Resolution #22-01
Approved by the Faculty Senate: January 25, 2022
Received by the Chancellor: February 25, 2022

*Note: resolution was originally submitted and recorded as #21-74; the numbers were editorially revised to start over with the new year.

Formal faculty advice on curriculum and academic matters acted on and recorded in the December 13, 2021 Graduate Council meeting minutes, including level I action items from the November 3, 2021 Graduate Curriculum Committee meeting minutes which were approved by its delegated authority and are reported here for informational purposes. Programmatic action item (GC 21-11) recorded in the December 13, 2021 Graduate Council meeting minutes, including a level II action item from the November 3, 2021 Graduate Curriculum Committee meeting minutes, which was forwarded to the Educational Policies and Planning Committee (EPPC), included a revision to an existing degree – History, MA from the Department of History within the Thomas Harriot College of Arts and Sciences. Policy action item (GC 21-12) from the December 13, 2021 Graduate Council meeting, included a Graduate Catalog revision to the Faculty Manual, Section I- F (Graduate Faculty Membership), to help clarify that the department chair votes as part of the committee and simply forwards the recommendation to the dean of the college or professional school as part of the appointment process to the graduate faculty.

Resolution #22-02
Approved by the Faculty Senate: January 25, 2022
Approved by the Chancellor: February 25, 2022

*Note: resolution was originally submitted and recorded as #21-75; the numbers were editorially revised to start over with the new year.

Curriculum and academic matters acted on and recorded in the Undergraduate Curriculum Committee meeting of December 9, 2021 including curricular actions in the Department of Human Development and Family Science within the College of Health and Human Performance.

Resolution #22-03
Approved by the Faculty Senate: January 25, 2022
Approved by the Chancellor: February 25, 2022

*Note: resolution was originally submitted and recorded as #21-76; the numbers were editorially revised to start over with the new year.

Curriculum and academic matters acted on and recorded in the Educational Policies and Planning meeting of January 14, 2022, including a new undergraduate certificate in Maternal and Child Health in the Department of Health Education and Promotion within the College of Health and Human Performance, and revision to the MA in History in the Department of History within the Thomas Harriot College of Arts and Sciences.
Resolution #22-04*
Approved by the Faculty Senate: January 25, 2022
Received by the Chancellor: February 25, 2022, with comment**

*Note: resolution was originally submitted and recorded as #21-77; the numbers were editorially revised to start over with the new year.

**Chancellor’s comment:
The Student Affairs Division leadership has reviewed the Faculty Senate’s proposed edits to the University Property PRR and believe these changes would severely limit the ability to offer student engagement experiences and would all but eliminate several long-standing university traditions. The Student Affairs Division leadership is further refining the PRR to create a new version that considers the Faculty Senate’s proposed edits while meeting institutional needs and remaining in compliance with University policies.

Formal faculty advice developed by the Committee on the Use of University Property Interim Regulation, as follows:

The Faculty Welfare Committee originally reviewed this regulation and presented it to the Faculty Senate as formal faculty advice at the April 23, 2019 meeting. It was returned to the Committee for further review (Faculty Senate resolution #19-44). The Committee’s revised formal faculty advice is as follows:

Additions in **bold**, deletions in *strikethrough.*

<table>
<thead>
<tr>
<th>Policy</th>
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<tr>
<td>Title</td>
<td>Use of University Property</td>
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<td>Category</td>
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<td>History</td>
<td>Previous Name: Use of University Facilities and Outdoor Facilities Regulation. Revisions ongoing August 14, 2012; Revised interim April, 2013; Interim revised October 2, 2014; Revised October 31, 2016; Revised November 21, 2016; Repealed July 2017; Revised and renamed Use of University Property and approved by Chancellor’s Executive Council April 8, 2019.</td>
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<td>Contact</td>
<td>Central Reservations Office: Main Campus (252) 328-4731/Email <a href="mailto:cro@ecu.edu">cro@ecu.edu</a> Health Sciences Campus (252) 744-1057/Email <a href="mailto:crohealthsciences@ecu.edu">crohealthsciences@ecu.edu</a> Facilities Services: Main Campus (252) 328-6776 Health Sciences Campus (252) 744-2251 ECU Materials Management: (252) 328-6434 Business Services, Director of Marketing (252) 737-1310</td>
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<td>Related Policies</td>
<td>Associated Entities; UNC Policy Manual 600.2.5.2[R] Delegation of Authority to Sign Contracts Environmental Health and Safety Requirements for Events – Interim Freedom of Expression Regulation Guidelines Concerning use of UNC System Resources for Political Campaign Activities Interim Regulation: Assemblies and Public Addresses in Designated Public Forums; 7.30.02 Student and Employee Computer Use Policy Student Code of Conduct</td>
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1. Introduction and Overarching Principles Applicable to this Regulation

East Carolina University (the “University”) is committed to making its Property available for use by internal and external groups and individuals. This Regulation provides a framework for use and allocation of University Property in order to assist the University in fulfilling its Mission, while at the same time protecting the rights of freedom of expression and association guaranteed by the First Amendment to the United States Constitution (“First Amendment”).

1.1. The University’s primary mission is to provide an environment that is conducive to education, research, and patient care. Therefore, all Expressive Activities on or in University Property are subject to content-neutral time, place, and manner measures, as set forth in this Regulation, the University’s Freedom of Expression Regulation, and all other applicable laws and University policies, rules and Regulations.

1.2. Physical attributes, locations, approved uses, and availabilities vary widely. Therefore, different content-neutral time, place and manner requirements may apply to Expressive Activity in or on different University Properties.

2. Definitions

2.1. “All Persons and Organizations” means, collectively, all Members of the University Community, their Guests and Non-Members of the University Community.

2.2. Amplified Sound” is defined as any sound that is broadcast through electronically amplified equipment or sound that is electronically enhanced. This includes the use of any type of electrical sound equipment from large amplifiers to portable stereo systems.
“Approved Use” means an Event or Expressive Activity on or in University Property that has been scheduled and approved. All such Approved Uses shall be in compliance with this Regulation and any other applicable University Policy, Regulation, Rule or Standard Operating Procedure (SOP). Spontaneous Expressive Activity is not subject to these requirements (see below provisions that apply to Spontaneous Expressive Activity).

2.32.1. The Central Reservations Office (CRO) or a CRO Sub-Scheduler schedules and approves uses of University Property within its/their scheduling jurisdiction. Contact the CRO for a list of University Properties under the scheduling jurisdiction of the CRO or its Sub-Schedulers.

2.32.2. Use of University Property that is outside the scheduling jurisdiction of the CRO or Sub-Schedulers is scheduled and approved by the University Unit that has scheduling jurisdiction or control over that Property, and requests for use should be directed to that Unit.

2.4. “Associated Entity” means a private organization, foundation, association, or 501(c)(3) corporation that operates under its own charter or bylaws, but which provides funding or other support to the University.

2.5. “Brickyard” means the approximately 2.3-acre Main Campus space, which consists of a brick plaza and associated green-space. It is bounded on the south by Mendenhall, bounded on the north by the Erwin, Bloxton and Mamie Jenkins Buildings, bordered on the west by the Eakin Student Recreation Center parking lot, and bordered on the east by the Old Cafeteria Building. Contact the CRO with questions.

2.6. “Bulletin Boards”

2.6.1. “General Use Bulletin Board” means, for purposes of this Regulation, bulletin boards that are not Official Bulletin Boards, and that may be used by Members of the University Community and their Guests to post Printed Materials. The CRO may be contacted regarding the locations of General Use Bulletin Boards.

2.6.2. “Official Bulletin Board” means any bulletin board on or affixed to University Property that is reserved for use by the University or any University Unit for official publications. General Use Bulletin Boards are excluded from this definition.

2.7. “Central Reservation Office” (CRO) means the University Department responsible for coordinating, scheduling, and approving space reservations for Events and Expressive Activities on or in University Property that is under the CRO’s scheduling jurisdiction. In doing so, the CRO coordinates with Sub-Schedulers and other campus officials to support Expressive Activities and Events. The CRO shall comply with this Regulation.

2.8. “Commercial Solicitation” means the sale or promotion of goods or services, typically in exchange for money or other consideration, on University Property by a person or organization, for-profit. This definition also applies to goods or services offered for free when the ultimate goal of the person or organization is to turn a profit.

2.9. “Commercial Solicitation” is typically conducted by one of the following:
2.98.1. “Contracted Vendor” means a Non-Member of the University Community, such as an outside person or business, whether operating for-profit or Non-Profit, that has a current contract with the University to provide products or services.

2.98.2. “Non-Contracted Vendor” means a Non-Member of the University Community, such as an outside person or business, whether operating for-profit or Non-Profit, that does not have a current contract with the University to provide products or services.

2.109. “Common Areas of the Student Center(s)” means the lounge spaces located on the first, second and third floors of both Student Centers. These spaces are open for use at all times during hours of operation. This excludes all dining seating locations.

2.110. “Designated Forums”

2.110.1 “Main Campus Designated Forum” means the approximately 5,250 square foot area, within the Mall, that contains the Cupola and is bounded on all four sides by well-traveled pedestrian sidewalks. Contact the CRO for details.

2.10.2 “Health Sciences Campus Designated Forum” means the approximately 0.5-acre green space located immediately northwest of the intersection of the street designated as “North Campus Loop” and the street designated as “Campus Loop,” and bounded on the east by a parking lot, which site affords those in attendance an unobstructed view of any speaker and is easily accessible to event participants. Contact the CRO with questions.

2.1211. “Event” means a use of University Property which falls outside the definition of “Expressive Activity.” The term “Event” includes, but is not limited to, advertising or Commercial and/or Non-Profit Solicitations that promote the sale or use of a product or service, training seminars, workshops, job fairs, fundraisers, experiential activities, receptions, ceremonies, banquets, recreational events, and dances. Events should be scheduled using content-neutral criteria, including a consistently applied fee structure for use of University Property.

2.1312. “Expressive Activity” or “Activity” means all forms of expression that occur on University Property and that fall within the ambit of the First Amendment to the United States Constitution, which may include, but not be limited to, demonstration, speech-making, oral presentation, protest (including silent protest), marching, picketing, signs, leafleting, petition circulation, distribution of written information, counter-protest, symbols, and similar expressive communications and activities that are non-commercial in nature.

2.1413. “Expressive Activity Area” (EAA) means, with regard to the Main Campus, the Mall, the Brickyard, the Main Campus Designated Forum, those out-of-doors areas that have been consistently open to the Expressive Activity of Members of the University Community by tradition or by administrative approval, and the Common Areas of the Student Center. With regard to the Health Sciences Campus, EAA includes the Health Sciences Campus Designated Forum, the Common Areas of the Student Center, and those out-of-doors areas that have been consistently open to the Expressive Activity of Members of the University Community by tradition or by administrative approval. All parking lots are excluded during hours when they are in use. All Expressive Activity on or in University Property, whether inside or outside an EAA, remains subject to the provisions of this Regulation.
2.1514. “Fronting” means the person or organization making a reservation or using University Property is not the primary beneficiary of the Event, but the Event is in fact for the primary benefit of a different person or organization.

2.1615. “Fundraiser” means events and activities designed to increase the visibility of student organizations and encourage individuals to make financial contributions. The policies that govern a student organization’s handling of donations are established by the University and are approved and enforced by the Office of Student Activities and Organizations.

2.1716. “Guest” means a person, group, club or other organization that is invited to engage in Expressive Activity in or on University Property and is sponsored by a Member of the University Community. Any Member of the University Community may revoke their own Guests’ invitations at any time.

2.1817. “Instructional Facilities” means University Property that is directly related to the educational mission of the University.

2.1918. “Mall” means the approximately 5.5-acre site in the heart of Main Campus that is bounded on the east by Founders Drive, bounded on the north by Faculty Way, bounded on the west by Cupola Court and bounded on the south by Alumni Walk.

Contact the CRO with questions about space reservations for the Mall.

2.2019. “Material and Substantial” or “Materially and Substantially” refers to actions or activities that have an actual impact, as opposed to a predicted one. It includes actions that materially infringe upon the rights of others to engage in, or listen to, Expressive Activity. When determining whether this threshold has been met, officials should apply content-neutral, objective and relevant factors, including, but not limited to, whether an Expressive Activity is closed to the public; whether the Activity is occurring inside or outside; whether someone is interfering with the ability of others to hear, participate in or otherwise benefit from an Expressive Activity; whether someone is impeding ingress or egress to/from an Expressive Activity; and whether University functions are impeded or disrupted, including, but not limited to, University offices, classrooms, walkways, streets, and medical facilities.

2.2120. “Member of the University Community” or “Member” means a University Unit (including the Board of Trustees), a Registered Student Organization, a current employee, or a currently enrolled student.

2.2120.1. This definition excludes K-12 students and K-12 employees when they are in attendance at, or operating in the course and scope of their work duties, within a secondary school, as applicable, because such students and employees enjoy different First Amendment protections in the secondary school setting.

2.2221. “Non-Profit Solicitation” means the sale or promotion of goods or services, including, but not limited to, fundraisers, on University Property by a person or organization for non-profit purposes.

2.2322. “Officially Authorized” or “Official Authorization” means Events that have been approved by the persons or organizations managing or having jurisdiction over the University Property for the purpose for which a person or organization wishes to use, or is using the Property. This involves, but is not limited to, the CRO, Sub-Schedulers, Police, Facilities personnel, and Student Affairs personnel.
2. **2423.** “Non-Member of the University Community” means all persons, groups, clubs or other organizations that do not come within the definitions of Member of the University Community or Guest.

2. **2524.** “Political Activities” means actions directed toward the success or failure of a candidate for public office, political party, or partisan political group, including, but not limited to, campaigning, political management, and soliciting financial contributions for political purposes.

2. **2625.** “Printed Materials” means documents or papers of any kind that convey information via the written word. Examples include Commercial Solicitations, Non-Profit Solicitations, announcements, Banners, signs, declarations, Table Tents, handbills, leaflets, flyers, messages, statements, notices, pictures, posters, pronouncements, proclamations, and similar materials.

   2. **2625.1.** “Banner” means a flag, strip of cloth, sheet, paper or poster that has a total surface area greater than 625 square inches (e.g., larger than 25 inches by 25 inches).

   2. **2625.2.** “Table Tents” are folded miniature Printed Materials that are placed on top of tables (similar to a center piece).

   2. **2625.3.** “Yard Sign” (also known as lawn signs, placards, or political candidate signs), means Printed Materials that are displayed on approved University Property locations. Information can be displayed on each side. Yard signs are typically accompanied by yard sign wires/metal rods. The most common form of Yard Sign is called an “H-frame” sign.

2. **2726.** “Registered Student Organization” means an organization (including a club) comprised of University students, that is fully registered, and in good standing with, the Office of Student Activities and Organizations.

2. **2827.** “Responsible Person” is one who serves as a liaison between a person or persons engaging in an Expressive Activity and University Officials in order to promote compliance with this Regulation, and who shall identify themselves upon the request of an Authorized University Official, including in the course of a Spontaneous Expressive Activity. The University recognizes that the nature of the Expressive Activity may make it impractical to have someone serving in this role. An example could be Spontaneous Expressive Activity involving a large number of persons. If there is only one person exercising their free speech rights, then that person would serve as the Responsible Person. The Responsible Person shall be a Member of the University Community, except in cases where the Expressive Activity is carried out by Non-Members of the Community in a Designated Forum.

2. **2928.** “Sponsored Organization” is any organization that is not an Affiliated Organization, but which is sponsored by a University Unit.

2. **3029.** “Spontaneous Expressive Activity” means Expressive Activity by Members of the University Community in an Expressive Activity Area in which the Activity was planned fewer than two business days prior to the date of the event.

2. **3130.** “Student Center” means the Main Campus Student Center and the Health Sciences Student Center.
2. “Sub-Schedulers” means those University employees and units who have responsibilities for managing space reservations for particular University Property outside of the CRO’s scheduling jurisdiction. In doing so, Sub-Schedulers work in concert with the CRO.

2. “True Threats” means statements meant by the speaker to communicate a serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals.

2. “University,” except when otherwise indicated, means East Carolina University.

2. “University Property” or “Property” means all grounds, buildings, rooms, auditoriums, facilities, stadiums, or other space or improvements, that are owned, leased, used, or otherwise controlled by the University.

2. “University Unit” means the Board of Trustees, the Chancellor, and all University Divisions, Departments, Associated Entities, Registered Student Organizations, Centers, Institutes and any other organization that is wholly sanctioned, supervised and governed by the University or a Division or Department of the University.

3. Aesthetics, Safety and Efficient Operations

3.1. In order to accomplish its mission, the University must enforce measures to protect the safety of persons and property, promote efficient operations and maintain aesthetically pleasing and orderly University Property. When determining whether an Expressive Activity should be moved or limited, officials should apply content-neutral, objective and relevant factors, including, but not limited to, whether an Expressive Activity is closed to the public; whether the Activity is occurring inside or outside; whether someone is interfering with the ability of others to hear, participate in or otherwise benefit from an Expressive Activity; whether someone is impeding ingress or egress to/from an Expressive Activity; and whether University functions are impeded or disrupted, including, but not limited to, University offices, classrooms, walkways, streets, and medical facilities.

3.2. General Requirements for Using University Property for Events

3.2.1. The CRO’s website lists the University Property under CRO’s scheduling jurisdiction. Some University Property, however, is scheduled by designated Sub-Schedulers in other University Academic or Administrative Units. Due to its nature and functions, some University Property is not available for Events or Expressive Activities. The CRO will direct persons to the appropriate Sub-Schedulers and remain involved as necessary to facilitate an Event or Expressive Activity.

3.2.2. The University requires a fee for use of some Property. This fee may differ depending on whether the person or entity seeking to use the Property is a Member of the University Community or Guest vs. a Non-Member of the University Community. The CRO should be contacted for the latest fee information.

3.2.3. Events and Expressive Activities must be conducted in compliance with any applicable laws, regulations, and rules, including those that require accessibility, reasonable accommodations and that facilitate health and safety. The CRO will direct Event organizers to relevant regulatory departments, which may include, but not be limited to, University Environmental Health and Safety (EH&S), Disability Support Services, and/or ECU Police.
3.2.4. Throughout the planning and implementation stages of an Event, all organizations and persons who wish to use University Property for Events or Expressive Activities shall designate one or more Responsible Persons who shall be readily available and responsive to the CRO, Sub-Schedulers, and University officials and Departments that enforce applicable laws, rules, or regulations.

3.2.5. University Property is not available when the University and/or the Facility to be used for an Event is/are closed.

3.2.6. During scheduled class times, Instructional Facilities are available only to University Units. Outside of scheduled class times, Instructional Facilities may be made available to Sponsored Organizations or Non-Members of the University Community, provided all applicable University policies, regulations, and rules, including this Regulation, are satisfied.

3.2.7. Unless all applicable safety and access laws, rules, and regulations are satisfied, including, but not limited to this Regulation, Event and Expressive Activity participants shall not maintain any open flame or erect or place in or on any Facility any permanent or semi-permanent structure or object, including, but not limited to, tents, trailers, Banners, signs, tables, or stakes driven into the ground (See EH&S Event Safety Guide in Additional References).

3.2.8. As listed by the CRO, certain outdoor Events or Expressive Activities may include the serving of food or beverages if a University-approved caterer is used and all applicable health and safety rules and regulations are followed.

3.2.9. University Property may not be used for overnight Events or Expressive Activities, except for those conducted by Campus Recreation and Wellness, ECU Athletics, the Youth Programs and Camps Office or University sanctioned events/programs.

3.2.10. Event organizers and sponsors, as applicable, shall maintain the cleanliness and orderliness of all University Property in compliance with the CRO and the rules of the particular Property being used. The Properties may charge their standard fee for housekeeping services as well as grounds services. The fee may vary depending on the needs of the particular Event or Expressive Activity.

3.2.11. Non-Members of the University Community and Guests using University Property for Events or Expressive Activities shall procure and maintain personal injury and property damage liability insurance, with limits of not less than $1 million per occurrence and $3 million aggregate. All such insurance policies must name East Carolina University as an additional insured, and the declarations page naming the University as an insured must be provided to CRO or the identified Sub-Scheduler at least 3 business days prior to the Event.

3.2.12. All Events and Expressive Activities must be conducted so that pedestrian traffic and vehicular traffic are not impeded and such that those members of the University community who are not participating in the Event may proceed with their normal educational and operational activities.

3.2.13. Event and Expressive Activity participants shall not damage, alter, or deface any Facility or other University property.

3.3. Reservation of University Property for Events
3.3.1. Except for Spontaneous Expressive Activity, persons wishing to reserve all or part of University Property that is under the scheduling jurisdiction of the CRO or Sub-Schedulers for an Event or Expressive Activity must submit a completed CRO Request Form through 25Live no fewer than 10 business days prior to the planned Event. If the person making the request is unable to access or use the web portal, the person should call or email the CRO. Although the CRO or a Sub-scheduler will make reasonable efforts, timely submission of the Form does not guarantee permission to hold an Event at the requested Facility on the requested date(s). All applicable pre-Event content-neutral time, place and manner rules, regulations, and policies, including this Regulation, must be satisfied before an Event may be scheduled, or take place, as applicable. Requests submitted to CRO fewer than 10 business days may be accommodated if space and resources are available. Contact the CRO for the latest listing of reservable University Property.

3.3.2. Physical attributes, locations, capacities, suitable uses, and availabilities vary widely. Therefore, different content-neutral time, place and manner requirements may apply to different University Properties. The CRO, or a Sub-Scheduler, as applicable, will help to ensure the requestor is timely advised of fees and requirements applicable to the Property requested.

3.3.3. In cases where University Property is requested/reserved by two or more persons or organizations, or where one use would interfere or detract from another use, the CRO and/or Sub-Schedulers shall first attempt to resolve the conflict to the satisfaction of all parties, including moving Events or Expressive Activities to other Property and scheduling that avoids conflict. In cases where a conflict cannot be resolved, priority is determined as follows:

3.3.3.1. Chancellor or Board of Trustees;

3.3.3.2. Members of the University Community;

3.3.3.3. Guests; and

3.3.3.4. Non-Members of the University Community.

3.3.4. The University has determined that this hierarchy best serves its Mission. The Vice Chancellor for Student Affairs/Designee, in consultation with Central Reservations Office, University Police, Facilities and other key stakeholders, may alter the above hierarchy for single Events or Expressive Activities, based solely on content-neutral time, place and manner criteria.

3.3.5. Before approving a request, the CRO or Sub-scheduler will require such content neutral information necessary in order to comply with this Regulation and/or facilitate the Event or Expressive Activity, including: (i) the size and nature of the planned Event; (ii) the intended date and time; (iii) the names and contact information of the organizer(s) and/or sponsor(s); and (iv) other content neutral time, place, and manner information necessary to facilitate an Event or Expressive Activity in that venue.

3.3.6. With the exception of Spontaneous Expressive Activity, the CRO or Sub-schedulers may require the following prior to the Event:

3.3.6.1. Identification and contact information for the Event Responsible Person; and
3.3.6.2. Written proof, including an email, that a Guest is invited by a Member of the University Community.

3.3.7. University Property under the jurisdiction of the University Athletics Department is scheduled by Athletics Sub-Schedulers. The CRO will direct persons wishing to hold an Event or Expressive Activity on or in those Properties to the appropriate Sub-Scheduler for Athletics.

3.3.8. The CRO will coordinate with the Office of the Chancellor and Chief of Staff in order to facilitate requests for lawful use of University Property for Political Activities. No University equipment or services (e.g., vehicles and other equipment, campus mail, computers and e-mail, postage, photocopying and fax, etc.) may be used for Political Activities. This applies equally to All Persons and Organizations.

3.3.9. Fronting is prohibited. If it is determined that a Person or Organization is Fronting for a different Person or Organization, the CRO will not schedule the Event and/or may rescind approval previously given, unless the Person or Organization that is the primary beneficiary can satisfy the requirements of this Regulation. If it is discovered after the fact that a Member of the University Community fronted for a Non-Member of the University Community, both will be liable for payment pursuant to the fee structure applicable to Non-Members of the University Community, until the total fee is collected.

3.3.10. Markings on University Property are prohibited.

3.3.11. When a University Unit co-sponsors an Event or Expressive Activity with a Non-Member of the University Community, the University Unit will be charged the standard charge for the use of space, if any, applicable to a Non-Member of the University Community.

3.3.12. An Event or Expressive Activity may be cancelled, moved, or limited under certain circumstances, which are spelled out in the Freedom of Expression Regulation and/or this Regulation.

3.3.13. Space at the UNC Coastal Studies Institute is available for reservations (see above additional references for website access).

3.3.14. Reserving space in some campus parking lots or roadways is available through ECU Parking and Transportation (see above additional references).

3.4. Commercial Solicitation

3.4.1. Non-Contracted Vendors are prohibited from conducting Commercial Solicitation on University Property. This includes Non-Contracted Vendors engaged in fronting with a Member of the University Community or Guest.

3.4.2. Contracted Vendors may not engage in Commercial Solicitation of University Students or employees in or on University Property unless it is the job of the student or employee to participate in such Commercial Solicitations on behalf of the University.

3.4.3. Non-Profit Solicitation
3.4.3.1. Officially Authorized Members of the University Community and/or their Guests may sell or promote goods and services on University Property for non-profit purposes, including as part of non-profit fund-raisers.

3.4.3.2. Members of the University Community and/or their Guests may conduct Non-Profit Solicitations of their own members on University Property, as deemed necessary and appropriate by their rules and practices.

3.4.3.3. All organizations and persons wishing to engage in Non-Profit Solicitation, including but not limited to fund-raising in the residence halls, shall first receive permission and direction from the Associate Vice Chancellor for Campus Living, pursuant to content-neutral time, place, and manner rules.

3.4.3.4. Non-Profit Solicitations of charitable contributions must comply with North Carolina General Statutes Chapter 131F, entitled “Solicitation of Contributions.”

3.4.4. Additional Requirements Applicable to both Commercial and Non-Profit Solicitation

3.4.4.1. Food/beverages may not be prepared at the place of distribution, and must comply with all applicable health code standards, as well as ECU Environmental Health and Safety Requirements for Events.

3.4.4.2. Goods and services offered for sale or free of charge must comply with applicable State and Federal health and safety laws and regulations.

3.4.4.3. Sale of dangerous or unlawful items, or items that are forbidden on University Property by Policy or law, including but not limited to guns, knives, and lighters is prohibited.

3.4.4.4. If applicable, Event sponsors must schedule and reserve space for the solicitation event through the Central Reservations Office (CRO) or its authorized Sub-Schedulers.

