MINUTES

COMMITTEE: FACULTY GOVERNANCE

MEETING DATE: February 9, 2005

PERSON PRESIDING: Mary Glascoff

REGULAR MEMBER IN ATTENDANCE: James Holloway, Ed Justiniano, Bob Morrison, Nanyoung Kim and Tinsley Yarbrough. Absent with regrets: Patricia Anderson

EX-OFFICIO MEMBERS: Catherine Rigby, Purificacion Martinez and Paul Zigas

OTHER IN ATTENDANCE: Lori Lee and Beth Velde

ACTIONS OF MEETING

Agenda Item: Approval of Minutes by the Committee

Discussion: The Secretary was requested to change a reference to first name of a member and to delete a statement that a member had planned to send changes to Appendix D to another member of the Committee.

Action Taken: The Committee unanimously approved minutes of the meeting on February 9, 2005.

Agenda Item: Announcement by Glascoff of an UNC Faculty Assembly Resolution on Shared Governance in the UNC System

Discussion: Glascoff announced that the UNC Faculty Assembly adopted and released a Resolution on minimum standards for shared governance on university campuses in the UNC System. Glascoff also noted that disparity existed among campuses in the UNC System on shared governance.

Action Taken: There were no further actions.

Assigned Additional Duties to: There were no assigned duties.

Agenda Item: Paul Zigas, University Attorney Office, on Status and Storage of Personnel Files and Records Accumulated during the Tenure and Promotion Processes

Discussion: Zigas discusses the creation and handling of personnel files and records at N. C. State University during a three-level tenure and promotion processes. He notes that NC State policy require only the P/T and P candidates only list their publications and books. He notes that materials submitted during these processes are the property of the University and is part of the personnel record. He notes that Department Administrator has the discretion to request publications and books, but these items are for reference only and stay with in the Department. These items do not accompany the Personnel Action Dossier to the next levels. Each level maintains its personnel records that were generated in the promotion and tenure processes. NC State policies discourage the submission of books and publication as part of the Personnel Action Dossier.

The Committee discusses the creation and handling of personnel records in a three-level tenure and promotion processes at ECU. The Committee discusses keeping publications and books in the Department for review during these processes. The Committee notes that a list of the faculty member’s publications and books are available in University’s publication database.
The Committee was informed that the tenure and promotion decisions were based on merit at the College level in the NC State tenure and promotion processes. One of the Committee member points out that the ECU policy for the Personnel Action Dossier (PAD) is to provide information to ECU administrators to make a decision on the merits. A member also points out that the PAD was developed to reduce papers sent to the VCAA. Finally, it the Committee discusses whether Deans and Chairs should provide a detailed recommendation stating why tenure should or should not be granted by the University.

The Committee discusses the need for administrative procedures to insure that administrators followed University procedures for tenure and promotion.

Action Taken: There were no further actions.

Assigned Additional Duties to: There were no assigned duties.

Agenda Item: Revisions to Draft Copy of Appendix D

Discussion: Revisions to Appendix D, Section I.B.2 to read:

“2. Conferral of permanent tenure shall be based on the faculty member's demonstrated professional competence in teaching, research and creative activity, and service; a potential for future contributions; and the institution's needs and resources. While teaching is the first consideration, neither teaching nor research and creative activity nor patient care nor service is the sole measure of a faculty member's competence and contribution, teaching is the first consideration. Permanent tenure is independent of promotion but sound academic practice supports the concept that an assistant professor eligible for tenure should qualify for promotion to associate professor.”

The Committee agrees that “first consideration” does give the greater weight to teaching.

The Committee considers a concern that if fixed-term faculty lacks expectations of reemployment, it could conflict with academic freedom if fixed-termed faculty could be penalized for voting. One member notes that the Committee may need to consider a Faculty Manual provision that would avoid questions of de facto tenure.

Next the Committee addresses the questions whether fixed-term faculty are special appointments under The UNC Code, 604C and can reappointment and subsequent reappointment stay within The UNC Code, 604C. The Committee also learns that some units at the University offer multiyear contract. The Committee also notes that fixed-term faculty to submit portfolio and we need to review or evaluate fixed-term faculty.

The Committee concluded that it eventually may need to review fixed-term faculty appointments. The Committee agreed to return the fixed-termed questions and concerns relating to Section B. Fixed Term Appointments to Bob Morrison for additional subcommittee work.

Discussion: Revisions to Appendix D, Section II.A.3

“3. Terms and Conditions for Appointment and Reappointment

The chancellor or the chancellor's designee [1] shall set out in writing, with a copy to the faculty member, the terms and the conditions of each appointment, including fixed-term appointments, and each reappointment. The terms shall incorporate by reference appropriate sections of the Faculty Manual and shall state any conditions placed on the
appointment or reappointment. [2] The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the unit administrator. Prior to initial appointment the unit administrator shall provide a copy of the unit’s criteria for evaluating faculty performance to persons offered a faculty appointment in the unit. Criteria for evaluating faculty performance shall be discussed by the unit administrator in a meeting with each probationary-term faculty member at the beginning of each academic year in which a reappointment or tenure decision is made. A record of the discussion and a summary of this discussion shall be placed in the faculty member’s personnel file. The responsibility for calling this meeting is with the unit administrator. Criteria for evaluating faculty performance shall be discussed by the unit administrator in a meeting with each fixed-term and probationary-term faculty member at the beginning of the first term of employment and at the beginning of the academic year thereafter.

Notice of reappointment or non-reappointment to probationary-term persons shall be written. The decision not to reappoint probationary term faculty shall not be based upon (1) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's race, color, national origin, religion, gender, age, sexual orientation, political affiliation, or disability; or (3) personal malice. (Faculty Senate Resolution #03-37, pending final approval)

Discussion: Finding a More Descriptive Name for the Personnel Action Dossier

The Committee discusses renaming the Personnel Action Dossier the Personnel Summary.

Action Taken: Revisions to Proposed Appendix were posted to the Draft Document.

Assigned Additional Duties to: Justiniano will offer new name for the Personnel Action Dossier.

Adjourned at: 3:35 p.m.
James E. Holloway, Secretary

NEXT MEETING: Wednesday, February 23, 2005, 3:00 p.m.

ITEMS TO BE DISCUSSED

Agenda Item: Revisions to Draft Copy of Appendix D

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1References to the chancellor's designee shall include and be limited to the vice chancellor for academic affairs and the vice chancellor for health sciences.

2The chancellor, in consultation with the office of the Faculty Senate, is responsible for the publication of the Faculty Manual. The Senate office shall be responsible for the maintenance of the Faculty Manual. The Faculty Manual shall contain the tenure and personnel policies and regulations of East Carolina University, including the complete text of Chapter Six of The Code of The University of North Carolina. The Faculty Manual shall be provided to new faculty and changes as they occur shall be distributed to each faculty member.