

EAST CAROLINA UNIVERSITY
2022-2023 Faculty Governance Committee

MINUTES OF MEETING DATE: Wednesday, February 22, 2023, 3-5 p.m.

ATTENDANCE

PRESIDING: David Wilson-Okamura

REGULAR MEMBERS (X_ IN ATTENDANCE):

Sandra Warren_X_, Cynthia Deale_X_, Edwin Gomez_X_, Anne Ticknor_X_, Mark Bowler_X_, Susie Harris ___

EX-OFFICIO MEMBERS (_X_ IN ATTENDANCE) (with vote):

Crystal Chambers_X_, Wendy Sergeant_X_, Mary Farwell___, Purificación Martínez_X_, Fan-chin Kung_X___, Mark Hand_X_

Guests in attendance: Linda Ingalls, Rachel Baker

Call to Order, 3:00 pm

This meeting of the spring semester is on Teams. For the link, see the following:

Meeting link: <https://facultysenate.ecu.edu/2022/09/07/2022-23-faculty-governance-committee-virtual-links/>

1. Approved the minutes of Feb. 8.

2. Reports

a. Budget Committee's discussion of salary increments for fixed-term advancement in title (Ticknor).

- It was noted that we will check back on this item at our next meeting.

b. Status of Part IX changes (Baker)

- Rachel Baker (Baker) :
 - Part X changes are also being proposed and it might be better to package the part IX and part X changes together as at the March senate meeting (she noted that this was Puri Martinez's suggestion).
 - Puri Martinez (Martinez) stated that she cleaned up the document to make the language consistent and based on what happens at today's meeting, we will have a document to share.
 - David Wilson-Okamura (Wilson-Okamura) noted that the sense is that the changes are editorial and not content related and inquired if the members had any comments to make.
 - No one had comments regarding this item.

c. Meeting with university counsel Paul Zigas to discuss effect of compelled speech policy on DEI requirement(Chambers)

- Crystal Chambers (Chambers) told the committee that the university counsel (Paul Zigas) noted that the language was vague and broad.
 - Chambers averred: the policy as written contradicts other policies.
 - The DEI policy also has recommendations from the racial equity task force.
 - If we need to put something out there, we can do it relatively quickly.
- Anne Ticknor (Ticknor) noted that the senate has already approved a resolution.
 - The resolution was written on the floor last night. It does not address DEI.
 - If something is directed to DEI then that would be good.

d. Faculty Constitution and By-laws (Ticknor).

- Ticknor indicated that there are some revisions that have been recommended by a recent past chair.
 - The revisions involve putting a statement about the chancellor's broad authority front and center.
 - She plans to share more at the next FGC meeting and then the committee can decide what to do.
 - She meets with the chancellor on Friday, 2-24-23.
 - She wants to have clear communication with both the chancellor and the FGC.
- Chambers emphasized that some of the revisions seem to be the opposite of what the chancellor came in on to do when he took the job as ECU's chancellor.
- Ticknor said that that nothing is final yet and her last conversation with the chancellor was about finding places that we can come to agreement on.
 - Whatever The FGC does will have to go back to the senate before it goes back to the faculty, so it has to go on the March or April agenda.
- Wilson-Okamura noted that alternatively, the existing constitution could be kept for another year, while we continue negotiations.

3. Continuing Business

a. Bullying policy (subcommittee). See also Institutional Bullying policy, proposed by former senator Michael Schinasi (FLL).

- Chambers got some feedback from the faculty forum.
 - Their suggestions included removing the word "unreasonable," and to strike out "a balance."
 - The policy was revised after the meeting and shared with the committee.
- Fan-chin-Kung (Kung) thinks the FGC should insert "anti-bullying policy" parentheses so that people know how to refer to it.
- Bowler noted other items from the forum.
 - There was an issue with a line in item 2 about professors not engaging in hostile conduct, as they thought it was already covered in the document.