3.4.4.5. Unless Officially Authorized, sale promotion, or distribution of goods or services that are the same or similar to the goods or services already provided by the University or its Contracted Vendors, including, but not limited to, University dining services, course materials, books (print or electronic versions), electronics, beverages, food, school and office supplies, merchandise, apparel, or printing services, is prohibited.

3.4.4.6. Solicitation or distribution of products or services that violate University copyrights or that infringe upon University trademarks without written approval to do so and payment of all fees and royalties in compliance with the ECU Creative Services Logo Review process, or similar official process as from time to time may be designated by the University for such purposes, is prohibited.

3.4.4.7. Door-to-door Solicitation in ECU owned buildings or operated residence halls is prohibited.

3.4.4.8. All Solicitation must be done in compliance with the Freedom of Expression Regulation. The Event sponsor is responsible for compliance with this Regulation, the Environmental Health
and Safety Requirements for Events and all other applicable laws, policies, rules and regulations concerning event safety.

3.4.4.9. A Responsible Person who is a University employee must attend the entire Event and function as the point of contact for the office of Environmental Health and Safety (EH&S), the ECU Police and other authorized University officials.

3.4.5. Exclusions

3.4.5.1. Nothing in this Regulation shall be deemed to affect the Officially Authorized activities of University Units, departments or their authorized members and agents (which may include students) from conducting the normal operation of the University and/or its educational, patient care or research activities, including, but not limited to, the following: taking surveys, administering the State Employees Combined Campaign, or sponsorship activities taking place in Athletic Facilities under contract/written agreement with ECU Athletics or its Sports Marketing/Licensing contracted partner.

3.5. Posting of Printed Materials On or In University Property.

3.5.1. All Persons and Organizations posting or distributing Printed Materials are responsible for compliance with this Regulation and all other applicable laws, policies, regulations and rules. No University Property shall be damaged by posting of Printed Materials.

3.5.2. Subject to this Regulation, Printed Materials may be posted in Expressive Activity Areas for a maximum of 5 business days, at which time they must be removed by the Responsible Person. Failure to do so constitutes permission for Authorized University Officials to remove or dispose of them.

3.5.3. Printed Materials not in compliance with this Regulation may be removed immediately without notice by Authorized University Officials.

3.5.4. Bulletin Boards.

3.5.4.1. Members of the University Community and Guests may post Printed Materials on General Use Bulletin Boards. All such Materials must be removed by the person or organization that posted them within 24 hours after the Event concludes. Failure to do so constitutes permission for Authorized University Officials to remove or dispose of them.

3.5.4.2. Placement of Printed Material on Official Bulletin Boards is limited to University Units and those Non-Members of the University Community who are operating under the direction of a University Unit. Official Bulletin Boards are managed by building managers or department offices.

3.5.4.3. Printed Material posted on Bulletin Boards must not exceed 187 square inches (e.g., 11 inches x 17 inches), and shall not extend beyond the frame of the bulletin board. No matter the size, no more than one item for the same Event or other purpose may be placed on the same Bulletin Board.

3.5.4.4. Printed Materials about an upcoming Event or Expressive Activity may also be posted on General Use Bulletin Boards which serve the site of the Event or Expressive Activity, no sooner
that 14 days prior to the Event or Expressive Activity. The Responsible Person must remove them within 24 hours after the conclusion of the Event or Expressive Activity, or they may be removed without notice by Authorized Officials.

3.5.4.5. All Printed Materials posted on all Bulletin Boards may be removed and discarded in the month following the end of each semester and at the end of the second summer term by University Housekeeping Services, regardless of the date of posting.

3.5.5. Table Tents

3.5.5.1. Table Tents may be placed by University Units only in the following Facilities: Mendenhall, Health Sciences Campus Student Center, Main Campus Student Center, Campus Dining locations, and the Eakin Student Recreation Center.

3.5.6. Yard Signs

3.5.6.1. Yard Signs may be self-installed only by a University Unit.

3.5.6.2. A Yard Sign may be placed on University Property no more than two (2) weeks prior to the Event or Expressive Activity and must be removed within 24 hours following the Event or Expressive Activity, or they may be removed without notice by Authorized Officials.

3.5.6.3. Yard Signs may not penetrate more than 3 inches into the ground.

3.5.6.4. Yard Signs must not exceed 360 square inches in size.

3.5.6.5. Yard Signs may be placed only in mulch areas of landscaping. Yard Signs placed elsewhere may be moved, without notice, to the nearest mulch area.

3.5.7. Banners

3.5.7.1. Except as provided below, in order to avoid damage to University Property, only Facilities Services may hang or remove Banners on the exterior of University Property. Facilities Services will use content-neutral criteria. Facilities Services will hang Banners only on behalf of Members of the University Community.

3.5.7.2. Members of the University Community are permitted to hang or self-install Banners only at pre-designated Banner locations. The Banner locations must be reserved through the Central Reservation Office. There are ten (10) reservable spots at two (2) designated Banner areas:

3.5.7.2.1. Center of the Mall between Joyner Library and Student Health Services; and

3.5.7.2.2. Bottom of College Hill.

3.5.7.3. In order to avoid confusion about where Events will be taking place and allow University Officials sufficient time to prepare for and facilitate Events, all Banners should be Event or Expressive Activity specific and should include information such as the name, date, event sponsor, and University Property location.
3.5.7.4. Event or Expressive Activity Banners may hang for no more than two (2) weeks prior to the Event or Expressive Activity and must be removed by the Responsible Person within 24 hours following the Event, or they may be removed without notice by Authorized Officials.

3.5.7.5. A Banner not in compliance with this Regulation will be removed without notice, to the extent it is brought to the attention of the CRO or other Authorized University Officers.

3.5.7.6. Banners may not hang over sidewalks or in any way inhibit pedestrian or vehicle movement. If a Banner causes any damage to University Property, the Member(s) of the University Community responsible for installation of the Banner are responsible for the cost of repair.

3.5.7.7. Banners referencing Events or Expressive Activities that are being held outside of University Property or being sponsored by Non-Members of the University Community renting or reserving space on University Property shall not be posted on University Property.

3.5.8. Leaflets/Handbills/Flyers

3.5.8.1. This section relates only to Non-Profit distribution of leaflets, handbills, and flyers. Distribution of leaflets, handbills or flyers constituting Commercial Solicitation are governed by those sections pertaining to Commercial Solicitation.

3.5.8.2. Leaflets, handbills, and flyers may be distributed by mail, including campus mail, in compliance with University Mail Services content-neutral rules and regulations.

3.5.8.3. Only Members of the University Community and their Guests may distribute leaflets, handbills, or flyers on or in University Property.

3.5.8.4. Except in the connection with Spontaneous Expressive Activity, persons who wish to distribute leaflets, handbills, or flyers on or in University Property should contact the CRO to reserve one or more of the pre-designated spaces for distribution.

3.5.8.5. The organizations and persons distributing leaflets, handbills, or flyers are required to collect and remove any loose, dropped, or littered leaflets, handbills, or flyers in the vicinity of the distribution area. Failure to do so may result in a charge to the distributing organizations or persons if Facilities Services must provide housekeeping or grounds services due to violation of this subparagraph. This subparagraph also applies to Spontaneous Expressive Activity.

3.5.9. Fundraisers

3.5.9.1. Except as provided below under the heading “Raffles,” all activities in which participants must pay to be eligible to win a game of chance are prohibited on University Property.

3.5.9.2. All fundraisers are also subject to the Official Student Organization Handbook fundraising guidelines.

3.5.10. Bake Sales
3.5.10.1. Non-Profit bake sales are allowed as a form of fundraising for Registered Student Organizations only.

3.5.10.2. A University Unit may not conduct a Non-Profit bake sale unless it is doing so in partnership with one or more Registered Student Organizations.

3.5.10.3. The CRO must be contacted to reserve space.

3.5.10.4. Registered Student Organizations and partnered University Units may sell only pre-packaged goods or foods from a licensed establishment. No homemade products may be offered for sale. The attempt to sell homemade products will be cause for shutting down the bake sale.

3.5.10.5. All such Events shall be conducted in compliance with the Environmental Health & Safety Requirement for Events.

3.5.11. Raffles

This section applies only to those divisions, departments, schools, centers and other bodies that are legally and operationally within and under the exclusive and direct control of the University. This section places no limitations or requirements on Associated Entities. Associated Entities are advised, however, to consider the requirements and limitations they may be individually subject to by virtue of North Carolina General Statute section 14-309.15.

3.5.11.1. Registered Student Organizations are not permitted to conduct raffles.

3.5.11.2. All Raffles covered by this section shall be conducted in compliance with North Carolina General Statute section 14-309.15.

3.5.11.3. There may be up to a total of four Raffles conducted per calendar year collectively, by all divisions, departments, schools, centers or other bodies that are legally and operationally within and under the exclusive and direct control of the University, and prior to conducting a raffle they must first check with the Vice Chancellor for University Advancement or designee to determine whether or not the collective number of raffles has already reached the annual limit. Raffles conducted by Associated Entities do not count for purposes of this determination. Legal questions regarding Raffles should be directed to the Office of University Counsel.

3.5.12. Amplified Sound

3.5.12.1 Amplified Sound is permitted only on Thursdays and Fridays from 5:00 PM-10:00 PM, Saturday from 8:00 AM-10:00 PM, and Sundays from 8:00 AM-7:00 PM.

3.5.12.2 Outside of the times designated in 3.5.12.1, Amplified Sound, including recorded music, sound checks, microphones, or bull horns is not permitted within 25 feet of classrooms, research facilities, and the libraries.

3.5.12.3 Amplified Sound events are prohibited outdoors during class hours, regardless of the time of day with the exception of Mall area, Trustees Fountain, Whichard side yard, Spilman lawn, Jenkins front yard, grassy knolls behind the Student Centers, band practice area of
College Hill, and athletic grounds (including North Recreation Complex and Blount Recreational Sports Complex).

3.5.12.4 All outdoor events are subject to noise provisions of the Greenville City Code Chapter 5 (sound limit 60dbA measured at least 25 feet from speakers by a sound meter).

3.5.12.5 Amplified Sound in excess of 15dBA is not allowed within 25 feet of libraries and other research locations at all times that these facilities are open.

3.5.12.6 Organizations seeking to have events outdoors that involve Amplified Sound must articulate at the time they make reservations how they will control sound levels as specified in this Regulation.

3.5.12.7 Testing sound systems in excess of the allowed 60dbA limit is not allowed under any circumstances and may result in the event being ejected from the University grounds.

3.5.12.8 Amplified Sound from personal devices is prohibited during events.

3.5.12.9 All Amplified Sound events are to be conducted so that campus pedestrian, bicycle, and automobile traffic are unimpeded, and members of the University community are not deterred from participating in their usual activities.

3.5.12.10 Amplified Sound events are to be conducted in an orderly and peaceful manner, and harassing, physically abusive, threatening, or intimidating conduct is strictly prohibited.

3.5.12.11 Amplified Sound shall be reduced or ended if in violation of this Regulation and the Freedom of Expression Regulation, including North Carolina General Statute 14-190.1 governing obscene literature and exhibitions.

3.5.12.1. University Property—Subject to this Regulation and the exceptions set forth below, Amplified Sound is not allowed within 25 feet of any classroom building or study area during those times they are in use.

3.5.12.2. Special Locations—Amplified sound is allowed in the following areas during official University Events arranged by the Chancellor’s Office or designees:

3.5.12.2.1. Trustees Fountain at Wright Circle;

3.5.12.2.2. Whichard side-yard area;

3.5.12.2.3. Fifth Street yard area (beside Spilman); and

3.5.12.2.4. Fifth Street yard area (in front of Jenkins).
3.5.12.3. Amplified sound is also allowed in the following areas in accordance with the guidelines established by this Regulation:

3.5.12.3.1. Bottom of College Hill area;

3.5.12.3.2. Athletic grounds; and

3.5.12.3.3. Recreation field areas (North Recreation Complex and Blount Recreational Sports Complex);

3.5.12.4. In addition to any policies, regulations, and rules governing the specific area being used, all outdoor Events and Expressive Activities are subject to the City of Greenville Noise Ordinance.

3.5.12.5. The performing groups, sound amplification providers, and the Sponsoring Organizations must acknowledge awareness of and adherence to all sound regulations by including agreement to this Regulation in the contract when scheduling an Event.

3.5.12.6. Amplified Sound shall be reduced or ended to the extent it violates this Regulation or the Freedom of Expression Regulation, including North Carolina General Statute 14-190.1, governing obscenity.

3.5.13. Alcohol

3.5.13.1. The distribution of alcohol on University Property is prohibited, except in compliance with the University Alcohol Policy.

3.5.14. Enforcement

3.5.14.1. Consistent with, and subject to, the Freedom of Expression Regulation, failure to adhere to this Regulation may result in one or more of the following sanctions:

3.5.14.1.1. Formal warning letter;

3.5.14.1.2. Loss of future solicitation opportunities on University Property;

3.5.14.1.3. Loss of future opportunities for formal sponsorship activity;

3.5.14.1.4. Loss of future opportunities to sign sponsorship agreements with student organizations;

3.5.14.1.5. Loss of opportunities to sign future contracts with the University; and

3.5.14.1.6. Loss of access to University sponsored events, such as but not limited to, Market Days, Apartment Fairs, etc.
Resolution #22-05*
Approved by the Faculty Senate: January 25, 2022
Received by the Chancellor: January 31, 2022 (with comment**)

*Note: resolution was originally submitted and recorded as #21-78; the numbers were editorially revised to start over with the new year.

**Chancellor’s response:
The formal faculty advice has been received and is included in the final version of the policy that will be going to the Board of Trustees at their February 2022 meeting. Ms. Stephanie Coleman, Vice Chancellor for Administration & Finance, will present the policy during the Finance and Facilities Committee meeting.

Formal faculty advice on Employment-Related Background Checks and Criminal Activity Reporting Regulation, as follows:

The Faculty Welfare Committee reviewed this policy and provided advice to Chair of the Faculty Martínez to relay to the University Policy Committee, due to a requirement that the advice be provided on a tight timeline that did not allow for reporting to the Faculty Senate first. The advice they provided was in response to a draft version of the regulation, found here. The text of that document appears below, under the formal faculty advice, and does not have the comments included in the original document.

The Faculty Welfare Committee submits the following formal faculty advice on the regulation:

1. Please define “minor traffic violation”.
2. Please clarify if student employees will be included in this policy.
3. Please clarify if individuals in law enforcement will be exempt from the policy since they are subject to the State of North Carolina’s background check requirements for law enforcement certification.

Title Employment-Related Background Checks and Criminal Activity Reporting

PRR Classification # (List POL, REG RULE and leave #blank. To be done by Legal)

PRR General Subject Matter (Leave blank. To be done by Legal)

Print-friendly version
(Print-Friendly version is a word version of this template available for downloading)

Authority: Board of Trustees

History: December 11, 2000, amended April 18, 2008, effective July 1, 2008, revised and transitioned to University Policy Manual XX, 2022

Related Policies:

Minors on Campus – https://www.ecu.edu/prr/01/15/13

Notice of Nondiscrimination and Affirmative Action Policy http://www.ecu.edu/prr/05/25/02
1. Introduction

1.1. The East Carolina University (hereinafter ECU or University) Employment-Related Background Checks and Criminal Activity Reporting Policy seeks to promote a safe learning and work environment for students, staff, faculty, and visitors. Background checks will be used to evaluate prospective or current employees for employment purposes and will not be used to discriminate on the basis of any of the Protected Classes as outlined in the University’s Notice of Nondiscrimination and Affirmative Action Policy. Employment decisions must be solely job related for the position in question and consistent with business necessity.

2. Scope

2.1. ECU will conduct background checks on any applicant for employment with the University who has also been selected as a final candidate for a position, as well as current employees who change position, or employees holding designated sensitive positions, all employees subject to the State Human Resources Act (SHRA), Clinical Support Services (CSS), employees exempt from the State Human Resources Act (EHRA) faculty and non-faculty, Senior Academic and Administrative Officers (SAAO), temporary employees, including student employees, or post-doctoral positions at ECU.

3. Definitions
3.1. “Covered Individual” means any finalist for employment or current employee employed by the University in a permanent, temporary, or time-limited EHRA faculty and non-faculty, SAAO, SHRA, CSS, or post-doctoral position.

3.2. “Charge” means an accusation of a crime by a formal complaint, information, or indictment.

3.3. “Conviction” means a guilty verdict, guilty plea, or a “no contest,” nolo contendere, or Alford plea, or any other resolution that is the functional equivalent of a judgment, including probation before judgment and deferred prosecution.

3.3.1. For Employees who drive a dedicated State or University vehicle as part of their job, or to whom a State vehicle is provided to for the purposes of conducting University business, suspension or loss of driving privileges will also be considered a Conviction for purposes of this regulation.

3.4. Minor traffic violation

3.5. “Positions with Sensitive Duties” are positions identified by the Human Resources Department in conjunction the unit, with the following duties, including:

   3.5.1. Direct responsibility for the care, safety, and security of vulnerable populations.
   3.5.2. Direct access to or responsibility for cash and cash equivalents, credit card information, University property disbursements or receipts, or extensive authority for committing the financial resources of the University.
   3.5.3. Direct access to or responsibility for controlled substances, select agents, or hazardous materials.
   3.5.4. Master key and/or badge access to buildings, residence halls or other secure facilities.
   3.5.5. Direct access to, or responsibility for, information or areas designated by the University as safety or security sensitive.
   3.5.6. Any other position deemed sensitive by the University due to the nature of the duties of the position.

4. Covered Individuals

4.1. Any finalist for selection and employment for all EHRA faculty and non-faculty, SHRA, CSS, SAAO, and post-doctoral positions, as well as finalists for all temporary appointments, including students, are subject to background check.
4.2 University employees who change jobs due to promotion, lateral transfer, or reassignment are subject to background checks. Current employees who assume new duties that cause the current position to become appropriate for background checks, such as assuming sensitive duties, are also subject to background checks at the time of the assumption of these duties.

4.3 University employees who are convicted of a criminal offense (other than a minor traffic violation), must report any conviction to their immediate supervisor within five (5) calendar days of the conviction. Upon report of a criminal conviction, employees will undergo a background check. The immediate supervisor shall notify the Employee Relations unit in Human Resources (HR) within five (5) business-days of receiving notice of a conviction in order to initiate the required background check.

4.4 Any other time deemed necessary by the Human Resources Department.

5. Scope and Types of Background Checks

5.1. Criminal history, and sex offender checks will be conducted on all covered individuals in accordance with the procedure applicable to the individual’s position designation. All background checks must include, at a minimum, federal criminal history, applicable criminal history for all local and state jurisdictions in which an individual has previously lived within the time period of the check, the national sex offender registry, and, for designated positions, a federal System for Award Management (SAM) and Office of Inspector General debarment check. The check should include a good faith attempt to identify any omissions by the candidate with respect to prior residences during the time period being checked. Certain University programs may have additional or more stringent requirements for background checks than those provided by this Regulation.

5.1.1 All background checks must cover a time period of no fewer than seven years as of the date of the check, when available within the relevant jurisdictions, or until age 18 if the applicant is younger than 25 years old, or as required by external, affiliated programs.

5.2. A criminal conviction does not necessarily eliminate a prospective or current employee from consideration for employment with the University. Each conviction will be reviewed, as outlined in Criminal Background Checks Standard Operating Procedure (SOP), with respect to the nature of the offense, the surrounding circumstances, seriousness, the amount of time since the conviction, and the relevance of the conviction to the position. In addition, an applicant’s criminal history will be considered in accordance with the U.S. Equal Employment Opportunity Commission's Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act, and any guidance provided by the North Carolina Office of State Human Resources (OSHR). A candidate’s expunged or pardoned convictions; pending charges; arrests not resulting in a conviction; or charges resulting in dismissal or not guilty are prohibited. However, separate and apart from a specific judicial status or disposition, the institution may consider a candidate’s documented conduct incidental to an arrest (including matters that remain pending) if the conduct is demonstrably related to the position’s responsibilities or access to institutional resources.
5.3 A discovery of falsification of criminal history or activity, including misrepresentation or failure to disclose relevant information as part of the recruitment and application process, will disqualify a candidate from employment consideration and may result in termination from employment.

5.4 Employees of the University are employees of the State of North Carolina and, as such, are expected to adhere to all federal and state laws both in the workplace and in the community. A Conviction for an Unlawful Offense may be considered unacceptable personal conduct for staff (specifically, conduct unbecoming a State employee that is detrimental to State service) or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty – or misconduct that interferes with the capacity of the employee to perform effectively the requirement of his or her employment for a NF-EHRA employee, and, accordingly, may result in disciplinary action up to and including separation from University employment.

5.4.1 Convictions for an Unlawful Offense that do not result in separation from University employment will be considered should the Employee take on additional duties or apply for other positions within the University.

5.4.2 If an Employee receives a Charge for an unlawful offense, the totality of the circumstances surrounding the Charge may be sufficient to be considered unacceptable personal conduct for staff or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty or misconduct that interferes with the capacity of the employee to perform effectively the requirement of his or her employment for a NF-EHRA employee, and, accordingly, may result in disciplinary action up to and including separation from University employment.

5.5 Exceptions- Background checks are not required in the following circumstances:

5.5.1 Faculty members under consideration for reappointment, or subsequent appointment, promotion to a new Faculty rank or title, or the conferral of permanent tenure;

5.5.2 Invited guest speakers, guest lecturers, or guest instructors having no interaction with sensitive activities and whose interactions with minors or other vulnerable populations is limited;

5.5.3 For the Community School, public school teachers do not require background checks if an adequate background check is required, and completed, by their respective local education agency.

5.6 Motor Vehicle Checks (MVR). Motor vehicle checks will be conducted on the final candidate(s) for any position(s) that require the individual to drive a State or University vehicle as a regular part of their job responsibilities or when a dedicated vehicle is provided to the employee for the purpose of conducting University business. MVR will be conducted in accordance with the Standard Operating Procedure (SOP) for MVR implemented with this Regulation.
6. Procedure

6.1 HR will process and obtain background checks required by this regulation, using a Professional Background Screening Association (PBSA) accredited vendor. No candidate may commence work until the background check is completed and deemed satisfactory by the University.

6.1.1 In limited emergency hiring situation—such as filling a vacancy to perform critical work or to ensure campus safety—the Associate Vice Chancellor for Human Resources, or designee, in consultation with the Vice Chancellor of the applicable division for the position, may make an exception and allow an employee to begin work prior to completion of the background check.

6.1.2 In such cases where an exception is made for a candidate to commence employment, the offer and appointment letter shall state that both the offer and continued employment are contingent on the return of a background check which is deemed satisfactory by the University, through the Department of Human Resources.

6.2 Procedures for applicable background checks are provided by the Standard Operating Procedure (SOP) implemented with this Regulation. Specifically, the Criminal Background Checks SOP shall be followed for employment hires and events covered by this regulation.

6.3 The Department of Human Resources will receive and review the results of the background check to determine whether the results are satisfactory to the University. This review will be completed consistent with the applicable SOP and with input from other campus units, such as the Office of University Counsel and/or Campus Police, as needed.

6.4 Violations of this Policy, including failure to consent to any background checks required by this Policy, may result in the failure to meet the contingencies of the appointment and/or disciplinary action in accordance with the policies and procedures applicable to the Employee’s position designation.

6.5 The associated SOPs are subject to periodic updates. Any such revisions to the SOPs will be conducted in consultation with the Office of University Counsel.

7. Confidentiality and Retention of Background Checks

7.1 Employment-related background check records are considered to be part of an Employee’s confidential personnel file and are not subject to public release except as required or allowed under applicable provisions of state law NCGS §126-22. Background check records generated under this Policy will be maintained in accordance with University Policy.
Resolution #22-06
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: March 29, 2022

Approval of Spring 2022 Graduation Roster, including Honors College graduates.

Resolution #22-07
Approved by the Faculty Senate: February 22, 2022
Received by the Chancellor: March 29, 2022

Curriculum and academic matters acted on and recorded in the February 14, 2022 Graduate Council meeting, including level I action items from the November 17, 2021, December 1, 2021, January 19, 2022, and February 2, 2022 Graduate Curriculum Committee meeting minutes which were approved by its delegated authority and are reported here for informational purposes, and programmatic action item (GC 22-01) recorded in the February 14, 2022 Graduate Council meeting, included level II action items from the January 19, 2022, and February 2, 2022 Graduate Curriculum Committee meeting minutes, which were forwarded to the Educational Policies and Planning Committee (EPPC), and included an establishment of a New Certificate (Level II), Healthcare Emergency Planning and Disaster Response from the Department of Advanced Nursing Practice and Education within the College of Nursing; revision to an existing degree (Level II) Public Administration, MPA; establishment of New Accelerated Programs (Level II) Accelerated Bachelor of Arts in Political Science/Master of Public Administration and Accelerated Bachelor of Science in Political Science/Master of Public Administration; and the establishment of New Accelerated Programs (Level II) Accelerated Bachelor of Arts in Multidisciplinary Studies/Master of Science in Security Studies; Accelerated Bachelor of Science in Multidisciplinary Security Studies/Master of Public Administration from the Department of Political Science within the Thomas Harriot College of Arts and Sciences, and policy action item (GC 22-02) recorded in the February 14, 2022 Graduate Council meeting, included a revision to the “Significance of Course Numbers” policy in the Graduate catalog to clarify that 5000-5999 master’s courses must not be required in an undergraduate degree but may be may be used as electives only; revision to the “Graduate School Financial Support” policy and eligibility requirements to allow students in online programs to be supported on a graduate assistantship; and recommendations for Prior Learning Assessment (PLA) Policies and Portfolio-Based Assessment Procedures.

Resolution #22-08
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: March 29, 2022

Curriculum and academic matters acted on and acted on and recorded in the Undergraduate Curriculum Committee meeting of January 13, 2022 including curricular actions in the following units:
- Department of Mathematics, Science, and Instructional Technology Education (College of Education)
- Interdisciplinary Professions (College of Education)
- Department of Baccalaureate Education (College of Nursing)
- Department of Political Science (Thomas Harriot College of Arts and Sciences)

Also, curriculum and academic matters acted on and recorded in the meeting of January 27, 2022 including curricular actions in the following units:
- Department of Foreign Languages and Literatures within the Thomas Harriot College of Arts and Sciences
• School of Communication (College of Fine Arts and Communication)
• Department of Special Education, Foundations, and Research (College of Education)
• School of Art and Design (College of Fine Arts and Communication)

Resolution #22-09
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: March 29, 2022

Curriculum and academic matters acted on and recorded in the Writing Across the Curriculum Committee meeting of January 24, 2022 including:
• approval of writing intensive course designation (WI) for:
  o COMM 4321 In-depth Reporting Capstone
  o ENGL 4825 Writing, Rhetoric, and Social Movements
  o GEOL 2300 Current Topics in Geoscience
• removal of writing intensive (WI) designation from:
  o GEOL 4020/4021, Stratigraphy and its lab
  o GEOL 4200/4201 Paleontology and its lab
• and retention of WI designation for JUST 3502 Legal Aspects of Corrections after revision to prerequisite.

