

**EAST CAROLINA UNIVERSITY FACULTY SENATE  
ACADEMIC AND APPELLATE COMMITTEE ANNUAL REPORT  
2020-2021 Academic Year  
FACULTY GOVERNANCE COMMITTEE**

**Membership (include ex-officio members)**

REGULAR MEMBERS: Stacey Altman, Cynthia Deale (appointed in November), Michael Duffy (Vice Chair), Edwin Gomez, Jay Newhard, Jeff Popke (Chair), Anne Ticknor, David Wilson-Okamura (Secretary)

EX-OFFICIO MEMBERS: Crystal Chambers, Representative of the Chancellor; Grant Hayes, Interim Provost and Vice Chancellor for Academic Affairs; Purificación Martínez, Chair of the Faculty; Aundrea Oliver, Representative of the Faculty Senate; Mark Stacy, Vice Chancellor for Health Sciences; Mike Van Scott, Interim Vice Chancellor for Research, Economic Development and Engagement.

OTHERS IN REGULAR ATTENDANCE: Rachel Baker, Office of the Faculty Senate; Linda Ingalls for the Office of the Provost; Lisa Hudson, Associate Vice Chancellor for Health Sciences and Human Resources Administration Director

**Meeting Dates and Members Present:**

**August 26, 2020:** Altman, Duffy, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Hayes, Martínez, Oliver, Stacy, Van Scott. Others in Attendance: Lori Lee; Rachel Baker; Linda Ingalls, Lisa Hudson

**September 9, 2020:** Altman, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Hayes, Martínez, Oliver, Stacy, Van Scott. Others in Attendance: Rachel Baker, Linda Ingalls, Lisa Hudson

**October 14, 2020:** Duffy, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Martínez, Stacy. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson; LaKesha Forbes, Associate Provost for Equity and Diversity and Title IX Coordinator; Malorie Yeaman, Director of the Office of Equity and Diversity (OED); Paul Zigas, Interim University Counsel and Vice Chancellor for Legal Affairs; Meagan Kiser, Interim Deputy University Counsel; Mary Inscoe, Assistant University Attorney; Wendy Sergeant, Assistant Vice Chancellor for Personnel and Resource Administration

**November 11, 2020:** Altman, Deale, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Martínez; Oliver. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson; Paul Zigas; Meagan Kiser; Wendy Sergeant; Rachel Roper, Vice Chair of the Unit Code Screening Committee; Kenneth Ferguson, Chair of the Unit Code Screening Committee; Amanda Klein, Exploratory Committee on Diversity and Inclusion.

**December 2, 2020:** Altman, Deale, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura Chambers; Martínez, Oliver; Stacy. Others in Attendance: Rachel Baker; Linda Ingalls; Wendy Sergeant; Rachel Roper; Kenneth Ferguson; Derek Maher, Associate Dean for Undergraduate Studies in Arts and Sciences

**January 27, 2021:** Altman, Deale, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura,

Chambers, Hayes, Martínez, Oliver. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson; Wendy Sergeant; Kenneth Ferguson.

**February 10, 2021:** Altman, Deale, Duffy, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Martínez, Oliver, Van Scott. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson; Wendy Sergeant.

**March 10, 2021:** Altman, Deale, Duffy, Gomez; Newhard; Popke; Ticknor; Wilson-Okamura., Chambers, Hayes; Martínez, Oliver, Van Scott. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson; Wendy Sergeant; Paul Zigas.

**March 24, 2021:** Altman, Deale, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Martínez, Oliver, Stacy, Van Scott. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson, Wendy Sergeant; Jocelyn Nelson, School of Music; Gail Ratcliff, Department of Mathematics

**April 14, 2021:** Altman, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Martínez, Oliver, Stacy. Others in Attendance: Rachel Baker; Linda Ingalls; Lisa Hudson.

**April 28, 2021:** Altman, Deale, Duffy, Gomez, Newhard, Popke, Ticknor, Wilson-Okamura, Chambers, Hayes, Martínez, Oliver. Others in Attendance: Rachel Baker; Linda Ingalls; Wendy Sergeant.

### **Subcommittee Meetings:**

The By-Laws Subcommittee of Popke, Duffy, Martínez and Ticknor met on October 7, 2020; October 21, 2020; November 4, 2020; December 4, 2020; February 4, 2021; March 1, 2021; March 18, 2021.

The Student Grade Appeals Subcommittee of Altman, Oliver and Derek Maher met on October 7, 2020; October 23, 2020; November 10, 2020; November 13, 2020; December 4, 2020; January 6, 2021; January 8, 2021.

The Ad-Hoc Fixed-Term Faculty Committee of Martínez, Popke, Jocelyn Nelson, Gail Ratcliff, David Thomson and Brittany Thompson met on January 21, 2021; February 25, 2021; March 2, 2021; March 9, 2021; March 16, 2021 March 22, 2021, April 1, 2021, April 14, 2021.

