COMMITTEE: Faculty Governance Committee

MEETING DATE: September 14, 2011

PERSON PRESIDING: George Bailey, Chair

REGULAR MEMBERS IN ATTENDANCE: Gene Hughes, Mark Taggart, Catherine Rigsby, Charles Boklage, Edson Justiniano

EX-OFFICIO MEMBERS IN ATTENDANCE: Shelia Bunch, Marilyn Sheerer, Phyllis Horns, Dierdre Mageean, Marianna Walker, Mark Sprague

OTHERS IN ATTENDANCE: Donna Payne, Puri Martinez, Linda Ingalls

ACTIONS OF MEETING

Agenda Item: minutes of August 31 meeting

Action Taken: approved

Agenda Item: Appendix C

Discussion: Chair of the Faculty Walker informed the committee that Appendix C was approved by the Faculty Senate on April 4, and is on the agenda for the Board of Trustees meeting on September 23. Once approved by the BOT, the revised Appendix C will be in effect, with the understanding that the Evaluation section of Appendix C may need to be revisited after the committee reviews conduct policy options.

Agenda Item: Report on subcommittee assignments reviewing the Faculty Manual

Discussion: 1. Interpretations. (Martinez) Professor Martinez reported that the interpretations of Appendix C are complete and incorporated into Appendix C. Appendix D interpretations are also incorporated into the online version of Appendix D, with the exception of one remaining to be incorporated. Appendix L is a current working document, but interpretations have been incorporated into that as well.

Action Taken: none

Agenda Item: 2. Part II. (University Organization; Horns, Walker & Payne)

Discussion: A review of all administrative committees is under progress, and VC Horns will report to the committee in November. After some discussion pertaining to why the “formal faculty advice” section is in Part II, CoF Walker informed the
committee that the process for obtaining formal faculty advice on administrative committees is under progress and will be presented as a PPR (Policy Rule and/or Regulation,) with a link provided in the Faculty Manual, and should be ready to report to the committee by September 28.

Agenda Item: **3. Part VI.** (General Personnel Policies, subsection: Grants, Contracts, and Cooperative Agreements; Hughes and Justiniano)

Discussion: Professors Hughes and Justiniano stated that their final report will be ready for the September 28 meeting.

Agenda Item: **4. Part VII.** (Research Information; Sprague, Taggart, Bailey, Boklage & Mageean)

Discussion: Professor John Chinn’s proposed draft of Part VII was discussed. It was noted that many regulations found in Section I (Policy and Guidelines for External Funding) and Section II (Patent Procedures) are federally mandated. Committee Chair Bailey noted that section III (Copyright Policy) has been discussed for two years in workshops on copyright policy. Section IV (Principles and Policy for the Protection of Human Subjects of Research) and Section V (Animal Care and Use in Research and Instruction) also contain federal mandates. Section VI (Policy and Procedures on Ethics in Research and Creative Activities) has already been approved. The issue of where faculty have an input in the process was discussed.

Action Taken: the subcommittee was charged with reviewing the current Part VII, for the purpose of determining what should remain in the Faculty Manual, and what should be moved to the University Policy Manual. The subcommittee has a working deadline of December 1.

Agenda Item: **5. Part IX.** ECU Organizational Charts;

Action Taken: Assigned to the Faculty Advisory Group, who will report on September 28.

Agenda Item: **6. Part X.** (Charter of the UNC Faculty Assembly; Rigsby and Faculty Advisory Group)

Action Taken: The subcommittee will be ready to report on September 28.

Agenda Item: **7. UNC Code.** (Faculty Advisory Group)

Action Taken: The Faculty Advisory Group will report on September 28.

Agenda Item: **8. Part XII.** (The Personnel Action Dossier; Bailey Walker & Rigsby)

Discussion: The format will need to be updated, in order to align with revisions to Appendix D.
Action Taken: The subcommittee will report in November.

Agenda Item: **9. P&T Timeline.** (Ingalls, Horns, Sutton, Walker & Rigsby)

Discussion: Timelines will need to be adjusted for 12-month employees, and discrepancies between nine-month and 12-month employees need to be addressed.

Action Taken: The subcommittee will report on November 1.

Agenda Item: **10. Appendix A.** (Faculty Constitution and By-Laws; Walker, Morrison, Boklage & Killingsworth)

Action Taken: The subcommittee will report on October 1.

Agenda Item: **Appendix D.** (Tenure and Promotion Policies; Bailey, Walker, Sprague, Holloway & Bradley)

Discussion: The question was raised as to whether review the Appellate Hearing and Due Process components prior to the report on the entire Appendix D.

Action Taken: The subcommittee will report on November 1.

Agenda Item: **Appendix L** (ECU Code; Pollito, Rigsby & Martinez)

Action Taken: The subcommittee will report in October or November.

Agenda Item: **Appendix U** (Policy on Improper Relationships Between Students and Faculty; Faculty Advisory Group)

Action Taken: This will be addressed by the Faculty Advisory Board and will come back to the Governance committee September 26th.

Agenda Item: **Discussion on Policy Conduct Options**

Discussion: It was noted that there are two issues to consider, what should be ECU's faculty conduct policy and whether the Appendix C policy on faculty annual evaluation and other evaluation policies should explicitly address conduct as an evaluated category of faculty behavior. It was noted that there already are a number of policies addressing faculty conduct, such as the policy on sexual harassment. One view put forward was if a conduct policy is necessary, it should be based on the AAUP Code of Conduct. Various cases of misconduct where it might or might not work to have a conduct policy and to explicitly have a conduct category in evaluations were discussed. The border line between things that faculty can refuse to do and things that are part of their job was discussed with attendance at faculty
meetings being one example. The concern that conduct evaluations can be misused was expressed. The concern was expressed that failure to be able to evaluate conduct allows some faculty to get away with behaving inappropriately. The question of what can be reported under the fifth category in the Appendix C annual evaluation policy, namely, "5. other responsibilities as may be appropriate to the assignment" was discussed at length. Some members of the committee believe that misconduct that cannot be reported under teaching, research, patient care and service can be reported under category five. Other members of the committee held that the wording of the "other" category needs to be revised if it is intended to cover misconduct that does not fit under the other four categories. It was suggested that a sentence could be added to the introductory paragraph of the policy that refers to whatever conduct policy ECU adopts and that makes clear that misconduct can be reported in the annual evaluation.

Action taken: Dr. Martinez and Dr. Rigsby will work on providing suitable wording and will see if revisions are needed to the AAUP policy to enable it to serve as the ECU faculty conduct policy and will make same, reporting to the committee at its September 28th meeting.

The meeting was adjourned at 5:00PM.