Resolution #22-10
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: March 29, 2022

Revised Criminal Justice Unit Code of Operations.

Resolution #22-11
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: March 29, 2022

2023-2024 University Academic Calendars, as follows:

Student Application / Processing Calendar - Academic Year 2023-24
Includes thesis and dissertation submission deadlines

University Academic Calendar - Summer Sessions 2023

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 24, Friday</td>
<td>Early registration for special populations begins at 1:00 pm.</td>
</tr>
<tr>
<td>March 27, Monday</td>
<td>Registration for Summer Sessions 2023 begins.</td>
</tr>
</tbody>
</table>

First Summer Session 2023
(5 Mondays, 5 Tuesdays, 5 Wednesdays, 5 Thursdays, 5 Fridays; 1 day for final examinations)
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 12, Friday</td>
<td>Advising, registration and schedule adjustments</td>
</tr>
<tr>
<td>May 15, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>May 16, Tuesday</td>
<td>Last day for registration and schedule adjustments (drop / add), by 5:00 pm</td>
</tr>
<tr>
<td>May 17, Wednesday</td>
<td>Census Day (Official enrollment count taken at 5:00 pm.)</td>
</tr>
<tr>
<td>May 29, Monday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>June 6, Tuesday</td>
<td>Last day for undergraduate and graduate students to withdraw from term-length courses or withdraw from school without grades, by 5:00 pm; block courses may be dropped only during the first 60% of their regularly scheduled class meetings.</td>
</tr>
<tr>
<td>June 13, Tuesday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available.</td>
</tr>
<tr>
<td>June 19, Monday</td>
<td>Last day for graduate students to submit work for removal of incompletes given during First Summer Session 2022</td>
</tr>
<tr>
<td>June 19, Monday</td>
<td>Classes end; last day for Survey of Student Opinion of Instruction (SSOI); last day for submission of grade replacement requests.</td>
</tr>
<tr>
<td>June 20, Tuesday</td>
<td>Final Examinations</td>
</tr>
<tr>
<td>June 23, Friday</td>
<td>Grades due at 8:00 am</td>
</tr>
</tbody>
</table>

**Second Summer Session 2023**  
(5 Mondays, 4 Tuesdays, 5 Wednesdays, 6 Thursdays, 5 Fridays; 1 day for final examinations)

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 21, Wednesday</td>
<td>Advising, registration and schedule adjustments</td>
</tr>
<tr>
<td>June 22, Thursday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>June 23, Friday</td>
<td>Last day for registration and schedule adjustments (drop / add), by 5:00 pm</td>
</tr>
<tr>
<td>June 26, Monday</td>
<td>Census Day (Official enrollment count taken at 5:00 pm.)</td>
</tr>
<tr>
<td>July 4, Tuesday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>July 14, Friday</td>
<td>Last day for undergraduate and graduate students to withdraw from term-length courses or withdraw from school without grades, by 5:00 pm; block courses may be dropped only during the first 60% of their regularly scheduled class meetings.</td>
</tr>
<tr>
<td>July 21, Friday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available.</td>
</tr>
<tr>
<td>July 27, Thursday</td>
<td>Last day for graduate students to submit work for removal of incompletes given during Second Summer Session 2022</td>
</tr>
<tr>
<td>July 27, Thursday</td>
<td>Classes end; last day for Survey of Student Opinion of Instruction (SSOI); last day for submission of grade replacement requests.</td>
</tr>
<tr>
<td>July 28, Friday</td>
<td>Final Examinations</td>
</tr>
<tr>
<td>July 31, Monday</td>
<td>Grades due at noon</td>
</tr>
</tbody>
</table>

**Eleven-Week Summer Session 2023**  
(10 Mondays, 9 Tuesdays, 10 Wednesdays, 11 Thursdays, 10 Fridays; 1 day for final examinations)
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 12, Friday</td>
<td>Advising, registration and schedule adjustments</td>
</tr>
<tr>
<td>May 15, Monday</td>
<td>Classes begin; schedule adjustments</td>
</tr>
<tr>
<td>May 16, Tuesday</td>
<td>Last day for registration and schedule adjustments (drop / add), by 5:00 pm</td>
</tr>
<tr>
<td>May 17, Wednesday</td>
<td>Census Day (Official enrollment count taken at 5:00 pm.)</td>
</tr>
<tr>
<td>May 29, Monday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>June 20 - 21, Tuesday - Wednesday</td>
<td>Mid-Summer Break</td>
</tr>
<tr>
<td>June 28, Wednesday</td>
<td>Last day for undergraduate and graduate students to withdraw from term-length courses or withdraw from school without grades, by 5:00 pm; block courses may be dropped only during the first 60% of their regularly scheduled class meetings.</td>
</tr>
<tr>
<td>July 4, Tuesday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>July 21, Friday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available.</td>
</tr>
<tr>
<td>July 27, Thursday</td>
<td>Last day for graduate students to submit work for removal of incompletes given during the Eleven-week Summer Session 2022</td>
</tr>
<tr>
<td>July 27, Thursday</td>
<td>Classes end; last day for Survey of Student Opinion of Instruction (SSOI); last day for submission of grade replacement requests.</td>
</tr>
<tr>
<td>July 28, Friday</td>
<td>Final Examinations</td>
</tr>
<tr>
<td>July 31, Monday</td>
<td>Grades due at noon</td>
</tr>
</tbody>
</table>

Student Application / Processing Calendar - Academic Year 2023-24
Includes thesis and dissertation submission deadlines

University Academic Calendar - Fall Semester 2023
(Actual Class Days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays)

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 24, Friday</td>
<td>Early registration for special populations begins at 1:00 pm.</td>
</tr>
<tr>
<td>March 27, Monday</td>
<td>Registration for Fall Semester 2023 begins.</td>
</tr>
<tr>
<td>August 18, Friday</td>
<td>Faculty Convocation at 9:00 am; Faculty Meetings</td>
</tr>
<tr>
<td>August 18, Friday</td>
<td>Advising, registration and schedule adjustments</td>
</tr>
<tr>
<td>August 21, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>August 25, Friday</td>
<td>Last day for registration and schedule adjustments (drop / add), by 5:00 pm</td>
</tr>
<tr>
<td>September 1, Friday</td>
<td>Census Day (Official enrollment count taken at 5:00 pm.)</td>
</tr>
<tr>
<td>September 4, Monday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>October 7 - 10,</td>
<td>Fall Break -- Classes resume at 8:00 am Wednesday, October 11.</td>
</tr>
<tr>
<td>Saturday - Tuesday</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>October 23 - 27, Monday - Friday</td>
<td>Advising for Spring Semester 2024</td>
</tr>
<tr>
<td>October 30, Monday</td>
<td>Last day for undergraduate and graduate students to withdraw from term-length courses or withdraw from school without grades, by 5:00 pm; block courses may be dropped only during the first 60% of their regularly scheduled class meetings.</td>
</tr>
<tr>
<td>November 3, Friday</td>
<td>Early registration for special populations begins at 1:00 pm.</td>
</tr>
<tr>
<td>November 6, Monday</td>
<td>Registration for Spring Semester 2024 begins.</td>
</tr>
<tr>
<td>November 7, Tuesday</td>
<td>Election Day / Civic Engagement Day (classes meet)</td>
</tr>
<tr>
<td>November 21, Tuesday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available.</td>
</tr>
<tr>
<td>November 21, Tuesday</td>
<td>Last day for undergraduate students to submit work for removal of incompletes given during Spring or Summer Sessions 2023</td>
</tr>
<tr>
<td>November 22 - 26, Wednesday - Sunday</td>
<td>Thanksgiving Break -- Classes resume at 8:00 am Monday, November 27.</td>
</tr>
<tr>
<td>December 4, Monday</td>
<td>Last day for graduate students to submit work for removal of incompletes given during Fall Semester 2022</td>
</tr>
<tr>
<td>December 4, Monday</td>
<td>Classes end; last day for Survey of Student Opinion of Instruction (SSOI); last day for submission of grade replacement requests.</td>
</tr>
<tr>
<td>December 5, Tuesday</td>
<td>Reading Day</td>
</tr>
<tr>
<td>December 6, Wednesday</td>
<td>Final Examinations begin.</td>
</tr>
<tr>
<td>December 13, Wednesday</td>
<td>Exams for Fall Semester end.</td>
</tr>
<tr>
<td>December 15, Friday</td>
<td>Commencement</td>
</tr>
<tr>
<td>December 15, Friday</td>
<td>Grades due at 4:30 pm</td>
</tr>
</tbody>
</table>

**Final Examinations Schedule - Fall Semester 2023**

There will be no departure from the posted schedule, except as noted below: All examinations for one credit hour classes will be held during the last regular meeting of the class. Classes meeting more than three times a week will follow the examination schedule for MWF classes. Clinical and non-traditional class schedules, including graduate level courses, may also adopt a modified examination schedule as required. A final course meeting during the exam period is required in order to satisfy the 750 contact minutes per credit hour required by the University of North Carolina Office of the President. Department Chairs are responsible for monitoring adherence to scheduled examination requirements.

Classes beginning 6:00 pm or later are considered night classes. Examinations in classes meeting one night a week will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (December 6 - 13). Examinations in classes meeting two or more nights a week and beginning before 8:00 pm will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (December 6 - 13). Examinations in classes meeting two or more nights a week and beginning at or after 8:00 pm will be held at 7:30-10:00 pm on the second night of their usual meeting during the examination period (December 6 - 13).

Distance education classes should give their final examinations in a timely fashion to allow submitting grades in time. Classes beginning on the half hour or meeting longer than one hour will have their final examination at the time determined by the hour during which the classes begin (e.g.,
9:30-11:00 am TTh classes will follow the examination schedule of the 9:00 am TTh classes; 8:00-10:00 am MWF classes will follow the examination schedule of the 8:00 am MWF classes.

Common examinations, including DE sections, will be held according to the following schedule:

<table>
<thead>
<tr>
<th>Course</th>
<th>Time and date</th>
</tr>
</thead>
<tbody>
<tr>
<td>FREN 1001, 2003, SPAN 1001, 2004, GERM 1001</td>
<td>5:00 - 7:30 Monday, December 11</td>
</tr>
<tr>
<td>FREN 1002, SPAN 1002, 2003, GERM 1002</td>
<td>5:00 - 7:30 Wednesday, December 6</td>
</tr>
<tr>
<td>MATH 0001, 0045</td>
<td>5:00 - 7:30 Friday, December 8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Time and days class regularly meets</th>
<th>Time and day of final examination</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 MWF</td>
<td>8:00 - 10:30 Friday, December 8</td>
</tr>
<tr>
<td>8:00 TTh</td>
<td>8:00 - 10:30 Monday, December 11</td>
</tr>
<tr>
<td>9:00 MWF</td>
<td>8:00 - 10:30 Thursday, December 7</td>
</tr>
<tr>
<td>9:00 TTh (9:30)</td>
<td>8:00 - 10:30 Tuesday, December 12</td>
</tr>
<tr>
<td>10:00 MWF</td>
<td>8:00 - 10:30 Wednesday, December 6</td>
</tr>
<tr>
<td>10:00 TTh</td>
<td>8:00 - 10:30 Wednesday, December 13</td>
</tr>
<tr>
<td>11:00 MWF</td>
<td>11:00 - 1:30 Friday, December 8</td>
</tr>
<tr>
<td>11:00 TTh</td>
<td>11:00 - 1:30 Monday, December 11</td>
</tr>
<tr>
<td>12:00 MWF</td>
<td>11:00 - 1:30 Thursday, December 7</td>
</tr>
<tr>
<td>12:00 TTh (12:30)</td>
<td>11:00 - 1:30 Tuesday, December 12</td>
</tr>
<tr>
<td>1:00 MWF</td>
<td>11:00 - 1:30 Wednesday, December 6</td>
</tr>
<tr>
<td>1:00 TTh</td>
<td>11:00 - 1:30 Wednesday, December 13</td>
</tr>
<tr>
<td>2:00 MWF</td>
<td>2:00 - 4:30 Friday, December 8</td>
</tr>
<tr>
<td>2:00 TTh</td>
<td>2:00 - 4:30 Monday, December 11</td>
</tr>
<tr>
<td>3:00 MWF (3:30)</td>
<td>2:00 - 4:30 Thursday, December 7</td>
</tr>
<tr>
<td>3:00 TTh (3:30)</td>
<td>2:00 - 4:30 Tuesday, December 12</td>
</tr>
<tr>
<td>4:00 MWF</td>
<td>2:00 - 4:30 Wednesday, December 6</td>
</tr>
<tr>
<td>4:00 TTh</td>
<td>2:00 - 4:30 Wednesday, December 13</td>
</tr>
<tr>
<td>5:00 MWF (5:30)</td>
<td>5:00 - 7:30 Thursday, December 7</td>
</tr>
<tr>
<td>5:00 TTh (5:30)</td>
<td>5:00 - 7:30 Tuesday, December 12</td>
</tr>
</tbody>
</table>

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Student Application / Processing Calendar - Academic Year 2023-24
Includes thesis and dissertation submission deadlines

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**University Academic Calendar - Spring Semester 2024**

(Actual Class Days: 14 Mondays, 15 Tuesdays, 14 Wednesdays, 14 Thursdays, 13 Fridays; Effective Class Days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays)

<p>| November 3, Friday | Early registration for special populations begins at 1:00 pm. |</p>
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 6, Monday</td>
<td>Registration for Spring Semester 2024 begins.</td>
</tr>
<tr>
<td>January 5, Friday</td>
<td>Advising, registration and schedule adjustments</td>
</tr>
<tr>
<td>January 8, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>January 12, Friday</td>
<td>Last day for registration and schedule adjustments (drop / add) by 5:00 pm</td>
</tr>
<tr>
<td>January 15, Monday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>January 22, Monday</td>
<td>Census Day (Official enrollment count taken at 5:00 pm.)</td>
</tr>
<tr>
<td>March 3 - 10, Sunday - Sunday</td>
<td>Spring Break -- Classes resume at 8:00 am Monday, March 11.</td>
</tr>
<tr>
<td>March 11 - 15, Monday - Friday</td>
<td>Advising for Summer Sessions and Fall Semester 2024</td>
</tr>
<tr>
<td>March 21, Thursday</td>
<td>Last day for undergraduate and graduate students to withdraw from term-length courses or withdraw from school without grades, by 5:00 pm; block courses may be dropped only during the first 60% of their regularly scheduled class meetings.</td>
</tr>
<tr>
<td>March 22, Friday</td>
<td>Early registration for special populations begins at 1:00 pm.</td>
</tr>
<tr>
<td>March 25, Monday</td>
<td>Registration for Summer Sessions and Fall Semester 2024 begins.</td>
</tr>
<tr>
<td>March 29 - 30, Friday - Saturday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>April 10, Wednesday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available.</td>
</tr>
<tr>
<td>April 11, Thursday</td>
<td>Last day for undergraduate students to submit work for removal of incompletes given during Fall 2023</td>
</tr>
<tr>
<td>April 23, Tuesday</td>
<td>Last day for graduate students to submit work for removal of incompletes given during Spring Semester 2023</td>
</tr>
<tr>
<td>April 23, Tuesday</td>
<td>State holiday makeup day; classes which would have met on Friday, March 29 will meet on this day so there will be effectively the same number of Fridays and Tuesdays as every other weekday during the semester. Tuesday classes will not meet.</td>
</tr>
<tr>
<td>April 23, Tuesday</td>
<td>Classes end; last day for Survey of Student Opinion of Instruction (SSOI); last day for submission of grade replacement requests.</td>
</tr>
<tr>
<td>April 24, Wednesday</td>
<td>Reading Day</td>
</tr>
<tr>
<td>April 25, Thursday</td>
<td>Final Examinations begin.</td>
</tr>
<tr>
<td>May 2, Thursday</td>
<td>Exams for Spring Semester end.</td>
</tr>
<tr>
<td>May 3, Friday</td>
<td>Commencement</td>
</tr>
<tr>
<td>May 6, Monday</td>
<td>Grades due at 8:00 am</td>
</tr>
</tbody>
</table>

**Final Examinations Schedule - Spring Semester 2024**

There will be no departure from the posted schedule, except as noted below: All examinations for one credit hour classes will be held during the last regular meeting of the class. Classes meeting more than three times a week will follow the examination schedule for MWF classes. Clinical and non-traditional class schedules, including graduate level courses, may also adopt a modified examination schedule as required. A final course meeting during the exam period is required in order...
to satisfy the 750 contact minutes per credit hour required by the University of North Carolina Office of the President. Department Chairs are responsible for monitoring adherence to scheduled examination requirements.

Classes beginning 6:00 pm or later are considered night classes. Examinations in classes meeting one night a week will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (April 25 - May 2). Examinations in classes meeting two or more nights a week and beginning before 8:00 pm will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (April 25 - May 2). Examinations in classes meeting two or more nights a week and beginning at or after 8:00 pm will be held at 7:30-10:00 pm on the second night of their usual meeting during the examination period (April 25 - May 2).

Distance education classes should give their final examinations in a timely fashion to allow submitting grades in time. Classes beginning on the half hour or meeting longer than one hour will have their final examination at the time determined by the hour during which the classes begin (e.g., 9:30-11:00 am TTh classes will follow the examination schedule of the 9:00 am TTh classes; 8:00-10:00 am MWF classes will follow the examination schedule of the 8:00 am MWF classes).

Common examinations, including DE sections, will be held according to the following schedule:

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Time and Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>FREN 1001, 2003, SPAN 1001, 2004, GERM 1001</td>
<td>5:00 - 7:30 Friday, April 26</td>
</tr>
<tr>
<td>FREN 1002, SPAN 1002, 2003, GERM 1002</td>
<td>5:00 - 7:30 Monday, April 29</td>
</tr>
<tr>
<td>MATH 0001, 0045</td>
<td>5:00 - 7:30 Wednesday, May 1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Time and days class regularly meets</th>
<th>Time and day of final examination</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 MWF</td>
<td>8:00 - 10:30 Tuesday, April 30</td>
</tr>
<tr>
<td>8:00 TTh</td>
<td>8:00 - 10:30 Wednesday, May 1</td>
</tr>
<tr>
<td>9:00 MWF</td>
<td>8:00 - 10:30 Friday, April 26</td>
</tr>
<tr>
<td>9:00 TTh (9:30)</td>
<td>8:00 - 10:30 Thursday, April 25</td>
</tr>
<tr>
<td>10:00 MWF</td>
<td>8:00 - 10:30 Monday, April 29</td>
</tr>
<tr>
<td>10:00 TTh</td>
<td>8:00 - 10:30 Thursday, May 2</td>
</tr>
<tr>
<td>11:00 MWF</td>
<td>11:00 - 1:30 Tuesday, April 30</td>
</tr>
<tr>
<td>11:00 TTh</td>
<td>11:00 - 1:30 Wednesday, May 1</td>
</tr>
<tr>
<td>12:00 MWF</td>
<td>11:00 - 1:30 Friday, April 26</td>
</tr>
<tr>
<td>12:00 TTh (12:30)</td>
<td>11:00 - 1:30 Thursday, April 25</td>
</tr>
<tr>
<td>1:00 MWF</td>
<td>11:00 - 1:30 Monday, April 29</td>
</tr>
<tr>
<td>1:00 TTh</td>
<td>11:00 - 1:30 Thursday, May 2</td>
</tr>
<tr>
<td>2:00 MWF</td>
<td>2:00 - 4:30 Tuesday, April 30</td>
</tr>
<tr>
<td>2:00 TTh</td>
<td>2:00 - 4:30 Wednesday, May 1</td>
</tr>
<tr>
<td>3:00 MWF (3:30)</td>
<td>2:00 - 4:30 Friday, April 26</td>
</tr>
<tr>
<td>3:00 TTh (3:30)</td>
<td>2:00 - 4:30 Thursday, April 25</td>
</tr>
<tr>
<td>4:00 MWF</td>
<td>2:00 - 4:30 Monday, April 29</td>
</tr>
<tr>
<td>4:00 TTh</td>
<td>2:00 - 4:30 Thursday, May 2</td>
</tr>
<tr>
<td>5:00 MWF (5:30)</td>
<td>5:00 - 7:30 Tuesday, April 30</td>
</tr>
<tr>
<td>5:00 TTh (5:30)</td>
<td>5:00 - 7:30 Thursday, April 25</td>
</tr>
</tbody>
</table>
Resolution #22-12  
Approved by the Faculty Senate: February 22, 2022  
Approved by the Chancellor: March 29, 2022  

Alternative Block Schedule Calendars for Fall 2022 and Spring 2023, as follows:

**ALTERNATE BLOCK SCHEDULING**

**Fall Semester 2022**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 19, Friday</td>
<td>Advising, registration, and schedule adjustments.</td>
</tr>
<tr>
<td>August 22, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>August 24, Wednesday</td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td>September 5, Monday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>September 19, Monday</td>
<td>Last day for undergraduate and graduate students to withdraw from Block 1 courses by 5:00 p.m.</td>
</tr>
<tr>
<td>September 29, Thursday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td>October 6, Thursday</td>
<td>Classes end.</td>
</tr>
<tr>
<td>October 12, Wednesday</td>
<td>Grades due by 8:00 am</td>
</tr>
</tbody>
</table>

**BLOCK 1**

**BLOCK 2**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 12, Wednesday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>October 14, Friday</td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td>November 10, Thursday</td>
<td>Last day for undergraduate and graduate students to withdraw from Block 2 courses by 5:00 p.m.</td>
</tr>
<tr>
<td>November 18, Friday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td>November 23-27</td>
<td>Thanksgiving break – Classes resume at 8:00 am Monday, November 28.</td>
</tr>
<tr>
<td>November 30, Wednesday</td>
<td>Classes end.</td>
</tr>
<tr>
<td>Friday, December 16</td>
<td>Grades due at 4:30 pm</td>
</tr>
</tbody>
</table>

1. Classes meet four days a week, Monday through Thursday (27 class meetings)
2. Class length is one hour and twenty-five minutes (1:25)
3. No final exam period. Final exam is on the last day of class
**ALTERNATE BLOCK SCHEDULING**

**Spring Semester 2023**

<table>
<thead>
<tr>
<th>BLOCK 1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>January 6, Friday</td>
<td>Advising, registration, and schedule adjustments.</td>
</tr>
<tr>
<td>January 9, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>January 11, Wednesday</td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td>January 16, Monday</td>
<td>State Holiday (no classes)</td>
</tr>
<tr>
<td>February 6, Monday</td>
<td>Last day for undergraduate and graduate students to withdraw from Block 1 courses by 5:00 p.m.</td>
</tr>
<tr>
<td>February 16, Thursday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td>February 23, Thursday</td>
<td>Classes end.</td>
</tr>
<tr>
<td>March 1, Wednesday</td>
<td>Grades due at 8:00 am</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BLOCK 2</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>February 27, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>March 1, Wednesday</td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td>March 5-12 Sunday-Sunday</td>
<td>Spring break – Classes resume at 8:00 am Monday, March 13.</td>
</tr>
<tr>
<td>April 3, Monday</td>
<td>Last day for undergraduate and graduate students to withdraw from Block 2 courses by 5:00 p.m.</td>
</tr>
<tr>
<td>April 12, Wednesday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td>April 19, Wednesday</td>
<td>Classes end.</td>
</tr>
<tr>
<td>May 8, Monday</td>
<td>Grades due at 8:00 am</td>
</tr>
</tbody>
</table>

1. **Classes meet four days a week, Monday through Thursday (27 class meetings)**

2. **Class length is one hour and twenty-five minutes (1:25)**

3. **No final exam period. Final exam is on the last day of class**

Resolution #22-13
Approved by the Faculty Senate: February 22, 2022
Received by the Chancellor: March 29, 2022, *with comment*

*Chancellor's comment:*
The Student Affairs Leadership including the Vice Chancellor’s Office and the Office of Student Rights and Responsibilities in consultation with the Office of University Council, have reviewed the proposed edits and the following comments are noted below:

1. **Page 5, 2.1, Alcohol:** The inclusion of “Being intoxicated in public.” Was questioned by the committee as being redundant. We suggest removing that sentence.

This statement needs to remain, but the statement needs to be rewritten to become:
Alcohol: Illegally possessing, consuming, having consumed, and/or providing alcoholic beverages to those under the legal drinking age. Being intoxicated in public regardless of age.

2. P. 7, under section 2.6: “with the exception of a handgun possessed pursuant to a concealed handgun permit…” The committee had a question about this statement as it seemed to open the possibility of faculty or students carrying guns to class. Can we please get clarification on this? It was our understanding that firearms on campus was prohibited.

The statement needs to include a link to the University Regulation Concerning Weapons on Campus (https://www.ecu.edu/prr/05/20/07) in section 2.6 and perhaps 2.6.1. This link is already listed in the Related Policies so a simple reference in 2.6 and 2.6.1 may suffice.

3. P. 7, under section 2.7: “refusing or failing to submit appropriate identification…” This comment refers to students required to provide ID off campus to law enforcement if requested. The committee wondered what the legality of this was and if it should be a student conduct violation if noted.

Section 2.7 applies to students identifying themselves on and off-campus, which includes campus living staff. Excluding this could cause a safety concern for many areas on campus, including Campus Living, OSRR, HR, ECUPD, anywhere that asks for your identification.

Formal faculty advice on the Student Conduct Process Interim Regulation, as follows:

Our committee assigned this task to a four-member subcommittee who reviewed the policy. Outside of a few minor questions and comments, the subcommittee did not have much to add in terms of the policy’s overview and scope.

Comments/Suggestions:

2. Page 5, 2.1, Alcohol: The inclusion of “Being intoxicated in public.” Was questioned by the committee as being redundant. We suggest removing that sentence.

3. P. 7, under section 2.6: “with the exception of a handgun possessed pursuant to a concealed handgun permit…” The committee had a question about this statement as it seemed to open the possibility of faculty or students carrying guns to class. Can we please get clarification on this? It was our understanding that firearms on campus was prohibited.

4. P. 7, under section 2.7: “refusing or failing to submit appropriate identification…” This comment refers to students required to provide ID off campus to law enforcement if requested. The committee wondered what the legality of this was and if it should be a student conduct violation if noted.