The Ad-Hoc Committee on Diversity, Equity and Inclusion of Martínez, Wilson-Okamura, Popke and Crystal Chambers met on November 20, 2020.

### **Accomplishments during the year. Please include recommendations made to any University agency other than the Faculty Senate.**

#### September 9, 2020

The committee provided guidance on gender identity for the annual survey of administrative performance, particularly in recommending a new question 19 wording and four possible choices for the answer.

The committee provided guidance to faculty on the role of unit personnel committees participating in faculty appointments by recommending the insertion of new language in the Faculty Manual, Part VIII, section 1.A.: "all faculty appointments must be initiated by a recommendation of the unit personnel committee, unless otherwise specified in the unit code."

The committee affirmed the active involvement of the faculty senate calendar committee in determining the academic calendar schedule by recommending three changes to the *Faculty Manual*, Part VI, Section VII. First, a revision of the title to Section VII will include the academic calendar. Second, an insertion in the fourth paragraph of the section on the role of faculty senate and graduate school committees in proposing changes to the calendar. Third, the addition of a new subsection D on the academic calendar, asserting its necessary consultation in all changes to the calendar.

#### October 14, 2020

The committee provided guidance on the investigation of complaints of prohibited conduct by the Office of Equity and Diversity (Resolving Allegations of Discrimination Interim Policy, REG06.35.03, subsection 3.1, "Obligation to Review Prohibited Conduct") by amending the regulation on resolving allegations of discrimination, offered by the Office of University Counsel, to include the phrase: "...the Office for Equity and Diversity will undertake a Preliminary Assessment and, if appropriate, address those concerns with an alternative resolution or formal investigation."

The committee additionally provided guidance on the use of past records in a subsequent complaint of prohibited conduct against a respondent by the Office of Equity and Diversity (Resolving Allegations of Discrimination Interim Policy, subsection 7.2, "Records"). It approved the University Counsel's subsection 7.2 revisions which provides sufficient protections for due process: "unsubstantiated allegations that have not been investigated formally, in a manner consistent with due process, cannot serve as the basis for the imposition of sanctions or disciplinary action."

#### December 2, 2021

The committee affirmed the University's commitment to Diversity, Equity and Inclusion by adding new language in different parts of the *Faculty Manual*.

In the *Faculty Manual*, Part IV, Section 1, subsection 2.B. Academic Unit Codes, "Organizing the Unit Code," a second paragraph was added to the Administration subheading to indicate DEI responsibilities of unit administrators.

In the *Faculty Manual*, Part V, the title was amended, to read: "Part V: Academic Freedom, Professional Ethics, Diversity, Equity and Inclusion." A third section was added, entitled: "Statement on Diversity, Equity and Inclusion."

#### January 27, 2021

The committee approved new language in the *Faculty Manual*, Part VIII, Section I, subsections 1.A and 1.B, "Personnel Policies and Procedures for the Faculty," that reaffirms academic freedom under the tenure system, and also the commitment of faculty to scholarship that aligns with the university's mission and that engages students and benefits the discipline.

The committee approved new language in the *Faculty Manual*, Part X, Personnel Action Dossier and Tenure and Promotion Schedule, Section 1. subsection I, in both the PAD and the Cumulative Report for Reappointment, Promotion and Tenure (Attachment 1). In subsection E of the PAD, "Other Materials," the following sentence was inserted: "For example, a faculty member in an adjacent or related field might comment on the candidate's equity-related challenges."

In the Cumulative Report, under the subheadings of Teaching, Research, Service, and Clinical Practice a new category was added on noteworthy accomplishments that promote or advance Diversity, Equity and Inclusion.

#### February 21, 2021

The committee continued to make revisions and amendments to affirm the University's commitment to DEI. In the Faculty Manual, Part XI, General Faculty Employment Guidelines and Benefits, the Section IV title was amended, to read: "Equal Employment Opportunity/ Affirmative Action Policy and University Commitment to Diversity, Equity, and Inclusion." Subsection I, entitled "General Provisions," was added before existing text, reaffirming the University's prohibition of unlawful discrimination against members of protected classes.

A new Subsection II, was added and entitled "Professional Development," with subsequent text that included the requirement that all ECU faculty members engage in at least one approved professional development activity each academic year that addresses diversity, equity, and/or inclusion. Unit administrators will be responsible for approving appropriate DEI professional development activities, and such professional development will be documented in the faculty annual report of each faculty member. The University will provide resources for effective faculty professional development.

#### March 24, 2021

The committee approved a revised grade appeal policy for the *Faculty Manual*, Part VI.I.VIII.F. that accelerates the timeline of an appeal process and specifies the criteria for appeal. The policy more clearly defines the process, and the roles of the student, instructor, department administrator, and the appeals committee.