- A suggestion was made to add more language because they have to make two complaints. With the language change, they just have to show that the behavior occurred.
- He does not think the FGC can put a heading here as nothing else has headings. Instead, the committee needs to make it a fourth item or fit it into the second item.
- Okamura-Wilson asked the sub-committee if they got a feel for if this would pass the senate.
- Bowler worries that we will still get argued at from both sides, such as there is not enough here or we already have this, etc.
 - He also noted that many chairs from arts and sciences attended the forum.
- Chambers thinks that having specific examples would be helpful.
- Wilson-Okamura asked if the FGC should draft a policy and put reference to it in the faculty manual.
 - He shared the revised part with the FGC and worked on it with the committee during the meeting; for example, including a brief definition of bullying.
- Chambers mentioned that there are a variety of health issues, both mental and physical, related to bullying.
- Wilson-Okamura asked about the committee's views regarding the document, noting that if we put something on the floor that is not carefully crafted, it may not pass.
- Martinez noted that people may vote against the health and safety language because it could be used in unexpected ways. For example, to force somebody to wear a mask or get vaccinated.
- Chambers believes we should strike the language here, but have it in the accompanying policy.
 - She suggests a PRR.
- There was some discussion about what to do with this revision.
 - Such as should a PRR be completed first or should this be done first and then we refer to a PRR when we have it.
- Chambers does not think that people will vote for it unless it is more concrete.
- Martinez asked if we should delay sending the language to the faculty senate.
- Wilson-Okamura didn't think a policy in our Faculty Manual should refer its details to a document ECU doesn't control.
- Ticknor is hesitant to propose something we don't have much influence over going forward.
- Martinez made a motion to delete the sentence referring to another document (“further description of...”).
- Chambers noted that all of the definitions of bullying cannot go into the faculty manual.
- Martinez noted that we cannot propose ambiguous language, as in language that requires interpretation.
- The motion was made and carried to strike the sentence about “further description of ...”
- Kung made a motion to send the revised document to the senate as recommendation.
 - Gomez seconded the motion.
 - The motion carried.

- Wilson-Okamura noted that Michal Schinasi, a faculty senator, sent the committee a proposed policy on bullying by the institution. (This draft policy was sent as an attachment with the agenda.)
- Martinez made a motion to table this subject: taking into consideration all the time that the committee has been discussing bullying, may mean that discussing bullying by the institution might even take longer.
 - Gomez seconded the motion.
 - The motion to table the discussion carried.

b. UNC Compelled Speech Policy (Chambers).

- Wilson-Okamura noted that there is one more meeting before the faculty senate convenes again to discuss this item.
 - He assumes that the BOG is going to pass the policy and that the senate is going to say something about it.
- Chambers noted that there have been lots of comments from various groups and she will synthesize them in a revised resolution.

c. PAD process revisions (Martinez) See attachments Part X.1 and Part X.2.

- The sub-committee includes Wendy Sergeant, Edwin Gomez, Mark Bowler, and Puri Martinez.
 - Martínez said that the subcommittee changed the title of part X to the Continuation and Schedule for Personnel Actions.
 - They kept the two parts, but made suggestions for revisions to them.
 - Revisions included such items as distinguishing the differences between contracts.
 - They cleaned up the language in the document.
 - She noted that only tenure track faculty items require the use of the ECU Personnel Action Summary form.
 - Linda Ingalls (Ingalls) mentioned the heading from the earlier discussion, but suggested going ahead with substantive items first.
 - Wendy Sergeant (Sergeant) said that she spoke to Megan Ayers, connected to the BOT and Cara Gohn, the Faculty 180 staff person, and they stated that Faculty 180 readily generates a summary.
 - She noted that as for Section 1 of the personnel action form, the BOT still wants to see that section of the form. Her office can complete that section of the document.
 - In this case, Section 2 would quit being formatted the way it has been and be generated via Faculty 180. We will have variations this year as some are in Faculty 180, some are in Teams, etc.
 - Martinez noted that Cara Gohn can create an Excel sheet for section 2.
 - Gohn noted that section 1 often has errors.
 - The administration can say that academic affairs completes section 1 and the faculty member completes section 2.