Policy REG11.30.01
Title Student Conduct Process
Category Student Affairs
Sub-category Student Discipline
Authority Chancellor
Contact
Director for the Office of Student Rights and Responsibilities, (252) 328 - 6824

Related Policies

UNC Policy Manual 700.4.1, Policy on Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings

UNC Policy Manual 700.4.1.1[R] Regulation Applicable to Student Disciplinary or Conduct Procedures: Right to an Attorney or Non-Attorney Advocate for Students and Student Organizations

UNC Policy Manual 700.4.2, Policy on Student Conduct

UNC Policy Manual 700.4.3[G], Guidelines on Student Disciplinary Proceedings: Meaning and Effect of Expulsion

University Alcohol Policy

REG07.30.06 Freedom of Expression Regulation

ECU Policy on Drug Abuse, Graduate Catalog

ECU Policy on Drug Abuse, Undergraduate Catalog

ECU University Regulation Concerning Weapons on Campus

ECU University Student and Employee Computer Use Policy

ECU Hazing Policy

Notice of Nondiscrimination and Affirmative Action Policy

University Good Samaritan Regulation

REG06.40.04 Title IX Compliance and Resolution Regulation

REG06.40.05 University Regulation on Reports of Prohibited Interpersonal Violence and Related Misconduct

Use of University Facilities and Outdoor Facilities Regulation

Residence Handbook (pdf)

Graduate School Policies and Forms

Graduate and Undergraduate Catalogs

Brody School of Medicine Code of Student Conduct (pdf)
1. Introduction

1.1. Purpose Statement

As an academic community, East Carolina University is dedicated to providing a safe and vibrant learning and working environment for all its members. Under Section 502 D of the Code of the Board of Governors of the University of North Carolina System, the Board of Governors and the President of the University of North Carolina System have delegated the responsibility to manage student conduct to the Chancellor of each constituent campus. ECU's Chancellor, in turn, charged the Vice Chancellor for Student Affairs with overseeing the student conduct process. The Office of Student Rights and Responsibilities and the Student Conduct Board have been created to assist in this effort.

1.1.1 The Student Conduct Process Regulation and supporting policies and procedures have been approved by the Chancellor and are based on input from students, faculty, and staff of East Carolina University. They are intended to aid in the fulfillment of ECU's mission and in securing the broadest range of freedom for each member of the community. These policies and procedures set behavioral standards that protect the health, safety, welfare, property, and human rights of all members of the community as well as the property of the University.

1.1.2. Additional behavioral standards are also set forth in the University's Title IX Compliance and Resolution Regulation – Interim ("Title IX Regulation") (which governs Title IX Conduct, and the University Regulation on Reports of Prohibited Interpersonal Violence and Related Misconduct. ("Misconduct").
If the conduct in question is such that the –Title IX Regulation or the Interpersonal Violence Regulation applies, each respective Regulation shall govern. This includes any conduct that might also violate paragraph 2.4 of this Regulation.

1.1.3. When a student with a disability is charged with an offense, the University will assure that all requirements of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act are met.

1.2. Office of Student Rights and Responsibilities

The Office of Student Rights and Responsibilities (“OSRR”) administers the Student Conduct Process (referred to herein as the “Student Code of Conduct” or the “Code”). OSRR fosters student growth by promoting students’ awareness and understanding of their rights and responsibilities as community members. It addresses student conduct and creates developmental learning opportunities in an effort to engage students in ethical decision-making. Any questions regarding the student conduct process should be directed to the Director of OSRR.

1.3. Scope of the Student Conduct Process

As members of the ECU community, students have the right to be treated with respect and consideration, have freedom of inquiry, and have reasonable use of services and facilities. The University embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the United States Constitution and the North Carolina Constitution. The University has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights.

1.3.1. The Code pertains to anyone registered for an academic course at the University, including but not limited to, undergraduate and graduate students who are classified as degree or non-degree seeking, as well as visiting students, medical students, dental students, professional students, and students studying abroad. All students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. Upon acceptance of admission to ECU, each student agrees to abide by the policies of the University and to conduct her/himself on- and off-campus in a manner consistent with its educational mission. Students have a responsibility to review the Student Code of Conduct and other policies and to seek clarification if necessary from the OSRR. In addition, various academic units and administrative departments have policies specific to their area of responsibility. It is the responsibility of each student to be familiar with University policies and procedures. The Student Code of Conduct and related policies and procedures are available on-line. Printed copies are available in the OSRR upon request.

1.3.2. Students are subject to the Student Code of Conduct and related policies from the time they accept admission until they graduate from the University. This means that conduct occurring before classes begin, including New Student Orientation, or after classes end, during the academic year, and during periods between terms of enrollment is governed by this Code.

1.3.3. Recognized Student Organizations directly funded and advised by the University (e.g. councils and umbrella organizations) and Chartered Student Organizations affiliated with a national organization and/or department (e.g. fraternities, sororities, club sport teams, academic honor societies, or those chartered/registered with a national organization/office) are subject to the Student Code of Conduct. Registered Student Organizations are those consisting of any group of students formed with a common interest but not affiliated with the University except by
location (e.g. the Chess Club at East Carolina University). Registered Student Organizations are not subject to the Student Code of Conduct. However, individuals within the organization remain subject to the Code as students enrolled at ECU. (For information regarding student organization categorization, please see Student Organization Registration Tiers under Additional References.)

Recognized and Chartered Student Organizations are subject to applicable accompanying policies and procedures accompanying this Regulation, including the standard operating procedure (SOP) entitled “Procedures for Reports Against Student Organizations”. OSRR in consultation with the Office of University Counsel will periodically review and implement updates to the Procedures for Reports Against Student Organizations.

1.3.4. In addition to the consequences outlined in this regulation, students who represent units within the University community, such as medical students, dental students, graduate students, student athletes, resident advisors, student organization leaders, and residential students might be subject to additional behavioral consequences under the standards set by those units.

1.3.5. The Student Conduct Process regulation also applies to student behavior that violated University policies, but which was discovered after the student has left the University or has graduated. Depending on the circumstances of the case, degree revocation may be a consequence under applicable University policies.

1.4. Conduct Administrators and Hearing Advisors

1.4.1. The conduct administrator is a professional OSRR staff member who investigates all alleged violations of the Student Code of Conduct. In cases where possible sanctions do not include suspension or expulsion, the conduct administrator deters a student’s responsibility and issues sanctions.

1.4.2. A Hearing advisor is the professional OSRR staff member who facilitates the hearing process.

2. Student Code of Conduct

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community and to support the mission of the University. Such action may include taking disciplinary action as outlined in this Code against students for their on- and off-campus conduct.

East Carolina University students shall refrain from the following behaviors:

2.1. Alcohol: Illegally possessing, consuming, having consumed, and/or providing alcoholic beverages to those under the legal drinking age. Being intoxicated in public.

2.2. Drugs, Drug Paraphernalia, and Other Controlled Substances: Possessing, using, distributing, buying, selling, facilitating a sale, delivering, manufacturing, and/or abusing illicit or illegally obtained substances. Misusing prescription or counterfeit drugs. Consuming, including huffing or sniffing, any substance not intended for such use. Possessing or using drug paraphernalia.

2.3. Endangerment: Acting in a manner that could or did endanger or injure a person or the ECU community. Examples of endangerment include, but are not limited to, fighting, or operating a
vehicle while under the influence of alcohol or drugs, and distributing drugs (on or off campus) to members of the University community.

2.3.1 Consideration may also be given as to whether the Respondent acted in self-defense, and, whether the amount of force used was reasonable under the circumstances. Self-Defense is defined as a justifiable action by a non-aggressor using reasonable force upon another person to enable oneself to get free from imminent physical harm.

2.3.2 Failing to take advantage of an opportunity to remove oneself from the situation may negate the claim of self-defense.

2.3.3 Actions consistent with appropriate self-defense may also be considered as a mitigating factor in consideration of potential sanctioning, if applicable.

2.4. Harassment, Threats, Bullying or Intimidation: Directing action toward a particular individual or group in a manner which is unwelcome, and under the totality of the circumstances, is so severe or pervasive, and objectively offensive that it undermines and/or detracts from the target individual’s academic pursuits, participation in University-sponsored activities, or employment, effectively denying equal access to University resources and opportunities.

2.4.1. The objective standard is whether the conduct was directed at a specific person, group, or entity in a manner that would cause a reasonable person to fear for one's safety, the safety of others, or the loss of or damage to property or that is defamatory.

2.4.2. East Carolina University will also enforce the University of North Carolina System Policy 700.4.2, which states:

2.4.2.1 While on University premises or while participating in University sponsored activities, acting or in a way to unlawfully threaten, coerce, harass or intimidate another person or identifiable group of persons; or acting or speaking in a manner that is a violation of a constitutionally valid University Policy prohibiting harassment and/or discrimination on the basis of a protected class, including: race/ethnicity, color, religion, sex, sexual orientation, gender-identity, national origin, age, disability, genetic information, political affiliation, or veteran status (including relationship or association with a protected veteran; or Active Duty or National Guard service).

2.4.2.2. No student shall engage in unlawful harassment resulting in an environment determined to be hostile by a reasonable person. Unlawful harassment includes conduct that creates a hostile environment by meeting the following criteria. It is:

a. Directed toward a particular person or persons;

b. Based in whole or in part upon any of the following protected statuses: disability, sexual orientation, race/ethnicity, age, sex, gender identity, color, veteran status (including relationship or association with a protected veteran; or Active Duty or National Guard service), gender identity, political affiliation, national origin, or religion;

c. Unwelcome;

d. Severe or pervasive;
e. Objectively offensive; and
f. So unreasonably interferes with the target person's employment, academic pursuits, or participation in University-sponsored activities as to effectively deny equal access to the University's resources and opportunities.
2.4.2.3. In determining whether student conduct violates these provisions (2.4.2.1. or 2.4.2.2.), all relevant facts and circumstances shall be considered. Care must be exercised in order to preserve freedoms of speech and expression, as articulated in current legal standards. (Please see the Freedom of Expression regulation for more information.)

2.5. Hazing: Acting in a manner that would subject another student to physical injury or mental or emotional harm as part of an initiation, or as a criterion of initial or continued membership, into any organized University group, including any society, military groups, athletic team, fraternity or sorority, or other similar group. Planning or preparing to engage in hazing activity is also a violation of the Code. The expressed or implied consent of participants will not prevent disciplinary action. (For more information, see Procedures for Reports Against Student Organizations under Additional References.)

2.6. Weapons: Possessing, distributing, using, manufacturing, assembling, storing, transporting, selling, purchasing, or acquiring any weapons as defined in this Regulation on property owned or controlled by the University, including ECU vehicles is a violation of the Code, with the exception of a handgun possessed pursuant to a concealed handgun permit and stored according to law. Possessing, either on- or off-campus, any illegal weapons, including nuclear/biological/chemical weapons, or home-made weapons. This provision also applies to students on the way to and present at any off-campus curricular and extracurricular activity sponsored by the University. Illegally concealing any weapon is a violation of the Code.

2.6.1. Weapons include, but are not limited to, objects defined in the "Regulation Concerning Weapons on Campus". Examples of weapons are: guns, rifles, pistols, bb guns, air rifles, air pistols, paintball guns, crossbows, arrows, fireworks, dynamite, bombs, grenades, mines, powerful explosives, bullets or ammunition cartridges, nunchuks, slingshots, leaded canes, blackjacks, metallic knuckles, martial arts weapons, throwing stars, Kamas, axes, razor blades, ice picks, dirs, daggers, swords, bowie knives, switchblade knives, butterfly knives, other knives with blades three or more inches in length, tasers, and stun guns.

2.6.2. Any item used or possessed for purposes of use as a weapon will be considered a weapon under this policy.

2.7. Disruptive Conduct: Being disruptive or disorderly in a manner that interferes with the function of the University or interferes with conduct of others, including law enforcement officers, who are on-campus or off-campus. Disruptive Conduct may include, but is not limited to, refusing or failing to submit appropriate identification or refusing to comply with a request from an identifiable University official acting on behalf of the University, violating University regulations or local, state, or federal orders in place to ensure the health and safety of the ECU community such as orders related to national pandemics or natural disasters, or the failure to abide by University policies, procedures, and any other requirements in place to help reduce the risk of contracting or spreading infectious diseases.

2.8. Theft: Stealing or attempting to steal property, including intellectual property, or services of any person or entity. Receiving, possessing, or selling/giving away such property when the student recognizes, or should have recognized, that the property was stolen. Selling books or helping sell books without the owner's permission is an example of theft.

2.9. Vandalism, Defacement, or Misuse of Property: Defacing, destroying, damaging, or misusing private, University, or other public properties.

2.10. Trespassing and Unauthorized Use of Property: Entering or using university facilities and/or
the personal property of others without explicit permission. This includes but is not limited to, unauthorized access to residence halls, vehicles, stadiums and fields, as well as unauthorized possession, duplication, or use of the property of others or the University.

2.11. False Information, Forgery, and Fraud: Publishing and/or circulating false information that is harmful to others. Providing false information to the University, including, but not limited to, on an application required to participate in a University activity.

2.11.1. Altering, forging, or misusing documents or property which might include, but is not limited to, money, charge cards, checks, personal information, ECU One Cards, grade reports, transcripts, and parking tags. Possessing altered or forged documents or property, such as a fictitious driver's license. Deceitfully using the personal information of others.

2.12. Having Knowledge of or Assisting with a Violation: Having knowledge of, being present during, instigating, encouraging, or facilitating a violation of the Student Code of Conduct.

2.13. Gambling: Placing a bet or wager on an uncertain outcome for money or other items of value unless permitted by law.

2.14. Hindering the University Conduct Process: Coaching, intimidating, retaliating against, or otherwise influencing witnesses, Conduct Board members, conduct administrators, and other participants in the conduct process. Failing to provide the University with relevant information regarding a conduct case as a witness, except in instances where such failure would require a student to identify his/her own violation of the Code. Failing to abide by sanctions, including bans.

2.15. Violation of University Policies: Violating University policies including, but not limited to those listed in the related policy section of this regulations and the University Policy Manual. Violations of campus or University policies, rules or regulations, or federal, state, or local law may result in a violation of the Student Code of Conduct and imposition of sanctions.

3. Sanctioning

3.1. Sanctioning. Violations of the Student Code of Conduct, will result in educational and/or disciplinary consequences called sanctions. Sanctions are designed with the intent of educating Respondents and protecting the ECU community. No sanctions will be enforced until all reviews have been exhausted with the exception of administrative actions taken to protect members of the ECU community. Each student who has been found responsible for violating the Student Code of Conduct shall be notified in writing of the appeal rights, including any applicable time constraints, as they pertain to her/his case.

Immediate Administrative Actions: The Office of Student Rights and Responsibilities, in conjunction with appropriate University administrators, may take interim action pending the resolution of a conduct case in order to preserve the safety and well-being of the ECU community and its members. These actions include, but are not limited to, counseling assessment and/or treatment, restriction of access or privileges, no-contact ban or removal from classes, and administrative suspension.

3.1.1. Administrative suspension is the immediate separation of the student from enrollment at the University. Administrative suspension becomes effective immediately whenever there is information that the continued presence of the student on University property poses a substantial threat. A substantial threat might include, but is not limited to, threatening the safety of any person, significantly harming or attempting to harm someone, threatening to cause or
causing significant property damage, and interfering with the stability and continuance of
University functions. The Director of OSRR will determine when a student poses a substantial
threat to the University community.

3.1.2. OSRR will send notice to a student who has been placed on administrative suspension. A
student on administrative suspension has a right to appeal this administrative action within five
(5) calendar days of receipt of notice of the administrative suspension to the Dean of Students,
or his/her designee. The student may submit any information he/she would like the Dean of
Students to consider on appeal. While the Dean of Students is reviewing the appeal, the student
shall remain on suspension.

3.1.3. In order for an administrative suspension to be modified, the student must show that the
action was arbitrary or capricious, there was a procedural error, or that there is substantial new
information mitigating the situation. The Dean of Students will review (1) the reliability of the
information concerning the student's behavior; (2) whether or not the conduct and surrounding
circumstances reasonably indicate that the continued presence of the student poses a
substantial threat to others, to property, or to the stability and continuance of normal University
functions; and/or (3) whether or not the student has complied with the directives of the conduct
administrator placing the student on administrative suspension. The decision of the Dean of
Students shall be final.

3.1.4. Students who are administratively suspended are entitled to participate in the ECU
conduct process while separated from the University. (For information regarding student
organization interim actions, please see Procedures for Reports Against Student Organizations
under Additional References.)

3.2. Guidelines for Sanctioning. When determining sanctions, conduct administrators and
members of the Student Conduct Board take into account the nature and seriousness of the
violation, the impact of the violation on the community, the Respondent's past conduct history, as
well as the Respondent's developmental needs, and mitigating or aggravating factors existing at
the time of the offense, which may include, but are not limited to: past disciplinary record, the
nature of the misconduct (i.e. the Respondent was acting under duress or a mental condition;
played a minor role in the commission of the offense; knowingly exposed others to a significant
risk; convinced others to participate due to a position of leadership, dominance, trust or
confidence; or the offense involved weapons or was especially heinous), as well as other relevant
information regarding the degree of any damage, injury, or harm resulting from it. Multiple
sanctions may be imposed for one violation.

3.2.1. Violations of the Code that involve alcohol, drugs, weapons, hazing, substantial theft or
fraud, physical harm to persons or property, sexual misconduct, HIPAA violations, other actions
that materially or substantially interfere with or disrupt the protected free expression right of
others or create a substantial risk of harm to others or the University, or an accumulation of
multiple violations of the Code may result in suspension or expulsion from the University.

3.2.2. Determinations made or sanctions imposed under the Student Code of Conduct will not
be subject to change solely because criminal charges arising from the same facts giving rise to
a violation of the Code were dismissed, reduced or resolved in favor of or against the criminal
law defendant.

3.2.3. The University reserves the right to enhance sanctions for violations which are believed to
have been motivated based on the person's disability, sexual orientation, race/ethnicity, age,
sex, gender identity, color, veteran status, gender identity, political affiliation, national origin, or
religion. In the event a student is found responsible for such a bias-motivated violation, the sanction imposed should be more serious than that appropriate for only the underlying violation. A finding that a violation constitutes a bias-motivated violation requires a separate finding to that effect by the conduct administrator or the Conduct Board.

3.3. Range of Sanctions: The range and explanation of sanctions is provided below.

3.3.1. Warning: A written notification informing the student that the University considers the student's behavior inappropriate and that the student needs to change this behavior.

3.3.2. Probation: A period of time during which the student's behavior is under University review. Probation is intended to communicate to the student that the University considers the student's behavior inappropriate and that further violations will result in more severe consequences, which may include suspension or expulsion. Probation shall be served during the student's active terms of enrollment at the University.

3.3.3. Deferred Suspension: Deferred suspension shall be used for offenses found serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense or the repeated offenses of a less serious nature. Deferred suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Student Code of Conduct. However, suspension will be automatically enforced for failure to complete any assigned sanctions by the deadline and/or for any subsequent violation of the Code. If found responsible for any subsequent violation, the student will be suspended for a minimum of two academic semesters, in addition to the other consequences imposed. Students on this status may be limited in their abilities to represent the University in certain capacities. Examples include, but are not limited to, athletic teams other than intramurals, hold an office in a student organization, or participate in any study abroad program.

3.3.4. Suspension: A temporary separation from enrollment at the University for a defined period of time. Suspended students are banned from the University premises during the period of suspension and may be required to complete specified sanctions prior to reenrollment. Completion of the suspension period and other assigned sanctions does not automatically grant suspended students the right to return to the University community. All suspended students must petition the OSRR for readmission. A committee will consider the petition and make a recommendation to the Vice Chancellor for Student Affairs, or designee. After campus safety approval, students must re-apply to their academic program, but readmission to an academic program is not guaranteed.

3.3.5. Expulsion: Permanent separation from enrollment at the University and at any other member institution of the University of North Carolina System. Expelled students are banned from University premises. With the exception of review of a case due to the receipt of new information as outlined in section 5.5.9, below, only the Chancellor may amend this sanction to suspension if the student petitions the University demonstrating significant growth and contribution to society indicating that the individual should be given a new opportunity to pursue higher education. Such petitions can be filed with the OSRR after a minimum of five years of the completion of the conduct case. A student who has been expelled from the University may not be admitted to another constituent institution of the University of North Carolina System, unless and until the sanction of expulsion has been rescinded by the University.

3.3.6. Revocation of Degree: Revocation of an awarded degree for a serious violation of the Code that occurred prior to graduation, but which was discovered after a student had graduated
3.3.7. No Contact Ban: A ban requiring the student to have no contact with a designated individual, including, but not limited to, verbal, written, or physical contact, or contact made or attempted through a third party, all of which are prohibited. Violation of a no contact ban may be a violation of this Regulation resulting in conduct charges or other administrative action. OSRR may amend a no contact ban as necessary throughout the conduct process to protect the interests of the parties.

3.3.8. Restricted Privileges: A period during which the student's privilege of using University facilities or participating in University functions is modified or limited. Depending on the circumstances, restrictions may be structured to allow a student to attend class, participate in a job or internship, or use the library. A student with restricted privileges may not be eligible, for example, for early arrival on campus, extended stays in residence halls, representing the University in competition or other official capacities, campus employment, and campus leadership opportunities.

3.3.8.1. In enforcing this provision, OSRR will periodically review rosters of University and University recognized student organizations to identify any students on restricted privileges that may be violating this provision. A student found in violation may be subject to additional disciplinary action as noted above.

3.3.9. Restitution: Reimbursement to the person or entity harmed by the violation.

3.3.10. Service: Service hours completed at an approved service site. A student may be given up to sixty hours of campus service in response to one finding of responsibility and up to sixty calendar days to complete the service.

3.3.11. Educational Task: A task designed to provide the student with an opportunity to examine her/his actions and their impact on self and/or on the community.

3.3.12. Counseling: Assessment and counseling and/or treatment provided by the Center for Counseling and Student Development. A student referred for assessment must comply with the recommendations of the counselor. Information shared with a counselor is confidential; however, OSRR is advised about the overall results of the student's assessment, attendance and quality of participation in counseling. Under certain circumstances, the student may be referred for off-campus counseling/treatment. The student will assume all responsibility for off-campus counseling fees.

3.3.13. Failure to Comply with Sanctions: OSRR monitors sanctions to ensure compliance. Students who do not complete sanctions within the specified time may not be permitted to enroll for courses or may be suspended until they complete their sanctions. Students who leave the University prior to the completion of sanctions may not be allowed to reenroll until proof is provided that the sanctions imposed have been completed.

4. Rights and Responsibilities

4.1. Respondent Rights and Responsibilities: A student whose conduct is under review is a Respondent and has the following rights and responsibilities. The Respondent may forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, he/she fails to do so.
4.1.1. Respondent Rights

4.1.1.1. The right to an objective and impartial evaluation of the complaint.

4.1.1.2. The right to be present during the meeting with a conduct administrator and/or during the Conduct Board hearing.

4.1.1.3. The right to reasonable access to all information gathered throughout the investigation pertinent to the alleged violation.

4.1.1.4. The right to present information relevant to the alleged violation, including inviting witnesses.

4.1.1.5. The right to respond to information presented against her/him.

4.1.1.6. The right to a separate meeting with a conduct administrator or Conduct Board hearing in cases involving multiple Respondents. Charges against multiple Respondents involved in the same incident may be heard in a single case only if each Respondent consents to such a proceeding. In cases involving multiple Complainants against a single Respondent which arise from the same action or event, the Respondent has the right to a separate meeting with the conduct administrator or Conduct Board hearing. Charges by multiple Complainants against a single Respondent involved in the same incident may be heard in a single case only if all parties consent to such a proceeding.

4.1.1.7. The right not to provide information with the understanding that the University will make a determination with or without the Respondent's information.

4.1.1.8. The right, after receiving written notice of the outcome, to review of the decision, including to appeal as described in section 5.5.

4.1.1.9. The right to be represented, at the student's expense, by a licensed attorney or non-attorney advocate who may participate in accordance with University of North Carolina System Policy Manual 700.4.1.1 [R] and N.C. General Statute §116-40.11. A Respondent represented by an attorney or non-attorney advocate is still expected to attend all scheduled meetings and hearings.

4.1.1.10. The right to be informed of pertinent University-based support services.

4.1.2. Respondent Responsibilities:

4.1.2.1. The responsibility to be honest and direct in communicating with individuals involved in the conduct process.

4.1.2.2. The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.

4.1.2.3. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.
4.1.2.4. The responsibility to provide the decision-maker with pertinent information that the Respondent would like considered in the review of the alleged violation.

4.1.2.5. The responsibility to participate in the conduct process in a manner that is civil and respectful.

4.2. Complainant Rights and Responsibilities: Any ECU student, faculty, or staff member who has been negatively influenced by the alleged behavior of a student, may file a complaint against that student, and be designated by the OSRR as a Complainant. Complainants have the following rights and responsibilities. The Complainant might forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, he/she fails to do so.

4.2.1. Complainant Rights

4.2.1.1. The right to an objective and impartial evaluation of the complaint.

4.2.1.2. The right to present information relevant to the alleged violation, including inviting witnesses.

4.2.1.3. The right to submit a written impact statement.

4.2.1.4. The right, after receiving written notice of the outcome, to review the decision, if also permitted under ECU policies, University of North Carolina System policies and local, state, and federal laws.

4.2.1.5. The right to be informed of pertinent University-based support services and to be presented with an option of reporting the incident to law enforcement, if appropriate.

4.2.1.6. For cases specific to sexual misconduct, the Complainant is entitled the rights enumerated in 4.1.1, above, such as the right to an observer/support person at the hearing; to have the same access to the proceedings as the Respondent, including the ability to question witnesses; and to appeal a decision based on grounds described in section 5.5. The Complainant may have an attorney, at the Complainant’s own expense, present at the hearing.

4.2.2. Complainant Responsibilities

4.2.2.1. The responsibility to be honest and direct in communicating with individuals involved in the conduct process.

4.2.2.2. The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.

4.2.2.3. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.

4.2.2.4. The responsibility to provide the decision-maker with pertinent information that the Complainant would like considered in the review of the alleged violation.
4.2.2.5. The responsibility to participate in the conduct process in a manner that is civil and respectful.

4.3. If the Respondent and/or Complainant believes that a committee member or hearing official has a conflict with, bias about or an interest in a case that may unduly influence the decision making either positively or negatively, the Respondent and/or Complainant may request a different committee member or hearing official.

4.4. Students have the responsibility to update personal contact information on their Pirate Port account as soon as it changes and to consistently monitor their ECU e-mail account and telephone answering equipment, as the University frequently communicates through these modes. U.S. Post letters will be sent to the local address provided by the student in the One-Stop system or to the permanent address if attempted contact with the student through other means is unsuccessful.

