MINUTES

COMMITTEE: FACULTY GOVERNANCE
MEETING DATE: March 23, 2005
PERSON PRESIDING: Mary Glascoff

REGULAR MEMBER IN ATTENDANCE: James Holloway, Ed Justiniano, Bob Morrison, and Nanyoung Kim.

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

OTHER IN ATTENDANCE: Lori Lee

ACTIONS OF MEETING

1. Agenda Item: Approval of Minutes by the Committee
   Discussion: None
   Action Taken: The Committee unanimously approved minutes of the meeting on Feb. 23, 2005.
   Assigned Additional Duties to: There were no assigned duties.

2. Agenda Item: Announcements
   Discussion: The Committee members discuss whether the Committee should have one or two meetings in April to work on Appendix D and other Committee business.
   Action Taken: The Committee agrees to conduct two meetings in April. They will be on April 13 and 26, 2005.
   Assigned Additional Duties to: There were no assigned duties.

3. Agenda Item: Information on the Possibility of the Removal of a Member from a Department Evaluation Committee
   Discussion: The Committee had been sent an email message by Professor Salman Abdulaliy March 14, 20005, regarding a motion by a Committee to remove him for a lack of collegiality. Katherine Rigby, Faculty Chair, states that she referred the matter to Faculty Senate Parliamentarian for advice on the legitimacy of the Motion. She also states that Chair of the Department has not introduced a resolution to the Faculty Committee. The Committee agrees that it lacks authority to intervene in such matters.
   Action Taken: The Committee lacks authority to intervene in a grievance.
   Assigned Additional Duties to: There were no assigned duties.

4. Agenda Item: Fixed-Term Appointments, Appendix D., Section B.1-2
   Discussion: Bob Morrison presents draft of Section B with new terms and conditions. Paul
   B. Fixed-Term Appointments [cf. Special Faculty Appointments, The UNC Code, 604C]
   These special Fixed-term faculty appointments are without permanent tenure and do not entitle the faculty member to consideration for reappointment or conferment of permanent tenure. No obligation exists on the part of East Carolina University to give any notice before a current fixed-term appointment expires as to whether an appointment will be offered the contract will be renewed for a succeeding term, except as specified below.
   1. Contract and Notice
   A contract for a fixed-term appointment shall set forth in writing the beginning and ending dates of the term. This specification of the length of the appointment constitutes full and timely notice of non-reappointment when the term expires. Whenever possible multi-year contracts (of three or more years, with eligibility for renewal) will be offered to fixed-term faculty members who have demonstrated their effectiveness and contributions and/who have outstanding credentials. The provisions of 604 A and 602(4) of The Code of The University of North Carolina do not apply to these special faculty appointments. No obligation exists on the part of East Carolina University to give any notice before a current fixed-term appointment expires as to whether an appointment will be offered a contract will be renewed for a succeeding term. A second or subsequent appointment of a fixed-term faculty member does not constitute a reappointment of the
faculty member. Only probationary-term faculty members are entitled to consideration for reappointment. However, if the fixed-term faculty member, not earlier than 180 calendar days nor later than 90 calendar days before the current term expires, provides the unit administrator with a written request for an appointment for the following academic year contract renewal, the unit administrator shall so notify the chair of the unit Personnel Committee. Within 30 calendar days of receiving the request the Personnel Committee and the unit administrator shall notify the faculty member in writing of their respective recommendations and that any recommendation is subject to the availability of position, funding, administrative approval, and continued effective performance. The unit administrator may but is not required to respond to a written request for an appointment for the following academic year that is received later than 90 calendar days before the current term expires.

   Any faculty member employed in a fixed term position shall be evaluated annually in accordance with the provisions of the employment contract. A fixed-term faculty member should submit a dossier to the Personnel Committee and the unit administrator prior to the unit administrator and the Personnel Committee recommending contract renewal. The dossier should contain information that demonstrates the effectiveness of the fixed-term faculty member in carrying out the duties specified in the contract. The specific contents of the dossier shall be determined by the unit.

   Zigas asks a question regarding the nature of the fixed-term contract awarded each year or term: Are fixed-term faculty given a new contract or a renewal of the old contract each term or year? The Committee discusses the use of employment and appointment under UNC Code 604(C). One member of the Committee defines a renewal of a contract as a new contract that may include new terms and conditions. Another member notes that tenure and tenure-track faculty members do not sign a new contract each year and thus have reappointments.

   Next, the Committee discusses personnel document that should be submitted to the unit for renewing the old or forming a new fixed-term contract. One member notes that a Personnel Action Dossier (PAD) would impose more work on the personnel committees. Riggsby recommends a dossier that could be determined by the Unit. The Committee inserts language at the end of Section B.2 giving the Unit authority to determine the contents of a dossier for its fixed-term faculty members.

(Part of Morrison’s Recommendation Above)

B. Fixed-Term Appointments [cf. Special Faculty Appointments, The UNC Code, 604C]
   2. Fixed-Term Employment Evaluation Policy [cf. Special Faculty Appointments, The UNC Code, 604C]. Any faculty member employed in a fixed term position shall be evaluated annually in accordance with the provisions of the employment contract. A fixed-term faculty member should submit a dossier to the Personnel Committee and the unit administrator prior to the unit administrator and the Personnel Committee recommending contract renewal. The dossier should contain information that demonstrates the effectiveness of the fixed-term faculty member in carrying out the duties specified in the contract. The specific contents of the dossier shall be determined by the unit.

   Next, the Committee discusses Section II.a, Fixed-Term Appointments. The Committee’s discussion focuses on the titles and their definitions. One member notes that a change in the title of a fixed-term faculty member in some units may lead to an increase in pay. Moreover, another member points out that if we include and define titles, we must also list the qualifications for each title. Members note that the School of Medicine has guidelines for changes in titles and some units at the University have minimum qualifications for fixed-term ranks.

