchange of ideas; and

Whereas, the Faculty Senate of East Carolina University supports the exercise of constitutionally protected free speech in the broadest possible spectrum of time, place, and manner consistent with established jurisprudence; and

Whereas, the Faculty Senate of East Carolina University opposes any attempt to prevent or inhibit constitutionally guaranteed free speech;

Be it resolved that the Faculty of East Carolina University affirms unambiguously each student's constitutionally guaranteed right to free speech and strongly condemns any acts of violence or intimidation, verbal or otherwise, directed at students or other members of the ECU community in response to the exercise of their constitutionally guaranteed right to free speech.

Professor Grodner (Economics) shared that his faculty had discussed the previously presented resolution and as a group they overwhelmingly did not support it. He explained that his faculty felt that the students in the Band may have misunderstood why Colin Kappernick had the right to protest when he was not playing (before the game) and the Band protested in a way that interfered with the performance of other members of the Band trying to do their performance. So he would will not support the resolution.

Professor Justiniano (Physics) explained that the current resolution is much modified from the previous resolution and that it does not focus on the specific act of the band.

Professor Roberts (Nursing) shared that they too, had shared the previous resolution with their colleagues and they did not support the previous version, but they do appreciate the broadness of the newly proposed resolution and the inclusive nature of the resolution. And after conferring with the other senators from nursing, they support the resolution now.

Professor Morin (Communication) proposed a friendly amendment to insert the words "first amendment to the" between "The" and "United States Constitution" so the first Whereas will read "Whereas the first amendment to the United States Constitution grants individuals..." Professor Morehead suggested a further change to the same section to read, "Whereas the first amendment to the United States

Constitution protects individuals' right to free speech." Professor Tucker (History) stated that maybe "grants" should be changed to "recognizes" since the constitution does not only give us rights. The first statement would then read: *Whereas, the first amendment to the United States Constitution recognizes individuals' right to free speech; and.* The friendly amendment was accepted as presented.

Professor Grodner (Economics) asked about the fourth paragraph of the resolution where it focuses on the protection of speech in the broadest possible spectrum of time, place and manner consistent with established jurisprudence and queried whether this meant that some limitations to the first amendment may sometimes be appropriate. The first amendment is the right we have, but the legal system took the position that we have free speech that is guaranteed but except for in some cases. Is this what the fourth paragraph meant? Professor Justiniano (Physics) responded that he was correct and that the way the resolution is proposed is the way that the proposing faculty understood to be appropriate to recognize the lawful limitations of how the amendment may be used.

Professor Kain (English) added that in the first proposed resolution said something to the effect of anytime, anyplace. That is not supported by legal conditions and legal precedents. She explained that the committee did some research to determine what is appropriate for honoring the intentions of the resolution in an informed, legally-appropriate manner. The goal of the group drafting this resolution wanted to embrace the idea that we have the widest latitude to speak but there are some limitations.

Professor Maher (Philosophy and Religious Studies) again reminded Senators that there was a classroom disruption [policy](#) in the *ECU Faculty Manual* that related to students disrupting a classroom setting.

Professor Morin (Communication) offered a friendly amendment, adding "first amendment to the" before United States Constitution in the first *whereas*. The friendly amendment was accepted.

Professor Vail Smith (Health and Human Performance) stated that maybe Professor Francia in Political Science should be consulted on the best wording. Professor Francia (Political Science) replied that it really did not make a difference, the amendment was find like it was originally proposed.

Professor Morehead (Past Chair of the Faculty/Chemistry) stated that the first amendment did not grant free speech, so he offered a friendly amendment to change "grants" to "protects". Following the discussion, the resolution on Freedom of Speech was approved as amended.

RESOLUTION #16-64

There being no further business, the meeting adjourned at 4:25pm.

Respectfully submitted,

Donna Kain
Secretary of the Faculty
Department of English

Kylie Dotson-Blake
Vice Chair of the Faculty
College of Education

Lori Lee
Faculty Senate

FACULTY SENATE RESOLUTIONS APPROVED AT THE NOVEMBER 1, 2016, MEETING

- #16-55 Approval of the Fall 2016 Graduation Roster, including honors program graduates.
Disposition: Chancellor
- #16-56 Formal faculty advice on revised Reimbursable Travel for Non-State Employees PRR to include no recommended changes.
Disposition: Chancellor
- #16-57 Curriculum and academic matters acted on and recorded in the Writing Across the Curriculum Committee meeting minutes of [October 24, 2016](#), removing WI designation from JUST 3200, renumbering WI courses for IDSN 2700 to IDSN 2103 and IDSN 2750 to IDSN 2203 and removing from catalog WI IDSN 4750.
Disposition: Chancellor
- #16-58 Revisions to the 2017 Research/Creative Activity Awards [Guidelines](#).
Disposition: Faculty Senate
- #16-59 Curriculum and academic matters acted on and recorded in the General Education and Instructional Effectiveness Committee meeting minutes of [October 17, 2016](#) including Global Diversity credit for FREN 3443 Special Topics in the Culture of France, FREN 3444 Special Topics in Francophone Cultures of the World and Nursing 4220, Perspectives in International Community Health.
Disposition: Chancellor
- #16-60 Revised title of the East Carolina Peer Observation of Teaching [Instrument](#) for Non Tenured and Fixed Term Faculty.
Disposition: Faculty Senate
- #16-61 [Recommendation](#) on Survey of Student Opinion of Instruction Instrument.
Disposition: Chancellor
- #16-62 [Revisions](#) to the BSUS Faculty Oversight Committee Manual and Guidelines.
Disposition: Chancellor
- #16-63 Curriculum and academic program matters acted on and recorded in the Educational Policies and Planning Committee meeting minutes of [October 21, 2016](#) including proposed new graduate certificate in Dual Language Immersion (DLI) Administration within the Department of Educational Leadership, College of Education; program review revision response for the Certificate Programs in (1) Health Informatics, (2) Health Care Administration, and (3) Health Care Management within the Department of Health Services and Information Management, College of Allied Health Sciences; program review revision response for the Interdisciplinary Program in African and African American Studies within the College of Arts and Sciences; program review revision response for the BA/BS in Multidisciplinary Studies within the College of Arts and Sciences; and program review revision response for the MA in International Studies within the College of Arts and Sciences.
Disposition: Chancellor

#16-64 [Resolution](#) on Freedom of Speech.
Disposition: Faculty Senate