5. Student Conduct Hearing Procedure

5.1. The student conduct hearing procedure described below is used to address alleged violations of the Code, except for alleged academic integrity violations, which are resolved through the conduct process outlined in the Academic Integrity Policy and any other applicable campus policies and procedures, such as those enforced by the Division of Research and Graduate Studies. Similarly, some behaviors described as violations under the Code also may be violations of the rules and policies of organizations to which the student belongs, other university units, violations of city ordinances, and/or state or federal law. When such violations occur, the student or student organization might be held accountable in multiple venues.

5.1.1 Allegations of Title IX Conduct or Interpersonal Misconduct are resolved in accordance with the University’s Title IX Compliance and Resolution Regulation and the Regulation Prohibiting Interpersonal Violence and Related Misconduct applicable Appendices. These Regulations provide the applicable procedures for Title IX Conduct and Misconduct, including the investigatory, hearing, and final determination process for allegations made pursuant to these Regulation(s). A final determination finding a respondent responsible for a violation of the Regulation(s) shall include a finding of a violation of Section 2.15 of this Student Code of Conduct.

5.1.2. Alleged violations of a minor nature occurring in a residence hall may be reviewed under the Code by Campus Living staff as assigned by Campus Living. Campus Living staff will not address cases involving drugs, weapons, sexual assaults, sexual harassment, serious bodily harm or property damage without prior approval from the Director of OSRR. OSRR will address all incidents which might result in deferred suspension, suspension or expulsion.

5.1.3. The ECU conduct process is a separate and independent process from the criminal justice system. At the student's expense, he/she may be represented by a licensed attorney or non-attorney advocate who may participate in accordance with this Regulation, University of North Carolina System Policy Manual 700.4.1.1[R] and N.C. General Statute §116-40.11, or as otherwise required by law

5.1.4. The Respondent has a right to have a non-participating support person present with him/her throughout the conduct process. The support person is not permitted to actively participate in the process, but is simply to provide comfort to the Respondent. If the Respondent chooses to have a licensed attorney or non-attorney advocate, as outlined in 4.1.1.9 and 5.1.2, in a Student Conduct Board Hearing, as outlined in section 5.4, the Respondent will not be permitted to have a non-participating support person present at the hearing. In the meetings
with a conduct administrator, as described in sections 5.2 and 5.3, students may have both one (1) licensed attorney or non-attorney advocate as outlined in 4.1.1.9, and one (1) non-participating support person.

5.1.5. The standard used throughout the conduct process to reach case resolution is preponderance of the evidence. This standard will be used to evaluate the evidence for purposes of making findings and drawing conclusions for an investigation conducted under this regulation; meeting the standard constitutes the conclusion it is more likely than not that the alleged conduct occurred. Formal rules of evidence do not apply to student conduct cases.

5.1.5.1 To ensure the health and safety of individuals and the ECU Community, there may be times when OSRR determines it necessary to conduct operations through alternative means, including virtual platforms. This may include, but is not limited to, assigned sanctions providing educational resources (including Make Better Choices), pre-hearing or gathering of information meetings and administrative hearings, Student Conduct Board hearings, and Title IX hearings. Decisions regarding OSRR operations may be determined by guidance from the UNC system, University administration, and/or local, state, or federal directives.

5.2. Initial Intake

5.2.1. All complaints will be reviewed by the OSRR Director or his/her designee to determine whether or not the reported behavior is governed by the Code. Anonymous complaints may result in a formal charge if they contain sufficient information to independently establish a violation of the Code. Allegations may also be addressed with education and through referrals to on- and off-campus resources, if appropriate.

5.2.2. The University does not tolerate retaliation against individuals who file a complaint. Retaliation means any act of interference, restraint, penalty, coercion, reprisal, intimidation, threats, or harassment against an individual for using applicable policies responsibly (including testifying, assisting, or participating in a hearing, proceeding, review process or investigation; opposing an illegal act; or exercising any other right protected by this Regulation). Students who retaliate against such persons will be held accountable under the Code. It is the responsibility of the target of the retaliation to immediately report the behavior to OSRR.

5.2.3. The determination to investigate a conduct case will be made within a reasonable period of time after receipt of a complaint. If it is believed that the behavior is governed by the Code, the student will be invited to a pre-hearing or gathering of information meeting (“Initial Meeting”) with a conduct administrator. The student will be notified of the Initial Meeting date and time in writing.

5.2.4. The Respondent may request a reasonable postponement of the meeting by contacting the conduct administrator in writing no less than two (2) business days before the scheduled meeting. The Respondent will need to explain why he/she is requesting a different meeting date or time and will need to provide an alternate meeting date and time. The conduct administrator will make the final determination of the meeting date and time. If the Respondent does not appear for a scheduled meeting, the University reserves the right to make a determination regarding formal charges in the student’s absence.

5.2.5. After the Initial Meeting, the conduct administrator will determine whether formal charges will be pursued. OSRR may consider any additional information received after the Initial Meeting to determine whether or not to formally charge a student with a conduct violation. If a student is to be formally charged with a potential violation of the Student Code of Conduct, the student will
receive written notice of the following: the offense(s) charged with a brief summary of the factual allegations supporting the charge, a referral to a hearing with the conduct administrator or the Conduct Board, the hearing date and time, and possible sanctions.

5.2.5.1. If the alleged violation might result in a sanction other than suspension or expulsion, the hearing will take place with the conduct administrator, described in 5.3, below. The hearing will take place no earlier than five (5) calendar days after the notice is sent to the Respondent via letter or e-mail, unless the Respondent agrees to an earlier hearing date. The Respondent may waive the hearing and accept a sanction proposed by the conduct administrator. The waiver and acceptance must be in writing and signed by the Respondent.

5.2.5.2. If the alleged violation might result in suspension or expulsion, the matter will be referred to the Conduct Board, described in 5.4, below, and will take place no earlier than ten (10) calendar days after the notice is sent to the student via letter or e-mail, unless the student requests an earlier hearing date. In charges that might result in expulsion, the student will be informed that expulsion precludes matriculation at any UNC constituent institution. If a hearing date is not set in the notice of the charge, written notice of the hearing date shall be sent to be received by the student not less than five (5) calendar days before the proceeding is scheduled for hearing.

5.2.6. If the Respondent fails to meet with the conduct administrator or Conduct Board after being properly notified, the case will be decided on the basis of information gathered by the conduct administrator or the Conduct Board.

5.2.7. If the conduct administrator believes that there was no violation or there is insufficient information to make a determination that a violation of the Student Code of Conduct occurred, the conduct case will be closed.

5.3. Hearing with a Conduct Administrator

5.3.1. The Respondent will meet with a conduct administrator to discuss the reported behavior. In this hearing, the conduct administrator will review all available, relevant information, including all evidence and defenses, witness testimony and documents presented by the parties, and will determine by a preponderance of the evidence whether or not a violation of the Code occurred. This determination shall be based solely on the evidence presented at the hearing.

5.3.1.1. A conduct administrator who has a conflict with, bias about or an interest in a case should recuse him/herself. If the conduct administrator has a conflict with, bias about or an interest in a case and refuses to recuse him/herself, the Director of OSRR, or his/her designee, shall make the recusal decision. Challenges to the conduct administrator received prior to the hearing will be determined within five (5) calendar days of OSRR’s receipt of the challenge or at the start of the hearing, whichever is earlier.

5.3.2. The Respondent and/or Complainant may request a reasonable postponement of the hearing by contacting the conduct administrator in writing no less than two (2) business days before the scheduled hearing. The Respondent or Complainant will need to explain why he/she is requesting a different hearing date or time and will need to provide an alternate hearing date and time. The conduct administrator will make the final determination of the hearing date and time. If the Respondent does not appear for a scheduled hearing, the University reserves the right to make a determination in the student’s absence.

5.3.3. If the conduct administrator determines by a preponderance of the evidence that a
violation of the Student Code of Conduct did occur, he/she will assign appropriate sanctions and will notify the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based and will outline Respondent's right to appeal the decision to the Director of OSRR or his/her designee, including the time in which to appeal and the permitted grounds for the appeal.

5.3.4. Prior to a hearing, the Respondent may make an appointment in OSRR to review the information and witness lists to be presented at the hearing. An appointment to review information in OSRR must be made at least two (2) business days in advance.

5.3.5. The student may waive the hearing and accept a sanction proposed by the conduct administrator. The waiver and acceptance must be in writing and signed by the student.

5.3.6. Hearings with the conduct administrator are closed to the public.

5.4. Student Conduct Board Hearing

5.4.1. As indicated above, Student Conduct Board hearings will be convened when the Respondent’s case involves possible sanctions of suspension or expulsion. The student will be notified by the OSRR in writing of the formal charge against the student and referral of the charge to the Student Conduct board. The notice shall specify the offense(s) charged, the possible sanctions, a brief recital of the factual allegations supporting the charge, and the hearing date and time. For all charged offenses which could result in expulsion, the notice shall indicate this possibility, and shall specify that expulsion precludes matriculation at any UNC constituent institution. The hearing date may not be scheduled for at least ten (10) calendar days after the student receives notice of the referral, unless the student agrees to an earlier hearing date.

5.4.2. The Respondent and/or Complainant may request a reasonable postponement of the hearing by delivering a request to OSRR in writing no less than two (2) calendar days before the hearing. The person requesting the postponement will need to explain why he/she is requesting a different hearing date or time and will need to provide an alternate hearing date and time. OSRR will make the final determination of the hearing date and time. If the Respondent or Complainant does not appear for a scheduled hearing after being properly notified, the University reserves the right to make a determination in the individual's absence.

5.4.3. Conduct Board Hearing Panel Composition. The hearing panel is composed of three students, one faculty member and one staff member of the Student Conduct Board. One of the student members will be the Chair; the Chair will direct the hearing process, outline the basic facts of the case gathered by the University, and, in consultation with the other Board members, make determinations about what information is relevant to the proceedings. The Chair is responsible for ensuring an orderly hearing and, therefore, may remove any person who, in his/her discretion, interferes with the work of the Board. The Chair will facilitate the Board’s discussion regarding the case and will vote only in the event of a tie. It is the Chair’s responsibility to write a rationale for the Board’s decision.

5.4.3.1. A Board member who has a conflict with, bias about or an interest in a case must recuse him/herself. If the Board member refuses to recuse him/herself, the Chair, along with the hearing advisor (a professional OSRR staff member) will make the recusal decision. If the Board Chair has a conflict with, bias about or an interest in a case and refuses to recuse him/herself, the hearing advisor, in consultation with the Director of OSRR, will make the
recusal decision. The Respondent and/or Complainant may also challenge the participation of any Board member due a conflict with, bias about or an interest in a case that may unduly influence the Board’s decision making, either positively or negatively. The challenging party will be asked to provide specific reasons for the challenge. The Chair, along with the hearing advisor (a professional OSRR staff member), will determine whether the identified Board member should be removed from the case. If the removal of a Board member results in less than five members being able to serve during the hearing, the Respondent will be given an option to continue with the existing Board or reschedule the hearing in order for the case to be reviewed by a full five-member Board panel. Challenges to the Board’s composition received prior to the hearing will be determined by the Chair and hearing advisor within five (5) calendar days of OSRR’s receipt of the challenge or at the start of the hearing, whichever is earlier.

5.4.3.2. The hearing advisor and an attorney from the Office of University Counsel, if in attendance, will remain in the hearing room with the Board at all times. This includes, but is not limited to, during the Board’s consideration of any procedural issues (requests to continue the hearing, objections to the Board’s consideration of certain witness or documentary evidence, challenges to the Board’s composition, etc.) raised by the parties.

5.4.4. Hearing Outline. During the hearing, the Board will review all available, relevant information and, based on a preponderance of the evidence standard, make a determination as to whether or not a violation of the Code had occurred. A hearing will be divided into two parts: (1) the presentation of the facts and (2) if the Board finds the student responsible, the Board will determine sanctions.

5.4.4.1. The basic facts of the case gathered by the University will be outlined. At the hearing, the University must present sufficient witness and/or documentary evidence to establish the violation. The Respondent shall be given an opportunity to question this evidence, either by direct questions (non-Title IX hearings only) or inquiries transmitted through the Board Chair. The Respondent and Complainant will be afforded an opportunity to speak to the Board and present any witness or documentary evidence, provided that the evidence is relevant to the charge or other evidence presented and does not otherwise infringe the rights of other students. The Board will also have an opportunity to ask questions of all involved.

5.4.4.2. Once all relevant information has been presented, the Conduct Board, along with the hearing advisor and an attorney from the Office of University Counsel, if in attendance, will remain in the hearing room and all other participants will be dismissed while the Board deliberates regarding a finding of responsibility or non-responsibility. This determination shall be based solely on the evidence presented at the hearing.

5.4.4.3. The Board will reconvene the hearing and announce its decision. If the student is found responsible, he/she may submit character witness letters and/or testimony attesting to his/her character. If such character witness letters or testimony are relevant to the underlying charge, such information may be presented to the Board before it makes a determination of responsibility. If the Respondent is found responsible, he/she may make any statements, oral or written, regarding mitigating or extenuating circumstances that he/she wishes the Board to consider. The Complainant may provide an impact statement to the Board.

5.4.4.4. The Board, along with the hearing advisor and an attorney from the Office of University Counsel, if in attendance, will remain in the hearing room and all other participants will be dismissed while the Board deliberates regarding appropriate sanctions. The Board will
reconvene the hearing to announce its decision. The decision will also be shared with the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based and, will outline Respondent’s appeal rights. This decision may be appealed by the Respondent pursuant to 5.5 below.

5.4.4.4.1. Victims of crimes of violence shall be notified of the results of the disciplinary proceedings of the alleged Respondent. “Results” means the name of the student Respondent, the violation charged or committed, the essential findings supporting the conclusion that the violation was committed, the sanction if any imposed. The duration of the sanction and the date the sanction was imposed.

5.4.5. Prior to a hearing, the Respondent may make an appointment with OSRR to review any written evidence (including photographs or videos) that will be used at the hearing and to obtain a list of witnesses. An appointment to review information in OSRR must be made at least two (2) business days in advance.

5.4.6. The Respondent may waive the hearing and accept the sanction proposed by the University. A designated University official must determine that the waiver and acceptance is voluntary and that the charge and sanction have factual support. The Director of OSRR (or his/her designee) shall serve as the designated University official if the Respondent waives the hearing prior to the scheduled hearing date. In the event the Respondent waives the hearing the day of the hearing, the hearing advisor will serve as the designated University official. The waiver and acceptance must be in writing and signed by the student and the designated University official.

5.4.7. The hearing will be audio recorded; however, recording quality problems and/or malfunctions will not invalidate or nullify the decision of the Conduct Board.

5.4.8. The Student Conduct Board hearings are closed to the public.

5.4.9. Conduct board members and staff assigned to perform work related to the hearing should report any potential procedural irregularities or procedural errors that come to their attention, which may have occurred before or during the hearing, to the Director of OSRR for review by the Vice Chancellor of Student Affairs. The Vice Chancellor of Student Affairs, or his/her designee, shall have the authority to determine whether corrective action, including but not limited to, a new hearing, is necessary to correct such procedural errors. This review does not constitute an appeal and is a separate, independent review of the hearing procedures.

5.5. Appeals

5.5.1. During an appeal, the appealing party has the burden of showing either (1) a violation of due process; or (2) a material deviation from Substantive and Procedural Standards adopted by the Board of Governors:

5.5.1.1. Violation of Due Process. Due Process requires notice and an opportunity to be heard. A violation of due process means that the appealing party was not provided the required notice or an opportunity to be heard due to specified procedural errors, or errors in interpretation of University policies or regulations, that were so substantial as to effectively deny the Respondent a fair hearing. Reasonable deviations from the procedures set out in this Regulation will not invalidate a decision or proceeding unless the Respondent can show
that, but for the deviation or error, there likely would have been a different outcome in the case.

5.5.1.2. Material Deviation from Substantive and Procedural Standards. Material Deviation from Substantive and Procedural Standards require that the decision reached be neither arbitrary nor capricious. A material deviation from substantive standards means that there is a lack of information in the record that could support the decision or sanction(s). This does not mean the information presented at the hearing can be re-argued on appeal; rather, it requires a showing that no reasonable person could have determined the Respondent was responsible or could have imposed the sanction that was issued, based on the information in the record. A material deviation from procedural standards means that a lack of information in the record that could support the decision is due to a procedural error that resulted in the proffered evidence or testimony being excluded.

5.5.2. The student must specify in writing (“Appeal Letter”) which grounds form the basis for her/his appeal. The student must provide factual information to support her/his claim and explain what outcome he/she is seeking. The student has a right to be assisted in preparing his/her written challenge by a licensed attorney or non-attorney advocate, at the student’s expense.

5.5.3. The Appeal Letter must be dated, signed by the student, and received by OSRR within five (5) calendar days from the date that the written decision on sanctions is provided to the student, either by hand delivery or by delivery or attempted delivery through e-mail or postal mail. Appeals should be directed to osrr@ecu.edu; or 364 Wright Building. Failure to deliver the written notice of appeal within this time limit will render the decision of the conduct administrator/Conduct Board final and conclusive. An extension of time may be requested within the five (5) day limit, but it is within the discretion of OSRR to grant or deny such requests.

5.5.4. Appeals will be limited to the record of the hearing, including the supporting documents provided by the Respondent and available records (“Written Record”) within the OSRR.

5.5.5. In appeals from a hearing with the conduct administrator, the Director of OSRR or his/her designee will review the Written Record and make a determination as to whether a decision and/or sanction should be altered. If the OSRR Director or his/her designee determines that an appeal is not granted, the decision of the conduct administrator and any assigned sanctions will go into effect and the student will have no further appeal opportunities. The Director of OSRR or his/her designee’s decision is final.

5.5.5.1. The final decision of the Director of OSRR or his/her designee will be made within 45 calendar days after the hearing and will be shared with the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based.

5.5.6. In appeals from a hearing before the Conduct Board where suspension is assigned, the Director of OSRR will compile the Written Record and provide it to the Vice Chancellor for Student Affairs, or his/her designee, who will make the final administrative determination. The Vice Chancellor, or his/her designee, will determine whether to impose the sanctions recommended by the Conduct Board, to modify the sanctions recommended by the Conduct Board, to refer the case back to OSRR for a new hearing before a different Conduct Board, or take other necessary administrative action.

5.5.7. All hearings before the Conduct Board where expulsion is recommended will be reviewed
by the Vice Chancellor for Student Affairs who will make the final administrative determination. The Director of OSRR, or his/her designee, will compile the Written Record and provide it to the Vice Chancellor for Student Affairs for review. The Vice Chancellor will determine whether to impose the sanctions recommended by the Conduct Board, to modify the sanctions recommended by the Conduct Board, or to refer the case back to OSRR for a new hearing before a different Conduct Board, or take other necessary administrative action. If the Vice Chancellor determines that the student should be expelled from the University, the student has the right to file an appeal by following the process described in 5.6.

5.5.7.1. If the Vice Chancellor of Student Affairs is unavailable, has a conflict of interest, or when the Chancellor determines that a substitution is necessary to ensure a fair and timely review, the Chancellor may assume the responsibility of reviewing Conduct Board appeals or designate another vice chancellor.

5.5.8. The final decision in cases where suspension or expulsion is the sanction will be made within 45 calendar days after the hearing and will be shared with the Respondent in writing within ten (10) calendar days of the date the decision was made. The letter will include a brief summary of the information upon which the decision was based and any appeal rights, including the time limits in which to appeal and the permitted grounds for appeal.

5.5.9. New Information. Requests for reconsideration based on new information, sufficient to alter a decision and not reasonably available at the time of the decision, should be directed to the original decision-maker. A Complainant or Respondent has one (1) calendar year after the final imposition of sanctions by the University to present new information.

5.6. Appeal of Expulsion

5.6.1. Should the Vice Chancellor for Student Affairs uphold the Conduct Board’s recommendation and make a final administrative decision to expel a student, the student has the right to appeal the decision to the East Carolina University Board of Trustees. The student should send a written appeal by certified or registered mail, return receipt requested, or by another means that provides proof of delivery to the Assistant Secretary to Board within ten (10) calendar days after the notice of the Vice Chancellor’s decision is sent to the Respondent. A copy should also be provided to the Office of Student Rights and Responsibilities and the Vice Chancellor for Legal Affairs and University Counsel of East Carolina University. If the appeal is received in a timely manner, the Board of Trustees will establish a schedule for its review. If the Respondent fails to comply with the schedule, the Board of Trustees may dismiss the appeal. The decision of the Board of Trustees is final.

6. Records

6.1. Family Educational Rights and Privacy Act of 1974: Conduct case information is recorded and maintained by OSRR in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). Generally, information contained in OSRR files that personally identifies a student will not be released without the written and dated consent of the student identified in the record. However, disciplinary records may be shared with third parties to the extent allowed under FERPA. Victims of violence will be notified of the final disposition of the case to include the name of the Respondent; the letter of the alleged violation committed; the findings supporting the conclusion; the sanctions imposed, if any; the duration of the sanctions; and the date the sanctions were imposed. For specific information on FERPA, please contact the Registrar’s Office.
6.2. Maintenance of Records: Conduct records are maintained by the OSRR for at least eight years from the completion of the last sanction imposed. Records of students, who have been suspended, expelled, and of those who have a pending case or have not completed sanctions are kept indefinitely.

6.3. UNC Suspension/Expulsion Database: Information about students who are suspended, expelled, or have serious pending cases is entered into a UNC database, where it is stored permanently. All UNC constituent institutions have access to this information.

6.4. Transcript Notation: Conduct suspensions and expulsions will be marked on the student's transcript until all sanctions have been completed. For more information, please contact the Office of the Registrar.

6.5. Awarding of Degrees: The University does not award degrees solely because a student successfully completed all academic requirements. Violations of the Student Code of Conduct, including academic and non-academic violations, might result in a degree not being awarded. When a student has a disciplinary complaint pending, the awarding of the degree might be delayed until the complaint is resolved and, if imposed, the sanctions have been completed.

6.6. Withdrawal: Students with a pending conduct case will not be permitted to withdraw from the University without first resolving the case or receiving permission from the Director of OSRR to do so.

6.7. Continual Enrollment: Students with a pending conduct case might be prohibited from future enrollment until the conduct matter is resolved by the University.

7. Review of the Conduct Process

7.1. The Director of the OSRR will convene the Conduct System Review Committee every three years. This committee will assess the effectiveness of the conduct process and related policies and recommend any changes in policy, procedure, or the Code to the Chancellor.

7.2. The Committee shall be composed of two students appointed by the President of the Student Government Association, two staff members appointed by the Chair of the Staff Senate, and two faculty members appointed by the Chair of the Faculty Senate. The Dean of Students or designee shall serve as a chair of the Committee, voting only if there is a tie.

7.3. The Director of OSRR shall present a report to the Vice Chancellor for Student Affairs reflecting information regarding the state of the conduct system no later than June 30th of the review year. The Director of OSRR and other staff members directly involved in the conduct process shall serve as non-voting members of the Committee. The Director of OSRR is permitted to convene the Committee outside of the typical three-year review cycle when necessary.

7.4. The University will review and update this Regulation, as appropriate, annually, in addition to the review every three years by the Committee. The University will evaluate, among other things, any changes in legal requirements, existing University resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed).
Resolution #22-14
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: pending additional review as of March 2022*
Approved by the Board of Trustees: pending
Approved by the UNC System Office: pending

*Chancellor’s comment:
The resolution has been received and needs additional review by the committee. Attached are comments provided by Ms. Meagan Kiser, Office of University Counsel, and Ms. Linda Ingalls, Associate Vice Chancellor for Academic Affairs. Specific concerns noted are with Section III, General Grievances. The Academic Council also requests a tighter definition and clarification on what is grievable and include at what step the grievance would come to an appropriate faculty body, administrator and the advisory body of the Provost (i.e., Academic Council). There are also references and links that no longer work that need to be updated.

Revisions to ECU Faculty Manual Part XII, Section II. Faculty Grievance Procedures and Appeals of Non-Conferral of Early Tenure, as follows:

Additions in bold and deletions in strikethrough.

PART XII – FACULTY APPELLATE PROVISIONS

SECTION II
Faculty Grievance Procedures and Appeals of Non-Conferral of Early Tenure

CONTENTS
I. Policies and Procedures for General Faculty Grievances and for Appeals of Non-conferral of Early Tenure
II. Grievance Procedures Related to Complaints of Unlawful or Prohibited Harassment, Discrimination or Improper Relationships Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status
III. Effective Date

SECTION II.I, Policies and Procedures for General Faculty Grievances and for Appeals of Non-conferral of Early Tenure

CONTENTS
I. Faculty Grievances
II. The Grievance Panel
III. General Grievances
   A. Step One (Informal Conflict Resolution)
   B. Step Two (Petition for Redress)
   C. Step Three (Mediation and/or Chancellor Review)
   D. Step Four (Request for Hearing)
   E. Step Five (The Hearing)
   F. Step Six (Hearing Panel Report)
   G. Step Seven (Appeal to Board of Trustees)
IV. Grievances Resulting From the Non-Conferral of Early Permanent Tenure When the Non-Conferral Decision is Not Concurrent with A Reappointment Decision
Part XII, Section II.I provides for peer review of general faculty grievances and appeals of non-conferral of early tenure through a formal procedure that, depending on the grievance, includes access to mediation or direct review, and the potential for an appellate panel hearing of the grievance. Grievance procedures in Part XII, Section II.I are confined to the faculty and administrative structure of East Carolina University. There are no appeals through Part XII-Section II.I beyond the Board of Trustees.

I. Faculty Grievances
There are two classifications of grievances covered by this section. The first is referred to as a “General Grievance” and the second is a “Grievance Resulting From The Non-conferral of Early Permanent Tenure When The Non-conferral Decision Is Not Concurrent With A Reappointment Decision” (hereafter, non-conferral of early tenure).

The two grievance classifications and differences in the grievance procedures reflect the Board of Governors requirement that an internal grievance process be provided for non-conferral of early permanent tenure that is not concurrent with a reappointment decision. This requirement and the authority to establish different grievance procedures are set forth in Section 607 of The Code of The University of North Carolina and further elaborated in The UNC Policy Manual 101.3.2. The establishment of separate grievance procedures provides two assurances. First, it ensures there is a review process for the faculty member when the non-conferral of permanent tenure was based on an early request, for which appeals to the Board of Governors are not allowed. Appeals of non-conferral of tenure at end of the established probationary period are governed by the provisions in Part XII, Section I.II. Second, the bases for the grievance provided in Part XII, subsection II.I.IV for a grievance of non-conferral of early tenure do not apply to General Grievances covered in this section.