   The discussion next turns to the duties of fixed-term faculty. Several committee members note that visiting research professor may also teach and visiting professor may also teach and research. Yet, some fixed-term faculty members may be teaching, though their contractual duties may not include teaching. One member states that if fixed-term faculty members are not hired to conduct research, they cannot be evaluated on research. The Committee agrees that the contract should include those duties performed by a fixed-term faculty member in his or her unit.

   Morrison reads the various faculty ranks from Appendix C. The Committee ends its discussion and makes assignments for the next meeting.

   Action Taken: The Committee will continue its discussion at the next meeting.

   Assigned Additional Duties to: (1) Morrison will draft definitions of the titles for fixed-term faculty. (2) Zigas will advise the Committee on the use of contract renewal.

5. Agenda Item: Appendix IV.A.1.d (Role of the Chair of the Unit Personnel Committee)
   Discussion: The Committee discusses changes to the role of the chair of the Unit Personnel Committee.

   d. Role of the Chair of the Unit Personnel Committee
The chair of the unit Personnel Committee shall be permanently tenured and shall be elected annually by and from the committee's membership. The chair shall preside over all committees making personnel recommendations for the faculty, and may participate in the decisions of any committee of which the chair is a member. If the chair of the unit Personnel Committee holds a professional rank lower than that to which a faculty member requests promotion, the unit Personnel Committee chair shall be responsible for calling the meetings of such committees and facilitating the election of a chair of the committee from among its membership. In such cases where the Chair of the unit Personnel Committee is not a member of the committee, he/she shall not attend any meetings of the committee except to facilitate the election of the chair as noted above. The elected chair of the committee shall obtain and distribute materials to be used during the deliberation of such bodies, insure that a valid vote has been taken, communicate the results of such votes to the appropriate faculty and to the unit administrator, and perform other duties as designated by the unit chair. The Promotion Committee shall not have a vote on that committee. The chair shall be responsible for calling the meetings of such committees, obtaining and distributing materials to be used during deliberation of such bodies, insuring that a valid vote has been taken, communicating the results of such votes to the appropriate faculty and to the unit administrator, and performing other duties as designated by the unit.

Action Taken: The Committee makes a revision to the role of the chair of the unit Personnel Committee.

Assigned Additional Duties to: There were no assigned duties.

6. Agenda Item: Appendix D. IV.A.3 (Tenure Committee) and (Appendix D. IV.B (Role of the Unit Administrator)

Discussion: The Committee discusses changes to the functions of the Unit Personnel Committee. The Committee also makes changes to role of Unit Administrator to make the two provisions consistent.

3. Tenure Committee

[a. Function

The Tenure Committee shall be responsible for making recommendations regarding initial appointments with permanent tenure, reappointments of probationary-term faculty members, and the granting of permanent tenure. The unit administrator, in consultation with the unit Tenure Committee (or properly constituted subcommittee), will write a progress toward tenure letter to each probationary term faculty member as described in Section II.C.4.

...]

B. Role of Unit Administrator

The unit administrator serves to provide leadership, support, and guidance to the total functioning of the unit. As indicated at the beginning of this section, the personnel recommendations of the unit administrator shall be forwarded to the next higher administrator along with the recommendation of the appropriate faculty committee.

The unit administrator is responsible for maintaining the personnel files, providing timely notification to the chair of the unit Personnel Committee on all personnel actions required or expected, and distributing all personnel documents and materials to the appropriate location. The unit administrator is jointly responsible with the unit Personnel Tenure Committee for preparation of the progress toward tenure letters. The unit administrator, in consultation with the unit Personnel Committee (or properly constituted subcommittee), will write a progress toward tenure letter to each probationary term faculty member as described in Section II.C.4.

The Committee discusses comments sent to Committee Members by Professor Bailey and chooses not to revise Appendix, Section IV. B. The Committee finds that giving an administrator a vote on tenure or promotion committee would give the Department Chair two votes and raise questions and concerns
regarding the intimidation of department faculty members by unit administrators in tenure and promotion committee discussions.

**Action Taken:** The Committee made revisions to the function of the tenure committee and role of the unit administrator.

**Assigned Additional Duties to:** There were no assigned duties. However, Rigsby expresses an interest in further discussion of Professor Bailey’s comments.

7. **Agenda Item:** Appendix D, Section I.V. (Prohibition on the Use of Email)

**Discussion:** The Committee discusses the use of email in personnel actions, such as hiring, tenure, promotion and others. The Committee discusses removing the strict ban on the use of email. Presently, the ban or prohibition states that: “It is strictly prohibited to use e-mail to conduct any substantive business pertaining to initiation, review, conferral of permanent tenure, and approval of appointments, reappointments, and promotions.”

The Committee wants to define *business pertaining to* in the prohibition statement because some routine administrative matters, such as scheduling visits and sending information to candidates and reviewers, may not be substantive personnel matters.

**Action Taken:** The Committee will continue its discussion at the next meeting.

**Assigned Additional Duties to:** Zigas and Glascoff will review language and draft changes to the email ban or prohibition.

**Adjourned at:** 4:35 p.m.
James E. Holloway, Secretary

**NEXT MEETING:** Wednesday, April 13, 2005, 3:00 p.m.

**Items to be Discussed**

**Agenda Item:** Revisions to the Draft Copy of Appendix D (7th Draft 3/30/05)

**Discussions:** Zigas and Glascoff will present changes to the email prohibition policy. Rigsby will return to Professor Bailey’s comments. Morrison will present definitions of the titles for fixed-term faculty members. Zigas will advise the Committee on the use of the term ‘contract renewal.’