#### April 14, 2021

The committee provided new language and definitions for fixed-term faculty in the *Faculty Manual*, Part VIII, Section 1, subsection I.D, Personnel Policies and Procedures for the Faculty, "Selection and Appointment of New Faculty," "Requirements for Rank and Title." The new text provides revised descriptions under the listing of faculty ranks for fixed term faculty, and places fixed-term faculty on par with tenured faculty with regard to expectations for professional advancement in teaching, annual evaluation based on their assigned duties, and the possibility of annual review of salary and benefits.

New language was added in I.C.2, "Fixed-Term Positions," stating that multi-year contracts should be considered for fixed-term faculty that fulfill an ongoing unit need and who have demonstrated professional achievement." In I.D.3, "Titles of Fixed-Term Appointments," the new text states that an Initial appointment as a fixed-term faculty member may be at any title and is dependent upon the individual's qualifications. A faculty member may elect but is not required to seek advancement in title during their career at East Carolina University. This new section was divided into three parts

with revised text for faculty members with duties primarily in 1) teaching, 2) research, or 3) clinical teaching. For teaching, the new title of master teaching instructor has been added.

April 28, 2021

The committee made changes to the text of the Constitution and By-Laws, in the *Faculty Manual*, Part II, Section II. The revisions remove redundancies and conform to current practices and expectations at the University and the Faculty Senate. The key changes to both the Constitution and By-Laws subsections are summarized in the minutes of the April 28 meeting.

**Reports to the Faculty Senate (include dates and resolution numbers).**

October 6, 2020

Proposed revisions to the 2020 Administrative Surveys were approved as presented.  
RESOLUTION #20-56

Proposed second revisions to the *Faculty Manual*, Part VIII, Section I., Subsection I. Selection and Appointment of New Faculty, A. Determination of Number and Nature of Positions were approved as presented. RESOLUTION #20-57

Proposed revisions to the *Faculty Manual*, Part VI, Teaching and Curriculum Regulations, Procedures, and Academic Program Development, Section VII. Curriculum Procedures and Academic Program Development were approved as presented. RESOLUTION #20-58.

March 30, 2021

Proposed revisions to the *Faculty Manual* Part IV.I.II. Organizing as a Code Unit were approved as presented. RESOLUTION #21-21

Proposed revisions to the *Faculty Manual* Part IV.II.IV. Minimal Unit Code Requirements were approved as amended. RESOLUTION #21-22

Proposed revisions to the Unit Code of Operation Format were approved as presented.  
RESOLUTION #21-23

Proposed addition of new Section III. Statement of Diversity, Equity and Inclusion to the *Faculty Manual* Part V., renamed from “Academic Freedom and Statement on Professional Ethics” to “Academic Freedom, Professional Ethics, Diversity, Equity, and Inclusion” was approved as presented. RESOLUTION #21-24

Proposed revisions to ECU Faculty Manual Part X.I. Personnel Action Dossier (PAD) were approved as presented. RESOLUTION #21-25

Proposed revisions to the *Faculty Manual* Part XI.IV. renamed from “Equal Employment Opportunity/Affirmative Action Policy and University Commitment to Diversity” to “Equal Employment Opportunity/Affirmative Action Policy and University Commitment to Diversity, Equity, and Inclusion” were approved as presented. RESOLUTION #21-26

Proposed revisions to the *Faculty Manual* Part VI.I.VIII.F. Grade Appeal Policy were approved as presented. RESOLUTION #21-27

**Business carried over to next year (list in priority order).**

Review the university's response to recent changes in the Department of Education's interpretation of Title IX.

Review the effect on recruitment of making all new library hires fixed-term.

Consider the value and types of service that faculty may include in their annual evaluation, for university and professional activities.

Consider having a policy for bullying, and harassment of non-protected classes.

**Evaluation of the committee (include anything that hindered or assisted the committee's work during the year).**

- A. Charge: Appropriate.
- B. Personnel: Adequate
- C. Attendance: Very good
- D. Responsibilities: Important, especially in the context of the COVID-19 Pandemic.
- E. Activities: The meetings of the committee and subcommittees were very productive.

**Suggestion(s) to the Chair of the Faculty for improving the effectiveness of the committee.**

Consider the continued use of subcommittees to discuss issues and draft language that can be brought to the Committee for consideration.

**Does the Committee's organizational meeting next year need to be earlier than the date set this year?**

No.

Signed: Chairperson DocuSigned by:  
*Jeff Popke*  
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Vice Chair *Michael J. Duffy*

Secretary DocuSigned by:  
*David Wilson-Okamura*  
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Please forward the completed, approved annual report to the Faculty Senate office via email (facultysenate@ecu.edu).