No grievance that involves matters related to a formal proceeding for the imposition of serious sanction, discharge, or termination of a faculty member’s employment, or that is within the jurisdiction of another appellate panel, falls within the charge of these general Faculty Grievance provisions (See Part XII, Sections I.II covering review of non-reappointment or non-conferral of tenure at the completion of a probationary term; I.III covering due process before discharge or the imposition of serious sanctions; and I.IV covering appeals of termination of faculty employment based upon institutional considerations).

II. Grievance Panel
The Grievance Panel (or “the panel”) shall be composed of five regular members and one alternate, chosen from the Appellate Committee in accordance with Part XII, Section I.I.

Upon receipt of the grievant’s Petition for Redress (Step Two), the appellate chair responsible for Grievance Panel hearings (Part XII, Section I.I) will inquire of panel members about the existence of potential conflicts of interest (which include, but are not limited to, any grounds for recusal listed in this paragraph) and will automatically recuse from participation in the appeal any member from the grievant’s or respondent’s relevant department, unit, college, or school, or any member with whom either the grievant or respondent(s) has had an amorous relationship, or is related by blood, law, or marriage (as defined in UNC Policy Manual 300.4.2 and 300.4.2.1[G]). Committee members shall recuse themselves from participating in a grievance if they have a reason to believe that such participation represents or will create a conflict of interest.
The appellate chair’s responsibility is to provide the grievant and respondent(s) a process for a possible resolution of the grievance. The appellate chair will provide only procedural information to the parties of the grievance, and shall not function as an advocate for either party. Procedural information includes the membership of the Appellate Committee, its charge, the options open to the parties to the grievance, and similar information.

Upon receipt of a request for a hearing (Step Four), the appellate chair shall determine the availability of the Appellate Committee members in lottery rank order to form a Grievance Panel consisting of five members plus one alternate who will replace any member unable to attend the entire hearing. When choosing panelists in rank order, the appellate chair will ensure that representatives from the respective ranks of both the grievant and respondent are included on the panel. Any party to a grievance may request that any member of the panel be recused from the hearing for conflict of interest. Such a request shall be in writing, stating the reason(s) for the request and be provided to the appellate chair not later than 5 calendar days after notification in Step Four of a hearing date. If the panel member declines recusal, the established panel, including the alternate, shall determine obligatory recusal by a majority vote (the member in question not participating). The recused panel member will be replaced by the current alternate member, and the appellate chair will appoint a new alternate following the same procedure as above.

III. General Grievances

General grievances shall be limited to matters directly related to a faculty member’s employment status and institutional relationships within East Carolina University. Grievances shall be limited to remediable injuries attributable to the violation of a right or privilege based on federal or state law, university policies or regulations, or commonly shared understandings within the academic community about the rights, privileges, and responsibilities of university employment or conduct that deprived the faculty member of an advantage that he or she otherwise would have received. It is the expectation that all parties to a grievance adhere to the professional ethics set forth in Part V, Section II, subsection 2. at all times and especially throughout the grievance procedure.

To promote and allow for adequate efforts at informal conflict resolution, the deadline for initiating a grievance is the end of the following Spring semester for an incident alleged to have occurred during the Fall semester (August 16th to December 31st) and the end of the Fall semester for an incident alleged to have occurred during the Spring semester or during the summer months between the Spring and the Fall semesters (January 1st to August 15th). This deadline may be extended by a majority vote of the Appellate Steering Committee if, in the committee’s opinion, there are extenuating circumstances despite due diligence.

The Appellate Steering Committee and Grievance Panel shall hold the grievant responsible for progressing through the grievance steps in a timely manner. If time delays are encountered because of the respondent(s), the grievant shall bring this to the attention of the appellate or panel chair as appropriate to the stage of the grievance at the time.

The grievant may terminate the grievance at any time during the process by notifying the appellate chair in writing. The appellate chair will issue a written memorandum to all parties regarding the termination of the grievance. Any such notice of termination is final and the grievance is closed.

A. Step One: Conflict Resolution.
   Prior to initiating a grievance with the Appellate Committee, a faculty member shall make a concerted effort to resolve the issue through informal conflict resolution. Faculty are encouraged to take advantage of University resources for conflict resolution and informal mediation (https://ombuds.ecu.edu/) in trying to settle complaints without entering into formal grievance
procedures. This can provide a less antagonistic venue, in the presence of a neutral third party trained to facilitate discussions, which can reduce tensions and lead to an equitable agreement.

Before filing a complaint with the Appellate Committee, an objecting faculty member (the potential grievant) at a minimum shall meet with the potential respondent(s) and attempt to resolve the conflict at issue. At or before this meeting the objecting faculty member shall provide the potential respondent(s) with a written statement setting forth the nature of the problem and the redress sought. If there are multiple claims, each should be presented clearly. This statement should include all information necessary to support each of the objecting faculty member’s claims, giving the respondent an opportunity to identify, understand, and address each concern. Both parties will have an opportunity to submit information and documents in support of their claims and responses before a hearing, should the issue proceed to a grievance (see Step Four below).

The objecting faculty member and respondent should meet in face-to-face discussion(s) about the substance of the problem and are encouraged to use University resources for informal conflict resolution to aid in resolving differences. In cases where the respondent refuses to meet, the objecting faculty member shall, by a memorandum with a copy to the respondent, inform the appellate chair and the next higher-level administrator in their program. Before proceeding to a formal grievance (Step Two), the objecting faculty member shall provide the respondent with the Petition for Redress that the grievant intends to submit in Step Two.

During attempts to resolve conflicts, each party may select a counselor who may also serve as an advisor throughout a conflict resolution and/or grievance process, but who shall not participate nor be called as a witness in a hearing (see Step Five). A list of potential faculty counselors is maintained by the Faculty Senate Office; however, the parties to the conflict may choose any eligible ECU current or retired faculty members as counselors, or may choose to have no counselor. It is recommended that counselors be tenured professors with extensive experience in faculty governance, as evidenced by service on university governance/appellate committees, and not be associated with the conflict in any way. Association with the conflict includes individuals who may reasonably be called as a witness by either party, should the complaint proceed into the formal grievance process.

For impartial adjudication of a conflict, either party may require availability of information that is controlled or in the possession of the other party or the administration. Upon specific request by a party to the conflict, the other party or the administration shall provide the requesting party with information bearing on the conflict that is not otherwise confidential as a matter of law (“privileged”).

In cases where a formal Petition for Redress has been filed (see Step Two below), either party to the grievance may request that the Appellate Steering Committee or Grievance Panel (once a grievance has proceeded to Step Four) evaluate the basis for a claim of privileged information, and the potential value of that information to resolving the grievance. If the privileged information is deemed to bear substantively on the grievance, the steering committee/panel is required to seek resolution of the issue of privilege through the relevant vice chancellor, or through the chancellor if the vice chancellor is party to the grievance. If the information has a material bearing on the grievance but cannot be obtained for legal reasons, the steering committee/panel shall decide whether continuing the grievance would be unfair to the grievant and/or respondent. If deemed unfair to continue, the grievance process will be terminated with the reason(s) stated clearly in a memorandum to all parties to the grievance, thereby ending the administrative appeal process at East Carolina University. All requested information that is received shall be distributed to the appellate chair/panel chair and to all parties to the grievance.

B. Step Two (Petition for Redress)
A Petition for Redress by the grievant should be addressed to the Appellate Committee chair, and have appended a copy of the grievant’s written statement from a Step One meeting with the respondent. It shall be submitted with a statement that the grievant completed Step One above, and that with this petition the grievant intends to pursue a formal grievance.

Ten copies of the Petition for Redress, which should not exceed 20 pages, must be delivered to the Faculty Senate Office. The appropriate appellate chair will ascertain if the grievant has completed Step One. If the grievant has not followed Step One, the chair will inform the grievant that Step One is not completed and must be completed prior to any further action being taken by the Appellate Committee.

Based on information contained in the grievant’s Petition for Redress, the Appellate Steering Committee shall determine whether the grievance is within the charge of Part XII, Section II.I. The committee may decide that none, some, or all of the issues in the Petition for Redress are appropriate and non-frivolous for a general grievance. Issues not within the charge of Part XII, Section II.I will receive no further attention and the committee’s decision concerning grievance issues shall be communicated by memorandum to the grievant and respondent. The ECU administrative appeal process is ended for those issues rejected by the committee, unless they fall within the scope of a different appellate process. Except after mediation, the Petition for Redress shall not be modified.

All material collected as part of the grievance shall be put in the grievance file maintained in the Faculty Senate Office under the grievant’s name. This grievance file becomes a part of the grievant’s Personnel File and, where appropriate, the respondent’s Personnel File. A note will be placed in the grievant’s and, where appropriate, respondent’s Personnel File(s) to indicate the location of the additional records.

A. Step Three (Mediation and/or Chancellor Review)
After the committee has determined which, if any, issues raised in the grievant’s Petition for Redress are within the charge of Part XII, Section II.I, the grievant may request:
1) Mediation (see C.1) followed by the Chancellor Review (see C.2) or a hearing (see Step Four) on any unresolved issues.
2) The Chancellor Review without mediation (see C.2).
3) A hearing without mediation (see Step Four).
4) Termination of the grievance (see Step Four).

1. Mediation
The appellate chair shall offer the parties to the grievance the opportunity to seek a resolution through mediation (The UNC Policy Manual 101.3.2.III). Mediation is limited solely to the grievant and the respondent. Each party will be asked to respond within 15 calendar days after the date of notification by the appellate chair as to their acceptance of mediation. Once all parties to the grievance have accepted mediation, the grievant shall not pursue the grievances at administrative levels higher than that of the respondent. To do so is inconsistent with the mediation process and will result in the termination of the grievance procedures, ending administrative review of the grievance. Rejection of mediation shall have no bearing on decisions or recommendations related to the grievance. Unless the grievant pursues a Chancellor Review, if any party to the grievance rejects mediation and the grievant requests a hearing, the appellate chair will notify the parties that a Grievance Panel will be formed and will set a grievance hearing date (Step Four).

If the grievant and the respondent accept mediation, the Faculty Senate Office administrator and chair of the faculty will be responsible for securing a mediator. To avoid real or apparent conflicts of interest, all mediation will be conducted by a third party mediator with no formal association with
East Carolina University nor prior association with either party to the grievance, and who is certified by the North Carolina Administrative Office of the Courts.

The parties to the grievance will inform the appellate chair within 5 calendar days of receiving the name as to whether the mediator is acceptable or unacceptable. An alternate mediator will be located if necessary. After the second attempt, unless the grievant pursues a Chancellor Review, if no acceptable mediator can be located, the appellate chair will so notify the parties to the grievance and inform them that, should the grievant request a hearing, a panel will be formed and grievance hearing date set (Step Four).

If an acceptable mediator is identified, the parties to the grievance will be informed of the selection. The Petition for Redress and the committee’s memorandum will be provided to the mediator by the appellate chair. The mediator will communicate to the appellate chair the beginning date of the process. The mediator will inform the appellate chair on a monthly basis that mediation is continuing with measurable progress. The mediation process shall not exceed 42 calendar days without formal approval of the appellate chair or 60 days without the formal approval of the full Appellate Steering Committee.

Mediation will continue until such time that:
   a. An agreement among the parties is reached (subject to time limits).
   b. A party or the mediator writes to the committee chair that further mediation is unlikely to be successful.
   c. A party to the grievance writes to the committee chair a desire to terminate mediation because of resistance to or undue delays in scheduling mediation meetings, or because the mediator is no longer deemed acceptable.

Events b. through c. above will cause the appellate chair to notify the parties to the grievance that the mediation process is being terminated and, unless the grievant requests Chancellor Review, inform the grievant to move to Step Four if desired. Decisions by the grievant, respondent, or mediator to terminate mediation shall have no bearing on decisions or recommendations related to the grievance. All information from the mediation process is confidential and inadmissible in the grievance hearing.

If an agreement is reached, the grievance will be considered closed and a copy of the agreement, signed by all parties to the grievance, will be placed in the grievance file maintained in the Faculty Senate Office. It is expected that most agreements will require only the authority of the respondent for a unit commitment but some may require the authority of the chancellor. If the chancellor rejects the agreement, the parties may continue mediation or the grievant may request either a Chancellor Review or a hearing.

If the mediation process produces a partial settlement, those issues shall be removed from the committee’s memorandum to the grievant and respondent as determined in Step Two. A signed copy of the partial agreement shall be placed in the grievance file. The grievant may request a Chancellor Review or a hearing for remaining issues (Step Four).

2. Chancellor Review
Within 20 calendar days from the request for a Chancellor Review, the grievant shall provide to the chancellor, the respondent, and the appellate chair copies of the Petition for Redress along with the committee’s memorandum and any information that supports the grievant’s contentions. Within 10 calendar days, with copies to the grievant and appellate chair, the respondent may submit to the chancellor a written response to the Petition for Redress and any other documents provided by the grievant. The chancellor shall provide a response to the grievant, with copies to the appellate chair
and the respondent, within 20 calendar days of the chancellor’s receipt of all materials. The chancellor may extend any of these deadlines if he or she deems it to be in the best interest of the university.

The chancellor’s decision is final and may not be appealed. A copy of all information submitted to the chancellor and the chancellor’s decision shall be placed in the grievance file and the grievance closed.

B. Step Four (Request for a Hearing)

If the grievance is not resolved, by memorandum to the committee chair with a copy to the respondent, the grievant shall request a hearing, or state that the grievance will not be pursued. If mediation has occurred, the Appellate Steering Committee will again review the grievant’s Petition for Redress in light of any changes that may have resulted from mediation. The steering committee will establish a Grievance Panel if it determines that all or some of the issues unresolved by mediation allege an injury that would entitle the faculty member to relief under Part XII, Section II.I. In this case, the steering committee shall provide an updated memorandum to the grievant and respondent(s) explaining remaining issue(s) to address in a hearing. Should the steering committee determine that remaining issues are no longer within the purview of a Faculty Grievance Panel, this decision will exhaust the administrative appeals process, and shall be communicated by a method that produces adequate evidence of delivery to all parties to the grievance.

Once a Grievance Panel is established, the elected panel chair will notify the grievant and respondent, setting a time, date, and place for a hearing on the Petition for Redress. The date of the hearing shall be within 42 calendar days of this notification, except when the request for a hearing is received during summer months, official university breaks and holidays, and when, despite reasonable efforts, the Grievance Panel cannot be assembled (The UNC Policy Manual 101.3.3). Scheduling an appeal panel during the summer months is complicated by the absence of many faculty and different schedules of those available. If the panel cannot schedule a hearing during the summer, a fall hearing date will be scheduled as soon as possible after the fall organizational meeting of the Appellate Committee.

If either the grievant or the respondent petitions the panel in writing for a postponement of the hearing for health reasons, or due to a serious personal emergency, the panel chair shall postpone the meeting for a period of time appropriate to the circumstances. If either the grievant or respondent petitions the panel for a postponement of the hearing for reasons other than health or serious personal emergency, the panel chair shall determine whether it is the general agreement of the committee to postpone the hearing for good cause until the next possible scheduled date.

The notice of hearing will request that both parties submit to the panel the names of their counselors, and all information and documents they intend to introduce at the hearing to support or defend their respective positions. Such information and documents may include written materials, sound or video recordings, photographs, or other forms of information or documentation approved by the panel. The grievant’s submission shall include a list of witnesses with a brief statement of the relevance of each witness, and all information to be used in support of the grievant’s claim(s). The respondent's submission shall include a list of witnesses with a brief statement of the relevance of each witness, and all information to be used to defend against the grievant’s claim(s). The panel may also call other witnesses that it deems relevant to the grievance. A mediator shall not be called as a witness in the hearing of a grievance and no part of the mediation effort (e.g., conversations, offers, proposals, etc.) shall be introduced as evidence.
Ten copies of all information and documents shall be submitted to the Faculty Senate Office no less than 14 calendar days prior to the hearing date. The department or unit of each party to a grievance is responsible for providing reasonable access to photocopy services for hearing documents during the grievance process. These services shall be at no cost to the grievant or respondent; provided, however, a party to the grievance or a unit bearing such costs may petition the panel to limit incurrence of copying costs by a grievant and/or respondent at the point those expenses appear to be extraordinary and grossly excessive, in which case the panel may direct alternative or adjusted means of making the information to be copied available for use in the hearing process. The submitted information and documents shall have a table of contents with numbers (Arabic) assigned to all pages that exhibit information. If the back of a page contains information, it also must be numbered. Numbers shall be preceded by a “G” for the grievant’s submission or an “R” for the respondent’s submission. If more than one grievant or more than one respondent is involved, their designation will be communicated by the panel chair.

Once the copies as described above are received from both parties, the Grievance Panel chair will provide one copy of the grievant’s submission to the respondent, and one copy of the respondent’s submission to the grievant. The panel chair will create an agenda prior to the meeting to ensure that the hearing will be completed within one business day. The agenda will state limits on the amount of time that each party will be allocated for presentation of their cases. This agenda, with names of the panel members and procedures for submission of new documents and handling of the witnesses, will be distributed to the Grievance Panel, the grievant and the respondent no less than 5 calendar days prior to the hearing date.

E. Step Five (The Hearing)
The Grievance Panel shall limit its investigations to the issues presented in the Petition for Redress and confirmed by the Appellate Steering Committee’s memorandum to the grievant. During the hearing, the panel may explore issues raised by any party to the grievance that are concretely based on issues raised in the Petition for Redress. The panel's responsibility is limited to issuing recommendations based on the information presented as part of Step Four and at the hearing. Except as noted in Part XII, Section II.I.III.D, the authority of the Grievance Panel shall be solely to hear the testimony of the grievant, the respondent, and witnesses.

The panel chair shall preside and be responsible for maintaining order and prompt progression of the hearing process. Except as provided for herein, the hearing shall be conducted according to the latest edition of Robert's Rules of Order, Newly Revised. When, despite due diligence, circumstances make it necessary to resolve an issue not addressed in these provisions, the panel chair shall have the authority to make a reasonable adjustment or exception that maintains the integrity of the process to the extent possible and consistent with applicable law and policy.

The Grievance Panel chair shall begin the hearing by briefly reviewing the panel's authorization and powers, and the procedures to be followed during the hearing. The chair shall then enter into the hearing record correspondence generated prior to the hearing as the Appellate Committee’s Exhibit C, and information submitted in Step Four by the grievant and the respondent as Exhibits G and R.

The submitted information shall include all information necessary to support or defend the grievance; however, with approval of the Grievance Panel, the grievant, respondent, or a witness may submit additional information during the hearing. All such information must be numbered, with copies to be presented to the opposing party and members of the panel, and shall become part of the formal record of the hearing. Only the grievant, the respondent, members of the Grievance Panel, and the court reporter shall be present for the duration of the hearing. Witnesses, as noted below, will be present only when
giving testimony. It shall be the responsibility of the parties to present their respective cases. The burden is on the grievant to establish, by a preponderance of the evidence, that the grievant’s claims and requested redress are consistent with Faculty Manual Part XII, Section II.I. Preponderance is defined as the greater weight of evidence and its probable truth or accuracy, and not the amount of evidence presented.

The grievant is responsible for presentation of the grievant’s case, including the testimony of witnesses. Panel members may question the grievant, the respondent or witness(es) at any time during the hearing. After each of the grievant’s witnesses has completed their testimony, and has responded to questions from the respondent and to the grievant’s further questions (limited to the subject of the respondent’s questions), the witness will be excused from the hearing unless recalled by the Grievance Panel. At the end of the grievant’s presentation, the respondent may question the grievant.

The respondent’s presentation will follow the procedures noted above for presentation of the grievant’s case. When the panel and grievant have no further questions, the grievant is given the opportunity to make a 10-minute final statement, and then a total of 10 minutes is available to the respondent(s) for a final statement.

F. Step Six (Grievance Panel Report)
The Grievance Panel’s report shall be based only on facts, documentation, arguments presented at the hearing, and applicable law and University policies. Panel recommendations are to be based on, but are not limited to, the grievant’s requested redress.

Copies of the panel’s report will be available to the grievant and respondent for their retrieval from the Faculty Senate Office. A copy of the panel’s report, a copy of the written record of the hearing proceedings, and a copy of all evidence submitted will be placed in the grievance file, and will be open to the Grievance Panel and all parties to the grievance until the grievance is closed.

If the panel finds that the grievant’s contentions are not supported or makes no recommendations in favor of the grievant, the panel shall submit its report to the grievant, respondent, chair of the faculty, and chancellor. In addition, the chancellor shall receive a transcript of the hearing proceedings and the evidence in the grievance file. The chancellor shall provide a decision in writing to the grievant, respondent, chair of the faculty, and the Grievance Panel within 20 calendar days of receipt of materials from the panel. The decision of the chancellor is final.

If the panel finds that the grievant’s contentions are supported and makes recommendations in favor of the grievant, but, in the opinion of the panel, these recommendations are not within the authority of the respondent to implement, the panel shall submit its report to the grievant, respondent, and chair of the faculty. By memorandum, the panel chair shall inform the chancellor that, in the opinion of the panel, its recommendations are not within the respondent’s authority to implement and request the chancellor make the appropriate adjustments.

If the Grievance Panel finds that some or all the grievant’s contentions are supported and within the authority of the respondent, and the panel makes one or more recommendations in favor of the grievant, the panel shall submit its report to the grievant, respondent, and chair of the faculty. The respondents shall be provided the panel’s report and recommendations along with a copy of the transcript of the hearing proceedings, the evidence in the grievance file, and documents and communications filed by the parties and decision-makers in the proceeding (collectively, the “Record of the Appeal,” which may grow as additional petitions, memoranda and material procedural communications are filed by the parties and decision-makers in the process). Within 20 calendar days of receipt of these materials, the respondent shall communicate, in writing, a
response to the panel’s recommendations to the panel chair, grievant and the chair of the faculty. Within 15 calendar days of receipt of the respondent’s response, the grievant will inform the panel chair if the adjustments are satisfactory or not satisfactory. If the adjustments are satisfactory or if the grievant fails to provide timely notice to the panel that the adjustments are not satisfactory, the grievance will be closed.

If the respondent’s adjustments are not satisfactory to the grievant, the grievant may appeal to the chancellor. The grievant shall deliver to the Grievance Panel chair a memorandum addressed to the chancellor explaining in detail the reasons for the appeal. The panel chair shall forward a copy of this memorandum to the respondent and chair of the faculty and shall forward the grievant’s appeal memorandum to the chancellor along with the Grievance Panel report and the full Record of the Appeal described above.

If the grievant appeals to the chancellor, or if the Grievance Panel requests the chancellor to make a recommended adjustment, the chancellor’s decision shall be based on the recommendations of the hearing panel and the Record of the Appeal from the faculty Grievance Panel hearing. The chancellor has the discretion to consult with the panel and/or Appellate Steering Committee before making a decision (The UNC Policy Manual 101.3.2.IV.g). The chancellor will communicate a written decision within 20 calendar days of receipt of appeal materials, with copies to the grievant, respondent, chair of the faculty, and the Grievance Panel chair. The chancellor’s decision shall contain a notice of further appeal rights, if any, and, if the decision is appealable, it shall contain the information in subsection III.G., Step Seven (Appeal to the Board of Trustees) below, and shall be signed by all individuals who contributed to the report.

If the chancellor’s decision does not support the recommendations of the Grievance Panel, the grievant may appeal to the Board of Trustees of ECU in accordance with the procedures in Section III.G. Step Seven (Appeal to the Board of Trustees). The decision of the Board of Trustees is final and may not be appealed to the Board of Governors.

Dissenting Chancellor’s Report
Should the chancellor disagree with the Grievance Panel’s interpretation that the grievance is within the scope of redress covered by provisions of Part XII, Section II.I of the Faculty Manual, the chancellor shall withhold the decision, and inform the panel, all parties to the grievance, and the chair of the faculty of those areas of disagreement within the required 20 calendar days. The panel chair will then request that the chair of the faculty begin the normal interpretation process as set forth in the Faculty Manual. It is expected that the chair of the faculty will expedite this request. Upon completion of the interpretation process, the panel will make any necessary recommendations. The report will be distributed in accordance with Part XII, Section II.I.III.F., with the grievant’s rights to appeal intact.

G. Step Seven (Appeal to Board of Trustees)
1. Explanation of decisions that may be appealed.
   a. If the Grievance Panel did not advise an adjustment in favor of the grievant, then the decision of the chancellor is final and may not be appealed.
   b. If the panel found in favor of the grievant, and neither the relevant administrative official nor the chancellor made an adjustment advised by the panel, then the grievant may appeal to the Board of Trustees. The decision of the Board of Trustees is final.

2. The Board of Trustees may delegate to a designated committee the authority to make procedural decisions and to make final decisions on behalf of the Board concerning appeals of faculty grievances submitted pursuant to Section 607 of The Code of The University of North Carolina.
3. Timeline for Appeals
   a. A grievant who seeks to appeal the chancellor's disposition of the grievance must file written notice of appeal with the Board of Trustees by submitting such notice to the chancellor, with adequate evidence of delivery (The UNC Policy 101.3.3), within 10 calendar days after receipt of the chancellor's decision. The notice shall contain a brief statement of the basis for the appeal. Unless the Board determines an appeal is not within its jurisdiction or fails to meet the procedural requirements for consideration by the Board, the Board will consider the appeal on a schedule established by the chancellor, subject to any instructions received from the Board chair or from a committee of the Board that has jurisdiction of the subject matter of the grievance. The Board will issue its decision as expeditiously as is practical. If the grievant fails to comply with the schedule established for perfecting and processing the appeal, the Board at its discretion may extend the time for compliance or may dismiss the appeal.

   b. If the chancellor's decision is eligible for appeal, the chancellor's notice of the disposition of a grievant's case must inform the grievant: (1) that a written notice of appeal to the Board of Trustees containing a brief statement of the basis for appeal is required within the 10 calendar day period and, (2) that, after notice of appeal is received in a timely manner, a detailed schedule for the submission of relevant documents will be established. All such notices of decision are to be conveyed to the grievant by a method that produces adequate evidence of delivery (The UNC Policy 101.3.3).

4. Standard of Review: In order to prevail before the Board of Trustees, the faculty member must demonstrate that the chancellor's decision was erroneous based on a preponderance of the evidence, that it violated applicable federal or state law or university policies or regulations, or that the process used in deciding the grievance was materially flawed.

IV. Grievance Resulting From Non-conferral Of Early Permanent Tenure When The Non-conferral Decision Is Not Concurrent With A Reappointment Decision.