- Wilson-Okamura asked how a promotion committee, especially for full professor, is going to know which items were already counted for tenure.
- Martinez noted that we should not include letters from external reviewers from when you were promoted to associate professor as they are not appropriate for the promotion to full document.
 - A unit code could decide that they want to make it mandatory that a faculty member needs to produce these materials.
 - However, there would be a get deal of scrutiny by the Unit Code Committee if that were proposed.
- Gomez noted that the external letters from the earlier time, promotion to associate, are not relevant to promotion to full professor.
 - He noted that there could be an issue because there is a clause that all previous materials can be used.
- Ingalls had some comments about this issue, noting that Part X gives attention to the qualifications since the last personnel action and over one's entire career and does not say how you pay attention to it.
 - Most units use cumulative report information because it has dates.
 - Part IX says greater weight has to be given to accomplishments since the faculty member's last promotion at ECU.
 - Wilson-Okamura noted that sometimes books are published after tenure, but counted toward tenure when they are under contract. You wouldn't know this, however, from looking at the dates in the cumulative summary.
- Chambers wondered if we have a mechanism for promoting an assistant professor toward the rank of full professor.
 - For example, for a pre-tenure person coming up for tenure with 50 publications ,etc. is the expectation that they need to have the same long haul as any other faculty member?
- Martinez stated we do not recommend changes to this section because of the wide variety of criteria for promotion.
- Wilson-Okamura asked how do we preserve information from previous personnel actions?
- Gomez stated that the PAD remains in the coded unit.
 - It is easy to see what a PAD contained from previous action.
- Wilson-Okamura wondered how the PAD will be available as all items become electronic.
- Chambers noted in the chat that it would be great if we could move to an HTML enabled, hyperlinked system, noting that she understands that it means more work.
- Martinez agreed.
- Ingalls stated that part X has made it clear that committees can ask for evidence of anything that is in the PAD.
 - She suggested that perhaps units can provide clarifications, including the interpretation of what the unit code means.

- Ingalls also noted that she has some editorial comments about items that are placed earlier in the document.
- Wilson-Okamura: would it injure anything if people had to compile a “new” PAD?
 - As in, would it harm anything to add the word “new”?
- Martinez and Bowler spoke against using the word “new”, given the technological form.
- Gomez suggested separate forms.
- Ticknor noted that they would be separate and that teaching has not changed.
- Gomez stated that as a chair, he looks to see if teaching has improved.
- In general, the committee members did not want the word “new.”
- Ingalls suggested rearranging the existing wording to emphasize that a (new) PAD is compiled for every personnel action.
- Wilson-Okamura revised the wording accordingly.
- Ingalls noted that in part IX the term tenure-track is not used. Instead, the term probationary is used.
 - She had some further suggestions for editing the document, which the committee incorporated.
- A motion to adopt changes to part X was proposed and seconded.
 - The motion carried unanimously.

4. New Business

a. Request from Dean Waldrum and Executive Dean Higginson in the Brody School of Medicine (BSOM), to consider revising the definition of Affiliated Faculty in Part VIII Section I.I.D.3 of the Faculty Manual (<https://www2.ecu.edu/facultysenate/currentfacultymanual/part8.pdf>) to include a term specific for BSOM affiliated faculty who are employed by ECU Health (Ticknor).

- Ticknor told the committee that the deans of BSOM are interested in adding a new faculty title.
 - The title is that of an affiliated faculty member.
 - This means that we need to consider making a change in part VIII of the faculty manual.
- Wendy Sergeant added that she cannot speak to the UNC code, but what she understood for part VIII is that ECU Health and ECU have policy work groups as the integration occurs.
 - Affiliation hires that come in through ECU Health would like to have an honorary title with ECU
 - The term is going to be affiliate faculty who have no rights as faculty members, such as no grievance rights, nor rights to tenure, just an honorary designation
 - The titles asked for would include ECU Health Assistant Professor, ECU Health Associate Professor, and ECU Health Professor.
 - Adjunct is the term generally used in other areas.
- Bowler said affiliated is used for Brody as it connects with licensure.
- Wilson-Okamura thinks that the FGC needs to have a longer conversation about this and suggested holding off on this item until its next meeting, in March.

- Chambers said that addressing the item is premature and that we need to wait for the BOG policy and then model our response accordingly.
- Ticknor stated that, in theory, we could have it addressed at the next senate meeting in April. Then, it would be voted on by the board in July. The chancellor would have to approve it before the BOT would approve it. A quick timeline is possible.
- Bowler noted that he thinks that we need to have the BSOM deans explain why the new titles..
- Gomez observed that affiliates are not included in personnel actions.
- Martinez noted that a couple of years ago we revised part VII because of who gets to approve adjunct and affiliate faculty.
 - We agreed that adjunct and affiliate need to begin with personnel committee and that was approved by the BOT.
- Wilson-Okamura noted that he did not hear any voices saying that the FGC should adopt this today.
 - He will put that discussion at the top of the agenda.
 - And asked Ticknor to invite the Brody (BSOM) deans to attend the next meeting.
- The meeting was adjourned at 5:10 p.m.