   A. Initiation of Hearing Process
   No later than 25 calendar days of receiving written notice from the vice chancellor of non-conferral of early tenure, a faculty member (hereinafter, the grievant) may initiate the process leading to a hearing before a Faculty Grievance Panel (hereinafter, the panel) by submitting a Petition for Redress to the appellate chair. Failure to meet the time periods allotted to the grievant constitutes a waiver of the right to a hearing and no further administrative appeals of the non-conferral decision are allowed. Before the expiration of a deadline, however, the faculty member may request an extension, provided the request is made in writing and presented to the appellate chair. The Appellate Steering Committee will make its decision and communicate it to the grievant within 10 calendar days of receiving a request for an extension, except under unusual circumstances such as during summer months, official university breaks and holidays and when, despite reasonable efforts, the steering committee cannot be assembled in a timely manner.

   A hearing will be granted if the Petition for Redress is timely (above), complete (1, below), and claims an infringement of one or more of the allowable bases (2, below).

   1. The Petition for Redress must include (i) a description that is as complete as possible of the actions or the failures to act which support each specified contention; (ii) the identification of the respondent(s); (iii) an enumeration and description of the information or documents to be used to support the contention (copies of the described documents are to be made a part of the Request
for Redress); (iv) the identification of persons who may be willing to provide information in support of the contention; and (v) a brief description of the information those persons identified in (iv) may provide; and (vi) a copy of the vice chancellor’s notice of non-conferral of early permanent tenure.

2. The request for a hearing must be based on one or more of the following reasons.
   (a) The decision was based on any ground stated to be impermissible in Section 604B of The Code of The University of North Carolina. Specifically, in no event shall a non-conferral decision be based upon (i) the exercise by the faculty member of rights guaranteed by the First Amendment to the United States Constitution, or by Article I of the North Carolina Constitution, or (ii) discrimination prohibited under policies adopted by the ECU Board of Trustees i.e., discrimination based on the faculty member’s age, color, creed, disability, genetic information, national origin, political affiliation, race/ethnicity, religion, sex/gender, sexual orientation, or veteran’s status, or (iii) personal malice. The UNC Policy Manual 101.3.1.II.B).

   (b) The decision was attended by a "material procedural irregularity," meaning a departure from prescribed procedures and established university policies that is of such significance as to cast reasonable doubt upon the integrity of the original decision. Whether a procedural irregularity occurred, and whether it is material, shall be determined by reference to those procedures in effect when the initial decision was made and communicated. The Appellate Steering Committee shall ask the chancellor to certify what procedures were then in effect if that question is a matter of dispute. (Faculty Senate Resolution #03-49)

Ten copies of Petition for Redress not exceeding 20 pages shall be addressed to the appellate chair and delivered to the Faculty Senate Office. Upon receipt of the grievant’s Petition for Redress the appellate chair shall notify each named respondent that he/she has been named a respondent in a grievance based on the non-conferral of early permanent tenure. Accompanying this letter will be a complete copy of the grievant’s Petition for Redress.

B. Procedures for the Hearing.
   The appellate chair will convene a Grievance Panel if the Petition for Redress is timely, complete, and based on one or more of the criteria noted above. If the Petition for Redress fails to meet any one of these requirements, the Appellate Steering Committee shall not grant a hearing, the grievance will be closed, and this decision will exhaust the administrative appeals process for the grievance. This decision will be communicated to all parties of the dispute by a method that produces adequate evidence of delivery (The UNC Policy 101.3.3). If the Petition for Redress meets all of the above requirements, but makes claims beyond valid criteria (defined in IV.A.2.a and b above), the Appellate Steering Committee shall strike those issues from the Petition for Redress and these claims will receive no further attention in the process.

Once established, the Grievance Panel shall set the time, date, and place for the hearing. The date for the hearing shall be within 42 calendar days after receipt of the Petition for Redress by the Faculty Senate Office, except when a Petition for Redress is received during summer months, official university breaks and holidays and despite reasonable efforts the panel cannot be assembled.

The panel chair shall notify the grievant, the respondents, the chair of the faculty, and the chancellor, of the time, date, and place of the hearing. This notification shall call attention to any claims made in the Petition for Redress that have been struck and will not be addressed in the hearing. The notification will include the names of all panel members and alternates who may take part in the hearing.
The grievant and respondent are to submit ten copies of all information and documents to be used in the presentation (by the grievant) or in defense against the grievance (by the respondent). The grievant’s and respondent’s information must include: a) the identification of a witness(es) who may be willing to provide information relevant to the grievance; and b) a brief description of the information each witness may provide. This information and documentation shall be submitted to the Faculty Senate Office not later than 14 calendar days prior to the hearing date. One copy of the grievant’s information will be provided to each respondent and one copy of the respondent’s information will be provided to the grievant.

C. The Hearing
The Grievance Panel shall limit its investigations to the issues presented in the Petition for Redress, and include only those not struck in the Appellate Steering Committee’s notification that a hearing would be granted. The panel's responsibility is limited to issuing recommendations based on the Petition for Redress, information and documentation submitted prior to or accepted during the hearing, and information developed during the hearing based on the testimony of the grievant, the respondent, and witnesses.

The panel chair shall begin the hearing by briefly reviewing the panel’s authorization and powers, the conditions necessary for a hearing, the panel’s belief that the issues about to be heard satisfy these conditions, and the procedures to be followed during the hearing. Except as provided for herein, the hearing shall be conducted according to the latest edition of Robert's Rules of Order, Newly Revised.

The Grievance Panel chair shall then enter into the hearing record correspondence (particularly any relevant correspondence from the Appellate Committee and/or panel chair) generated prior to the hearing as the Exhibit C, and information submitted (above) by the grievant and the respondent as Exhibits G and R respectively (Exhibit letter designations are prescribed only for labeling purposes). It is expected that the hearing will be limited to this information; however, with approval of a majority of the panel, the grievant, respondent, or a witness may submit additional information during the hearing. All such information must be numbered, with copies to be presented to the opposing party and members of the panel, and it becomes a part of the formal record of the hearing.

Only the grievant, the respondent, members of the Grievance Panel, and the court reporter shall be present for the duration of the hearing. Others who are witnesses, as noted below, will be present only when giving testimony. It shall be the responsibility of the parties to present their respective cases. The grievant’s case will be evaluated on the basis of the preponderance of the evidence. This means the greater weight of evidence and its probable truth or accuracy, and not the amount of evidence presented.

The grievant is responsible for presentation of the grievant’s case, including the testimony of witnesses. Grievance Panel members may question the grievant, the respondent or witness(es) at any time during the hearing. After each of the grievant’s witnesses has completed testimony, and has responded to questions from the respondent, the panel, and to the grievant’s further questions (limited to the subject of the respondent’s questions), the witness will be excused from the hearing unless recalled by the panel. At the end of the grievant’s presentation, the respondent may question the grievant.

The respondent’s presentation will follow the procedures noted above for presentation of the grievant’s case. Panel members may question the grievant, the respondent, or witnesses during the hearing. When the panel and grievant have no further questions, the grievant is given the
opportunity to make a 10-minute final statement, and then a total of 10 minutes is available for the respondent’s final statement(s).

D. Grievance Panel Report
The Grievance Panel’s report shall be based only on facts, documentation, arguments presented at the hearing, and applicable law and University policies. The panel’s recommendations are to be based upon, but are not limited to, the grievant’s requested redress.

Copies of the Grievance Panel’s report will be available to the grievant and respondent for retrieval from the Faculty Senate Office. A copy of the panel’s report, a copy of the written record of the hearing proceedings, and a copy of all evidence submitted will be placed in the grievance file. This file will be open to the Grievance Panel and all parties to the grievance until the grievance is closed. The panel may make recommendations that a) do not support the grievant’s contentions, b) support the grievant’s contentions and are within the respondent’s authority to implement, or c) support the grievant’s contentions, but are not within the respondent’s authority to implement. The Grievance Panel’s actions for each of these findings are noted below.

a. Panel Recommendations Do Not Support the Grievant’s Contentions.
If the Grievance Panel finds that the grievant’s contentions are not supported or makes no recommendations in favor of the grievant, the panel shall submit its report to the grievant, respondent, chair of the faculty, and chancellor. Within 20 calendar days the chancellor shall, in writing, inform the grievant, respondent, chair of the faculty, and Grievance Panel of a decision. The decision of the chancellor is final and may not be appealed.

b. Panel Recommendations Support the Grievant’s Contentions and are Within the Respondent’s Authority.
If the Grievance Panel finds that the grievant’s contentions are supported and makes recommendations in favor of the grievant, the panel shall submit its report to the grievant, respondent, and chair of the faculty. Within 20 calendar days of the recommendations, the respondent shall, with copies to the grievant and the chair of the faculty, communicate a response to the panel’s recommendation in writing to the Grievance Panel chair. Within 15 calendar days of receipt of the respondent’s response, the grievant will inform the Grievance Panel chair if the adjustments are satisfactory or not satisfactory. If the respondent’s adjustments are not consistent with the recommendations of the Grievance Panel but are satisfactory to the grievant, the grievance will be closed. If the respondent’s adjustments are not satisfactory to the grievant, the grievant may appeal to the chancellor. The process for an appeal to the chancellor is described below.

c. Panel Recommendations Support the Grievant’s Contentions, but are not Within the Respondent’s Authority to Implement.
If the Grievance Panel finds that the grievant’s contentions are supported and makes recommendations in favor of the grievant, but, in the opinion of the panel, these recommendations are not within the authority of the respondent to implement, the panel shall submit its report to the grievant, respondent, and chair of the faculty. By memorandum, the Grievance Panel chair shall inform the chancellor that, in the opinion of the panel, its recommendations are not within the respondent’s authority to implement and request the chancellor to make the appropriate adjustments.

The Grievance Panel chair shall forward to the chancellor a record of the hearing and copies of all documents submitted during the grievance process.
The chancellor’s decision is to be based solely on a thorough review of the information provided by the Grievance Panel. The chancellor has the discretion to consult with the Grievance Panel (The UNC Policy Manual 101.3.2.IV.g) and individuals with the delegated authority to implement the panel’s recommendations. It is expected that the chancellor will give deference to the advice of the faculty panel, but the final campus-based decision lies with the chancellor. Within 30 calendar days of receipt of the panel’s request, the chancellor will inform the grievant, respondent, Grievance Panel chair, and chair of the faculty of a decision. If the chancellor does not support the panel’s recommendation, the chancellor will inform the grievant that the decision may be appealed to the Board of Trustees. This appeal process is described in Section IV.G. The decision of the Board of Trustees is final and may not be appealed to the Board of Governors.

E. Dissenting Chancellor’s Report
Should the chancellor disagree with the Grievance Panel’s interpretation that the grievance is within the scope of redress covered by provisions of Part XII, Section II.I of the ECU Faculty Manual, UNC Code or Policies, the chancellor shall withhold a decision and inform the Grievance Panel, all parties to the grievance, and the chair of the faculty of those areas of disagreement within 30 calendar days. The Grievance Panel chair will then request the chair of the faculty begin the normal interpretation process as set forth in the Faculty Manual. It is expected that the chair of the faculty will expedite this request. Upon completion of the interpretation process, the Grievance Panel will make any necessary recommendations. The report will be distributed in accordance with Part XII, Section II.I.III.F., with the grievant’s rights to appeal intact.

F. Appeals to the Chancellor
If the respondent’s adjustments are deemed unsatisfactory by the grievant, an appeal to the chancellor is to be made within 20 calendar days of the receipt of the response. The grievant shall deliver to the Grievance panel chair a memorandum to the chancellor explaining in detail the reasons for the appeal. The panel chair shall forward a copy of this memorandum to the respondent and chair of the faculty, and shall forward the grievant’s appeal memorandum to the chancellor along with the Grievance Panel report and all supporting documentation.

The chancellor’s decision is to be based solely on a thorough review of the information provided by the Grievance Panel and may, at the chancellor’s discretion, include consultation with the panel (The UNC Policy Manual 101.3.2.IV.g). It is expected that the chancellor will give deference to the advice of the faculty panel, but the final campus-based decision lies with the chancellor. Within 30 calendar days of receipt of the grievant’s appeal and Grievance Panel’s recommendations, the chancellor will provide a decision to the grievant, respondent, panel chair and chair of the faculty. If the chancellor does not support the panel’s recommendation, the chancellor will inform the grievant of the provisions for appeal to the Board of Trustees.

A. Appeal to the Board of Trustees
This appeal shall be transmitted through the chancellor and shall be addressed to the chair of the Board. Notice of appeal shall be filed within 14 calendar days after the faculty member receives the chancellor’s decision. The appeal to the Board of Trustees shall be decided by the full Board of Trustees; however, the Board may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members.

The Board of Trustees, or its designated committee shall consider the appeal on the written transcript of the hearing held by the Grievance Panel (including evidence admitted in connection with the hearing), but it may, at its discretion, accept and consider such other evidence as it deems necessary, with the opportunity for rebuttal. The Board of Trustees’ decision shall be made as soon as reasonably possible after the chancellor has received the faculty member’s request for an
appeal to the Trustees. The decision of the Board of Trustees is final and shall end the University’s appeal process.

SECTION II.II, Grievance Procedures Related to Complaints of Unlawful or Prohibited Harassment, Discrimination or Improper Relationships Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status

CONTENTS

I. Preamble
II. Grievance Procedures

I. Preamble

A. Federal and state laws and/or university policies prohibit unlawful discrimination based on the following protected classes: race/ethnicity, color, genetic information, national origin, religion, sex (including pregnancy and pregnancy related conditions), sexual orientation, gender identity, age, disability, political affiliation, and veteran status (including relationship or association with a protected veteran; or Active Duty or National Guard service). East Carolina University establishes formal procedures to assure individuals who believe that they are the victims of unlawful or prohibited harassment, discrimination, or improper relationships that their grievances will be dealt with fairly and effectively.

The East Carolina University Faculty Manual (Part XII) is subject to university policies governing nondiscrimination, sexual and gender-based harassment and other forms of interpersonal violence at East Carolina University, which are available through the University’s Office for Equity and Diversity (OED) (http://www.ecu.edu/cs- acad/oed/policies.cfm).

B. Unlawful or prohibited harassment, discrimination, or improper relationships violate East Carolina University’s policies and will not be tolerated. Members of the University community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of unlawful or prohibited harassment, discrimination or improper relationships prohibited under the policies of East Carolina University. The University will take every reasonable step to resolve grievances promptly and confidentially.

C. Any act by a University employee or student of retaliation, interference, restraint, penalty, discrimination, coercion, reprisal, intimidation, threats, or harassment against an employee or student for using the applicable policies responsibly interferes with free expression and openness and violates University policy. Accordingly, members of the University community are prohibited from acts of reprisal and/or retaliation against those who file complaints, are involved as witnesses, or otherwise try to use University policies responsibly.

D. When complaints of harassment, discrimination, or improper relationships have been substantiated, the appropriate vice chancellor or the chancellor may take such disciplinary action as he or she deems appropriate, including discharge from employment, suspension, or reduction in rank in a manner that is consistent with the policies and procedures stated in the ECU Faculty Manual.

II. Grievance Procedures

A. Faculty subject to administrative sanction(s) for violations of University policies on harassment, discrimination or improper relationships have the right to due process through appropriate appeals
procedures, based on the type of sanction imposed. Faculty not subject to administrative sanction(s) based on an investigation, but who believe the process has contributed to a hostile work environment, or that they otherwise have been harmed by the investigation, have the right to redress of specific findings or actions as allowed under provisions for general grievances covered in Part XII, Section II.I of this Faculty Manual (Policies and Procedures for General Faculty Grievances and for Appeals of Non-conferral of Early Tenure). These rights apply to both the faculty complainants and faculty respondents in the original complaint brought on harassment, discrimination or improper relationship.

B. When disciplinary actions, if any, do not include a serious sanction, a faculty member may appeal minor sanctions, reprimands, or seek other redress through provisions governing general grievances contained in Part XII, Section II.I (this section) of the Faculty Manual.

C. Disciplinary actions that include a serious sanction may be appealed following provisions in Part XII, Section I.III of this Faculty Manual (Due Process Before Discharge or the Imposition of Serious Sanctions). Alleging that one or more specified provisions of The UNC Code have been violated in the imposition of a serious sanction, a faculty member may further appeal a Board of Trustees decision to the Board of Governors. Note that The UNC Code, Section 603(3) warns that if, within 14 calendar days after receiving the notice of a serious sanction, the faculty member makes no written request for appeal, the faculty member may be discharged or serious sanction imposed without recourse to any institutional grievance or appellate procedure.

D. Appeals of specific findings, either positive or negative, of an investigation of complaints of unlawful or prohibited discrimination, harassment or improper relationship may be available under specific university policies. Current information on university policies governing these areas is available at the Office for Equity and Diversity (http://www.ecu.edu/cs-acad/oed/policies.cfm).

SECTION II.III, Effective Date

A. Except as otherwise provided below, these provisions shall become operative immediately after they are approved by the President of the University of North Carolina, and are enabled by approved revisions of the Bylaws of the East Carolina University Faculty Senate.

B. Provisions governing establishment of appellate hearing panels will become operative only after the establishment and initial fall organizational meeting of an Appellate Committee, as specified in the revised Bylaws of the East Carolina University Faculty Senate. The Appellate Committee shall be elected at the first April organizational meeting of the ECU Faculty Senate following the date of final approval of both the revised Part XII of the Faculty Manual, and the Bylaws of the Faculty Senate.

C. These provisions as amended shall apply to those appeals initiated after the effective dates indicated in parts A and B above. Appeals for which procedures for a hearing have been initiated before these provisions become operative will continue under the previous Faculty Manual provisions governing the type of appeal involved.

D. If secure electronic platforms for handling grievances become available, requirements for delivery, distribution and resolution of grievance materials may be modified accordingly through recommendation by the Faculty Senate and approval by the chancellor.
Faculty Senate Resolution #12-17, February 2012, Chancellor
Faculty Senate Resolution #14-32, April 2014, Chancellor
Faculty Senate Resolution #19-69, April 2021
Faculty Senate Resolution #19-70, April 2021

Resolution #22-15
Approved by the Faculty Senate: March 29, 2022
Received by the Chancellor: April 18, 2022

Formal faculty advice on curriculum and academic matters acted on and recorded in the March 21, 2022, Graduate Council meeting minutes, including level I action items from the February 16, 2022, and March 2, 2022, Graduate Curriculum Committee meeting minutes which were approved by its delegated authority and are reported here for informational purposes, programmatic action item (CG 22-03) including level II programmatic action items from the February 16, 2022, and March 2, 2022, Graduate Curriculum Committee meeting minutes, which were forwarded to the Educational Policies and Planning Committee (EPPC), including an establishment of a new dual degree (level II) Hispanic Studies, MA / Marriage and Family Therapy, MS Dual Degree from the Department of Foreign Languages and Literatures; an establishment of a new accelerated program (level II) Accelerated Bachelor of Science in Criminal Justice/Master of Science in Criminal Justice from the Department of Criminal Justice; an establishment of a new certificate (level II) Pharmaceutical Sciences and Technologies Certificate from the Department of Chemistry, within the Thomas Harriot College of Arts and Sciences; an establishment of a new certificate (level II) School Counseling Certificate from the department of Interdisciplinary Professions; and a revision of existing degrees (level II) Elementary Education, MAEd, and Middle Grades Education, MAEd from the Department of Elementary Education and Middle Grades Education within the College of Education; and Graduate Policy action items (GC 22-04) including a revision to the Significance of Course Numbers policy in the Graduate Catalog that allows requests for exceptions to the thesis to non-thesis policy to be made to the Dean of the Graduate School.

Resolution #22-16
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022

Revisions to the ECU Credit/Contact Hour Guidelines, as follows:

Additions in **bold** and deletions in *strikethrough*.

**ECU Credit/Contact Hour Guidelines**

ECU adheres to institutional definition of credit hour as outlined in [REG02.07.01](#), the federal definition of a credit hour, as well as [UNC Policy Manual 400.1.6](#), and the [Carnegie unit](#) for contact time. This regulation applies to all courses at all levels that award academic credit (i.e. any course that appears on an official transcript issued by the university) regardless of the mode of delivery or site of instruction, including but not limited to self-paced, online, blended/hybrid, lecture, seminar, studio, laboratory, independent studies, internship, practicum, and experiential learning activities.
One credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:

2.1 One hour of classroom or direct faculty instruction and a minimum of two hours out of class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time, or

2.2 At least an equivalent amount of work as required outlined in item 2.1 above for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours. (Federal Regulation 34 CFR 668.8, July 1, 2011)

In fully online, hybrid and other courses where direct instruction is not the primary instructional method of delivery, an equivalent amount of work inside and/or outside of an online learning management system is required, which includes but not limited to readings, recorded lectures, tutorials, interactive activities, virtual labs, online testing, discussion boards, virtual project groups, essays, etc. Time expectations for students in online and hybrid courses are consistent with traditional classes when time committed to readings and videos, participation in shared discussions or group work, and time working independently on course-related activities and assignments are equivalent. Credits hours assigned to a course where direct instruction is not the primary mode of learning must equal the number of credit hours that would be assigned to that course were direct instruction the primary mode of learning.

Regardless of the format of course content delivery, course workload expectations must align with the stated learning outcomes for students. This basic measure may be adjusted proportionately to reflect modified academic calendars and formats of study.

Any course that is associated with a final grade assignment must have the required number of credit hours associated with it as stated in the ECU Credit/Contact hour guidelines. Any zero credit hour (CH) course must be linked with a corequisite course. The assigned grade for the credit-bearing course must represent work performed and completed in the associated corequisite zero CH course.

Definition of Credit and Contact Hours

Credit Hour: A unit of measure representing the time and activity required for one semester hour of credit.

Contact Hour: A unit of measure consisting of 50 minutes of either scheduled faculty instruction given to the student or student self-directed activity.

Relationship of Pedagogical Forms to Instructional Format

Pedagogical forms are the learning activities that support the unit of content. Different instructional formats utilize different combinations of pedagogical forms, such as direct faculty instruction; faculty directed experiential work; self-directed experiential work; supervised group activity; and outside of class student preparation. Some instructional formats require little to no student preparation, while others require an average of 2 hours of student preparation for each contact hour of faculty instruction.
In adhering to the Federal Student Aid Handbook definition of a credit hour, the amount of academic work assigned through different pedagogical forms that goes into a single semester credit hour is often calculated as follows:

- One lecture (taught) or seminar (discussion) credit hour represents 1 hour per week of scheduled class/seminar time and 2 hours of student preparation time. Most lecture and seminar courses are awarded 3 credit hours. Over an entire semester, this formula represents at least 45 hours of class time and 90 hours of student preparation.

- Other academic activities (supervised clinical rounds, visual or performing art studio, supervised student teaching, field work, etc.) one credit hour represents 3-4 hours per week of supervised and/or independent practice. This in turn represents between 45 and 60 hours of work per semester. Blocks of 3 contact hours, which equate to a studio or practice course, represent between 135 and 180 total hours of academic work per semester.

Application of Credit Hour Policy to Instructional Format

Clinical

A course that requires medical- or healthcare-focused experiential work where students test, observe, experiment, or practice a field or discipline in a hands-on or simulated environment.

Clinical experience credit hours are assigned based on 40 contact hours, or one week, per credit hour or otherwise determined by programmatic accreditors.

Colloquia

A course that requires students to participate in an unstructured or informal meeting for the exchange of views on a specific topic with an expert or qualified representative of the field or discipline.

Credit hours associated with this type of instruction will be assigned credit depending upon the amount of activity undertaken, faculty supervision, the student’s outside activity and determination of programmatic accreditors, when applicable.

Individual Study

A course that requires students to participate in individualized, independent, directed, or guided studies under the supervision of an expert or qualified representative of the field or discipline that cannot be otherwise classified as internship, field experience, cooperative education, practicum, recital, performance, or ensemble.

Credit hours associated with this type of instruction will be assigned credit depending upon the amount of activity undertaken, faculty supervision, and the student’s outside activity.

Internship/Field Experience/Cooperative Education
A course that requires students to participate in a partnership, professional employment, work experience, or cooperative education with an entity external to the institution, generally under the supervision of an employee of the given external entity.

A minimum of 45 contact hours per semester = 1 credit or as otherwise determined by programmatic accreditors.

Laboratory
A course that requires scientific- or research-focused experiential work where students test, observe, experiment, or practice a field or discipline in a hands-on environment, typically held in spaces containing special purpose equipment or a specific space configuration for student participation, experimentation, observation, or practice in an academic discipline.

Faculty-directed and/or laboratory courses with outside preparation assigned require a total of 2 contact hours per week of combined faculty instruction and experiential/laboratory work, plus one hour of student preparation for 15 weeks for each credit hour.

Self-directed laboratory courses require a total of 3 contact hours per week of combined faculty supervision, experiential/laboratory work, and student preparation for 15 weeks for each credit hour.

Lecture
A course that requires the extended expression of thought supported by generally-accepted principles or theorems of a field or discipline led by an expert or qualified representative of the field or discipline. One credit requires one contact hour of faculty instruction and a minimum of two contact hours of student preparation each week for 15 weeks.

Lecture & Lab
A course that requires the combined attributes of a lecture course and a lab course. Credit hours should be an aggregate of the credit hours for lecture and lab based on the existing lecture and lab credit hour guidelines.

Physical Activity
A course that requires students to participate in physical training, physical conditioning, or other physical exercise activities, sports, or games.

Faculty-directed and/or laboratory courses with outside preparation assigned require a total of 2 contact hours per week of combined faculty instruction and experiential/laboratory work, plus one hour of student preparation for 15 weeks for each credit hour.

Self-directed physical activity courses require a total of 3 contact hours per week of combined faculty supervision, experiential/laboratory work, and student preparation for 15 for each credit hour.

Practicum
A course that requires students to participate in an approved project or proposal that practically applies previously studied theory of the field or discipline under the supervision of an expert or qualified representative of the field or discipline.
A minimum of 45 contact hours per semester = 1 credit hour or as otherwise determined by programmatic accreditors.

Recitation
A course that requires the extended expression of thought supported by generally-accepted principals or theorems of a field or discipline led by a teaching assistant or instructor under the guidance of a permanent faculty member, which often supplements or expands upon the content of a related or co-requisite course.

One credit requires one contact hour of faculty instruction and a minimum of two contact hours student preparation each week for 15 weeks.

Recital/Performance/Ensemble
A course that requires recital-, performance-, or ensemble-focused experiential work, including individual lessons, where students practice or rehearse and ultimately perform works of music, dance, or theatre for a jury or audience. A course that requires no fewer than 2 contact hours per week of combined faculty instruction and experiential/laboratory work, plus one hour of student preparation for 15 weeks for each credit hour.

Seminar
A course that requires students to participate in structured conversation or debate focused on assigned readings, current or historical events, or shared experiences led by an expert or qualified representative of the field or discipline.

One credit requires one contact hour of faculty instruction and a minimum of two contact hours student preparation each week for 15 weeks per credit hour.

Studio
A course that requires visual- or aesthetic-focused experiential work where students test, observe, experiment, or practice a field or discipline in a hands-on environment.

For studio coursework, 1 semester hour represents 2 contact hours of in-class time and one hour of work outside of class for each credit hour.

Student Teaching
A course that requires students to instruct or teach at an entity external to the institution, generally as part of the culminating curriculum of a teacher education or certification program.

A minimum of 45 contact hours per semester = 1 credit hour or as otherwise determined by programmatic accreditors.

Study Abroad
A course that includes a short-term, faculty-led study abroad experience.
Credit hours vary by the duration of overseas experience as well as the amount of pre-trip and post-trip academic work. A minimum of 45 contact hours per semester = 1 credit as outlined on the Study Abroad Contact Hour Worksheet.

**Dissertation/Thesis**

A course that includes individual research towards a project completed as part of a postgraduate degree.

Credit hours associated with this type of instruction will depend upon the amount of activity undertaken, faculty supervision, and the student’s outside activity.

1 Note: An hour of instruction/student work is defined as 50 minutes.

Approved by: Faculty Senate 1.29.19 TBD
Admissions & Retention Committee 2.3.18 10.4.21
Educational Policy & Planning Committee 11.9.18 11.12.21
Graduate Curriculum Committee 10.20.21
Undergraduate Curriculum Committee 9.27.18 10.28.21

Resolution #22-17
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: not applicable

Revisions to ECU Faculty Manual, Part VI., Section I., Subsection II. Office Hours returned to the Admission and Retention Policies Committee for further review.

Resolution #22-18
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: not applicable

Revisions to ECU Faculty Manual Part VI., Section I., Subsection X. Class attendance and Participation Regulations returned to the Admission and Retention Policies Committee for further review.

Resolution #22-19
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: not applicable
Approved by the Board of Trustees: not applicable

Revisions to ECU Faculty Manual Part VIII., Section I., Subsection II.A. Teaching Responsibilities returned to the Admission and Retention Policies Committee for further review.
Resolution #22-20
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022

Curriculum and academic matters acted on during the February 14, 2022 Writing Across the Curriculum meeting including the following:

- Removal of writing intensive (WI) designation from:
  - HIMA 4153 Management of Health Information Services Department
  - ENGR 3100 Internship in Engineering
  - ENGR 3400 Engineering Economics
  - ENGR 3500 Introduction to Engineering Project Management

- Notification of banking of ENGL 4020, 4030

- And retention of WI designation for:
  - JUST 3501 after prerequisite change
  - JUST 3502 after prerequisite change

And during the March 14, 2022 meeting:

- Retention of WI designation for:
  - GRBK/ASIA 2010 after prerequisite change
  - GRBK 2400 after prerequisite change
  - GRBK 2500 after prerequisite change
  - GRBK 3601 after prerequisite change

- Proposed revisions to the Writing Intensive Course Proposal form, as follows:

  Additions in **bold** and deletions in **strikethrough**.

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**University Writing Across the Curriculum Committee**

**Writing Intensive Course Proposal**

(Faculty Senate Resolution #20-68)

All new and existing WI courses must comply with the current approved Writing Intensive Course Proposal format and be included in regular audits of all WI courses as part of ongoing assessment of the ECU Writing Across the Curriculum program.

**Course Information**

1. Course prefix & number: ____________________________
   Department: ____________________________
   Credit hours: __________

2. Course name: ______________________________________

3. Faculty contact: ____________________________
   Email: ____________________________

4. This course is for:
   - Majors: [ ]
   - Non-majors: [ ]

5. This proposal is for (select one):
   - An Existing Course: [ ]
   - A New Course: [ ]
A Major Revision to a Current WI Course:

6. How often is this course offered?

7. The WAC Committee suggests that WI courses be limited in enrollment to 25 students. How will your department/program achieve this suggested cap?

8. What types of documents (genres) will students write in this course (i.e., reports, memos, research papers, annotated bibliographies, etc.)? Include the expected or required word count/length for each assignment. You may also include sample assignments as attachments.

9. In proposing this course, we acknowledge that, if approved as WI, all future syllabuses for this course will include the required Writing Intensive syllabus statement and that students will be required to submit writing samples to their University Writing Portfolios. Agreed:

10. Is ENGL 2201 (Writing About the Disciplines) a pre- or co-requisite for this course? The committee recommends that 4000-level WI courses have ENGL 2201 as a pre-requisite, and 3000-level WI courses have ENGL 2201 as a co- or pre-requisite. Adding a co- or pre-requisite requires the short course revision form and summary of request to be submitted in Curriculog; if this is the only change, attending UCC is not required. See the committee resources at https://facultysenate.ecu.edu/writing-curriculum-committee/ for more information about the process & recommended language for the summary and justification.

   □ Yes / in process    □ No

University Writing Across the Curriculum Committee
Writing Intensive Course Proposal

The following outcomes represent the ECU Writing Outcomes approved by the WAC Committee and Faculty Senate. Explain how the projects and activities in this WI course will help students meet the following outcomes.

You can find ideas for high-impact writing strategies that will help students meet these outcomes at the following site: https://go.ecu.edu/writingoutcomes.

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<th>SLO</th>
<th>Description</th>
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<td>1</td>
<td>How will students use writing to investigate complex, relevant topics and address significant questions through engagement with and effective use of credible sources?</td>
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</table>

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<tr>
<th>SLO</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>How will students produce writing that reflects an awareness of context, purpose, and audience? If this is a WI course specific to majors, please explain how students will produce writing that reflects</td>
</tr>
</tbody>
</table>
an awareness of context, purpose, and audience in written genres of their major disciplines and/or career fields.

<table>
<thead>
<tr>
<th>SLO 3</th>
<th>How will students demonstrate that they understand writing as a process that can be made more effective through drafting and revision?</th>
</tr>
</thead>
<tbody>
<tr>
<td>SLO 4</td>
<td>How will you help students proofread and edit their own writing, avoiding grammatical and mechanical errors?</td>
</tr>
<tr>
<td>SLO 5</td>
<td>How will students assess and explain the major choices that they make in their writing?</td>
</tr>
</tbody>
</table>

Additional information about writing intensive course designation (WI) is available online at: [https://facultysenate.ecu.edu/writing-curriculum-committee/](https://facultysenate.ecu.edu/writing-curriculum-committee/)

Resolution #22-21
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022

Curriculum and academic matters acted on during the February 10, 2022 Undergraduate Curriculum Committee meeting including curricular actions in the following units:
- Department of Criminal Justice within the Thomas Harriot College of Arts and Sciences
- Department of Human Development and Family Science within the College of Health and Human Performance
- Department of Kinesiology within the College of Health and Human Performance
- School of Theatre and Dance within the College of Fine Arts and Communication
- Department of Geological Sciences within the Thomas Harriot College of Arts and Sciences

And curriculum and academic matters acted on during the February 24, 2022 meeting including curricular actions in the following units:
- Department of Kinesiology within the College of Health and Human Performance
- Department of Geography, Planning, and Environment within the Thomas Harriot College of Arts and Sciences
- Department of Engineering within the College of Engineering and Technology
Resolution #22-22
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022

Revisions to the Service-Learning Course Application, as follows:

Additions in **bold** and deletions in *strikethrough*.

**Service-Learning Course Designation Application**

Faculty members interested in obtaining a service-learning course designation are invited to submit to the Service-Learning Committee. Following approval by the Service-Learning Committee, Faculty Senate, and Chancellor, courses approved for the “SL” designation will be listed as such in both the university’s undergraduate and graduate catalogs. Please direct any questions to the Chair of the Service-Learning Committee.

Cycle 1 Deadline: September 15
Cycle 2 Deadline: October 15
Cycle 3 Deadline: January 15
Cycle 4 Deadline: March 15*

*Applications for “new” courses that are submitted during this cycle will not be approved in time for UCC and GCC spring deadlines.

As part of the application, you will be asked to upload a copy of the course syllabus. Include the following in the course syllabus in student-friendly language:

a. The ECU approved definition of service-learning.

b. An explanation of what the service-learning component is and how it supports students in meeting the overall objectives of the course.

c. A description of the community partnership organization(s) and how the service-learning component of the course will address the civic needs as defined by the community need.

d. Descriptions of activities included in the course, how they are evaluated, and the relationship to the final course grade. Structured reflection related to the service activities must be included. Descriptions of activities included in the course, how they are evaluated, and the relationship to the final course grade. Structured reflection related to the service activities must be included. Specifically describe the type of engagement with community (e.g. time spent, service provided), and the subsequent impact of these service activities (e.g. funds raised, goods provided, training provided, research, media advocacy - public service announcement, other: please specify).

**Part 1: COURSE INFORMATION**

Contact information
[Required] Valid input:
- must be 10-15 digits long and may include only numbers, hyphens, and spaces.
- name@myschool.edu

First name:
Middle initial:
Last name:
Email address:
Course number: [Required]

Course name: [Required]

Course sections involved in designation request:
[Required] Valid input:
- Select only one choice.

[ ] All sections
[ ] Specific sections only

Anticipated frequency (check all that apply): [Required]

[ ] Every Fall Semester
[ ] Every Spring Semester
[ ] Some Fall Semesters
[ ] Some Spring Semesters
[ ] Other Frequency

If other, please describe:

[ ] Existing Course - Previously approved by the appropriate curriculum committee and reflected in the current ECU catalog. [ ] New Course – Not yet approved by a curriculum committee

Proposer 1 Information

Name: [Required]

Email address:
[Required] Valid input:
- name@myschool.edu

Phone number:
[Required] Valid input:
- must be 10-15 digits long and may include only numbers, hyphens, and spaces.

Additional Instructors

Name:

Email address:
Valid input:
- name@myschool.edu

Phone number:
Valid input:
- must be 10-15 digits long and may include only numbers, hyphens, and spaces.
Part 2: INTEGRATION OF SERVICE-LEARNING PEDAGOGY INTO COURSE DELIVERY

These narrative responses should be evident in the course syllabus so that students involved have a clear understanding of how the service-learning pedagogy will be integrated in the course.

Include the following in the course syllabus in student-friendly language:

a. The ECU approved definition of service-learning.
   • Service-learning is a form of experiential engaged learning whereby students address meaningful civic needs as defined by the community. Students also formally connect their service activities to student learning outcomes and to broader social issues through reflective methods.

b. An explanation of what the service-learning component is and how it supports students in meeting the overall objectives of the course.
c. A description of the community partnership organization(s) and how the service-learning component of the course will address the civic needs as defined by the community need.

d. Descriptions of activities included in the course, how they are evaluated, and the relationship to the final course grade. Structured reflection related to the service activities must be included. Specifically describe the type of engagement with the community (e.g., time spent, service provided), and the subsequent impact of these service activities (e.g., funds raised, goods provided, training provided, research, media advocacy-public service announcements, other: please specify).

Note: Please remember that Course Objectives for an existing course may not be changed. If you want to reflect additional outcomes related to service learning, you may wish to add a section of “Additional Learning Outcomes” to the syllabus for the service learning sections. See sample syllabus.

1. Describe how the course will integrate service-learning into the course content and academic focus of the course [Required]  
NOTE: This question is reflected in items a and b above.

2. Describe what students will do for the service-learning component of your course. [Required]  
NOTE: This question is reflected in item b above.

3. While service is an integral part of the course, academic credit is given for demonstrated learning. With this in mind, how is student performance in the course evaluated in relation to both academic and service expectations? [Required]  
NOTE: This question is reflected in item d above.

4. Describe how the service-learning component of your course will involve students in meeting community needs. Explain how these community needs will be identified and provide a description of your community partnership organization(s) (or provide examples of potential partnerships). [Required]  
NOTE: This question is reflected in item c above.

5. Service-learning student outcomes summary table.

<table>
<thead>
<tr>
<th>S-L Outcome</th>
<th>Course activities/assignment(s) that align with the outcomes (can copy and paste from syllabus).</th>
<th>Evaluation Method Used by Instructor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify civic need(s) as defined by the community</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recognize gaps in community resources and apply course knowledge/skills toward creating a solution</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Critically reflect to connect service activities to social issues and learning outcomes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appreciate different perspectives/acknowledge unique needs of diverse groups. (Personal development outcome)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6. What kinds of structured reflection opportunities (such as writing, assignments, discussions, presentations, or journals) are required of your students? [Required]

NOTE: This question is reflected in item D above.

7. File Upload
Please upload a copy of the syllabus to be used for this service-learning course

Resolution #22-23
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022

Alternate Block Calendars for Fall 2023 and Spring 2024, as follows:

**ALTERNATE BLOCK SCHEDULING**

**Fall Semester 2023**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 18, Friday</td>
<td>Advising, registration, and schedule adjustments.</td>
</tr>
<tr>
<td>August 21, Monday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>August 23, Wednesday</td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td>September 4, Monday</td>
<td>State Holiday.</td>
</tr>
<tr>
<td>September 18, Monday</td>
<td>Last day for undergraduate and graduate students to withdraw from Block 1 courses by 5:00 p.m.</td>
</tr>
<tr>
<td>September 28, Thursday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td>October 5, Thursday</td>
<td>Classes end.</td>
</tr>
<tr>
<td>October 11, Wednesday</td>
<td>Grades due at 8:00 am</td>
</tr>
</tbody>
</table>

**BLOCK 2**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 11, Wednesday</td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td>October 13, Friday</td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td>November 9, Thursday</td>
<td>Last day for undergraduate and graduate students to withdraw from Block 2 courses by 5:00 p.m.</td>
</tr>
<tr>
<td>November 17, Friday</td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td>November 22-26 Wednesday-Sunday</td>
<td>Thanksgiving break – Classes resume at 8:00 am Monday, November 27.</td>
</tr>
<tr>
<td>November 29, Wednesday</td>
<td>Classes end.</td>
</tr>
<tr>
<td>December 15, Friday</td>
<td>Grades due at 4:30 pm</td>
</tr>
</tbody>
</table>

4. Classes meet four days a week, Monday through Thursday (27 class meetings)
5. Class length is one hour and twenty-five minutes (1:25)
6. No final exam period. Final exam is on the last day of class
# ALTERNATE BLOCK SCHEDULING

## Spring Semester 2024

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BLOCK 1</strong></td>
<td></td>
</tr>
<tr>
<td><strong>January 5, Friday</strong></td>
<td>Advising, registration, and schedule adjustments.</td>
</tr>
<tr>
<td><strong>January 8, Monday</strong></td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td><strong>January 10, Wednesday</strong></td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td><strong>January 15, Monday</strong></td>
<td>State Holiday.</td>
</tr>
<tr>
<td><strong>February 5, Monday</strong></td>
<td>Last day for undergraduate and graduate students to withdraw from Block 1 courses by 5:00 p.m.</td>
</tr>
<tr>
<td><strong>February 15, Thursday</strong></td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td><strong>February 22, Thursday</strong></td>
<td>Classes end.</td>
</tr>
<tr>
<td><strong>February 28, Wednesday</strong></td>
<td>Grades due at 8:00 am.</td>
</tr>
<tr>
<td><strong>BLOCK 2</strong></td>
<td></td>
</tr>
<tr>
<td><strong>February 26, Monday</strong></td>
<td>Classes begin; schedule adjustments.</td>
</tr>
<tr>
<td><strong>February 28, Wednesday</strong></td>
<td>Last day for registration and schedule adjustments (drop/add), by 5:00 p.m.</td>
</tr>
<tr>
<td><strong>March 3-10, Sunday-Sunday</strong></td>
<td>Spring break – Classes resume at 8:00 am Monday, March 11.</td>
</tr>
<tr>
<td><strong>April 1, Monday</strong></td>
<td>Last day for undergraduate and graduate students to withdraw from Block 2 courses by 5:00 p.m.</td>
</tr>
<tr>
<td><strong>April 10, Wednesday</strong></td>
<td>Survey of Student Opinion of Instruction (SSOI) becomes available</td>
</tr>
<tr>
<td><strong>April 17, Wednesday</strong></td>
<td>Classes end.</td>
</tr>
<tr>
<td><strong>May 6, Monday</strong></td>
<td>Grades due at 8:00 am</td>
</tr>
</tbody>
</table>

1. Classes meet four days a week, Monday through Thursday (27 class meetings)
2. Class length is one hour and twenty-five minutes (1:25)
3. No final exam period. Final exam is on the last day of class

Resolution #22-24
Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022

Curriculum and academic matters acted on and recorded in the March 18, 2022 Educational Policies and Planning meeting including the following:
- program revision of the Geology, BS
- new minor in Medical Sociology
- new minor in Medical Anthropology
- new Accelerated BA in Multidisciplinary Studies/MS in Security Studies
Resolution #22-25
Approved by the Faculty Senate: March 29, 2022
Approved by the General Faculty: pending
Approved by the Chancellor: pending

Note: The revisions the Faculty Constitutions must be approved by the general faculty at Faculty Convocation before they can be approved by the Chancellor. The revisions to the By-Laws will depend on the outcome of that approval, so they are being held and will be approved at the same as the Constitution.

Proposed revisions to *ECU Faculty Manual* Part II Faculty Constitution and By-Laws, as follows:

Below is a clean copy of the proposed revisions to *ECU Faculty Manual* Part II Faculty Constitution and By-Laws. Additional documentation can be found linked below.

*Summary of Key Changes*
*Tracked-changes Constitution draft*
*Tracked-changes By-Laws draft*

*Two notes:*
1. A correction was made to the following sentence in the By-Laws of the Faculty Constitution, Article XI Committees of the Faculty Senate:

   “A majority of the voting members of all Committees must be faculty members, and a majority of the elected members of all Committees must be tenured or probationary (tenure track) faculty.”

The original draft contained the following sentence, which was an error:
   “A majority of the voting members of all Committees must be tenured or probationary (tenure track) faculty.”

2. A revision to the ex-officio membership in Article III, Section 10 was made after the first reading to reflect the reorganization of the university and the resultant removal of two ex-officio members:

   “Section 10. The ex-officio members of the Faculty Senate with vote shall include the following representatives of the East Carolina University administration: Chancellor; Provost; Senior Vice Chancellor for Academic Affairs; Vice Chancellor for Health Sciences; Vice Chancellor for Research, Economic Development and Engagement; Vice Chancellor for Student Affairs; and one academic dean selected by the Provost. The immediate past Chair of the Faculty and the elected Delegates of East Carolina University’s Faculty Assembly shall also be ex-officio members. Ex-officio members of the
Faculty Senate with vote shall have a vote in all Senate matters except the election of officers and committee members. Ex-officio members of the Faculty Senate without vote shall include a representative selected by the Staff Senate.

PART II - EAST CAROLINA UNIVERSITY ORGANIZATION AND SHARED GOVERNANCE

SECTION II

Faculty Constitution and By-Laws of East Carolina University

FACULTY CONSTITUTION OF EAST CAROLINA UNIVERSITY

ARTICLE I
ORGANIZATION OF THE FACULTY

The purpose of the faculty organization shall be to provide the means by which the faculty is enabled to fulfill its function with respect to academic and educational policies and other affairs of East Carolina University. The faculty organization shall be comprised of the General Faculty and the Faculty Senate. The General Faculty shall be the general electorate, and the Faculty Senate shall be a legislative and advisory body representing the General Faculty and shall consist of elected and ex-officio members. The functions, duties, and privileges of these two bodies, stipulated in the following document, shall be exercised under the authority of the Chancellor of East Carolina University.

ARTICLE II
THE GENERAL FACULTY

Section 1. The General Faculty shall consist of all persons holding appointment to the rank or title of professor, associate professor, assistant professor or instructor inclusive of all modifiers; artists-in-residence and writers-in-residence; and emeritus faculty. The General Faculty shall have as its presiding officer the Chair of the Faculty, who shall be responsible for calling its meetings and for keeping a record of its proceedings.

Section 2. The voting membership of the General Faculty shall consist of all permanent employees of East Carolina University holding appointment to a tenured or probationary-term rank or a fixed-term title.

Section 3. The General Faculty shall be empowered to perform the following functions: consider reports from and make recommendations to the Chancellor, the appropriate vice chancellor, and the Faculty Senate; discuss any matter relating to the welfare of East Carolina University or of the members thereof.

Section 4. The General Faculty shall meet at the pleasure of the Chancellor or the Faculty Senate of East Carolina University or upon petition to the Chancellor by at least fifteen percent of the General Faculty. A quorum is conclusively presumed at any meeting of the General Faculty called with at least ten days written notice. Otherwise, the presence of 125 voting members is necessary for a quorum.
Section 5. The academic units shall be organized into code units according to guidelines approved by the Faculty Senate and the Chancellor. Except for the academic libraries, each code unit shall be responsible for at least one degree program.

ARTICLE III
ORGANIZATION OF THE FACULTY SENATE

Section 1. The Faculty Senate and the various committees on which the faculty serve shall be the primary fora for the essential joint effort of faculty and administration in the government of East Carolina University. The Chancellor and the Chair of the Faculty shall facilitate communication which will enable continuing and effective faculty participation. The membership of the Faculty Senate shall consist of elected representatives and ex-officio members.

Section 2. The electoral units for the Faculty Senate shall be the academic code units. Each electoral unit shall be represented in the Faculty Senate in proportion to its share of the voting membership of the General Faculty, with at least one Senator but not to exceed fifteen percent of the elected Senators. All voting members of the General Faculty in at least their second year of appointment to the electoral unit that they will represent are eligible for election to the Faculty Senate.

Section 3. The number of elected faculty senators shall not exceed 63 nor be fewer than 57. Prior to the election each academic year, the ratio of faculty members to elected faculty senators will be determined by the Faculty Officers in accordance with the Faculty Senate Apportionment Guidelines. The Apportionment Guidelines will be reviewed by the Faculty Governance Committee every five years. Apportionment shall be based upon the number of voting members of the General faculty appointed to each electoral unit at the start of the spring semester. In the event that an electoral unit must reduce its existing number of faculty senators, it shall do so by following democratic procedures.

Section 4. Each electoral unit shall elect such alternate representatives as it deems necessary but not fewer than its allotment of Faculty Senators. Alternates shall be available to represent the electoral unit in place of an elected Senator at that Senator’s request. In such a situation, the alternate shall notify the Secretary of the Faculty.

Section 5. The faculty of each electoral unit shall establish procedures for the election of its Faculty Senate delegation (elected Senators and Alternates). All voting shall be by secret ballot. Each unit’s election procedures, and any revisions of such procedures, must be approved by the Faculty Senate.

Section 6. All voting members of the General Faculty are eligible to vote for faculty senators. Elections shall be held no later than the end of March each year with members-elect to take office on the day following the last regular meeting of the Faculty Senate in the spring semester. The administrative officer of each electoral unit shall report the results of the election to the Secretary of the Faculty.

Section 7. Senators and alternates shall serve two-year terms. Senators may be re-elected twice. After a lapse of one year following the expiration of this third term, they will again be eligible for election. Alternate representatives are not subject to term limits.

Section 8. In the event that a Faculty Senator is unable to complete a full term, that Senator’s electoral unit shall elect a replacement to serve the remainder of the original term.
Section 9. The seat of an elected senator who fails to attend more than three consecutively held meetings of the Faculty Senate shall be declared vacated by the Chair of the Faculty. If a senator is awarded a research or medical leave and an alternate senator attends in their place, the three consecutive meeting rule will not be invoked. (Faculty Senate Resolution #09-06)

Section 10. The ex-officio members of the Faculty Senate with vote shall include the following representatives of the East Carolina University administration: Chancellor; Provost; Vice Chancellor for Student Affairs; and one academic dean selected by the Provost. The immediate past Chair of the Faculty and the elected Delegates of East Carolina University’s Faculty Assembly shall also be ex-officio members. Ex-officio members of the Faculty Senate with vote shall have a vote in all Senate matters except the election of officers and committee members. Ex-officio members of the Faculty Senate without vote shall include a representative selected by the Staff Senate.

ARTICLE IV
FUNCTIONS OF THE FACULTY SENATE

Section 1. The legislative powers of the General Faculty are vested in the Faculty Senate. The Faculty Senate shall ratify, amend, or remand all matters of academic policy or faculty welfare that have been recommended by any standing or special committee of East Carolina University, or initiate any policies in such matters that it deems desirable.

Section 2. The Faculty Senate shall be authorized to set up such committees as are necessary for the performance of its duties. The Faculty Senate may, at its own discretion, seek the advice and counsel of any member of the General Faculty.

Section 3. In exercising its function the Faculty Senate shall establish whatever procedures are necessary.

Section 4. Acts or decisions of the Faculty Senate shall be considered approved unless vetoed within thirty calendar days of the action by the Chancellor of East Carolina University by written notice to the Chair of the Faculty or unless the Chancellor notifies the Chair of the Faculty in writing that the proposal has been forwarded to the Board of Trustees or to the Board of Governors.

Section 5. The voting membership of the General Faculty shall be empowered to amend or rescind the articles establishing the Faculty Senate as provided for in this constitution and to amend or rescind the action of the Faculty Senate as provided for in this constitution. Such action shall require an affirmative vote of at least two-thirds of those present and voting at a meeting of the General Faculty.

ARTICLE V
OFFICERS OF THE FACULTY AND FACULTY SENATE

Section 1. The Faculty Officers shall consist of the following: the Chair of the Faculty, the Vice Chair of the Faculty, and the Secretary of the Faculty. Other positions may be established as they become advisable or necessary.
Section 2. All full-time, permanently tenured faculty members are eligible to serve as Chair or Vice Chair of the Faculty. All full-time faculty members in at least their second year of appointment are eligible to serve as Secretary of the Faculty. In the event that a Faculty Officer is also a faculty senator, the electoral unit having elected the Senator is invited to elect a replacement. Faculty Officers who are not elected members of the Faculty Senate will not have a vote or count toward a quorum. The term of Faculty Officers shall be one year with the privilege of reelection.

Section 3. At the second regular meeting of the spring semester the elected members of the Faculty Senate shall nominate and elect a nominating committee to consist of five members. The nominating committee shall be elected from the ranks of elected members of the Faculty Senate by a majority of those present and voting. Voting for members of the nominating committee shall be by secret ballot.

Section 4. The nominating committee shall submit to the Faculty Senate a slate of candidates for each office of the Faculty Senate at least two weeks prior to scheduled elections. Election of officers shall take place during an organizational meeting to be held on a Tuesday following the last regular meeting of the spring semester. Further nominations put forward by elected Senators or their designated alternates will be accepted from the floor. Voting for all officers shall be by secret ballot. Officers shall be elected by a majority of the elected Senators present and voting and shall assume their duties on July 1 following election.

Section 5. Before the first regular meeting of the Faculty Senate, the Chair will appoint the Parliamentarian of the Faculty. The Parliamentarian shall advise the Chair and the faculty on the parliamentary matters according to the latest edition of Robert’s Rules of Order, Newly Revised and the Faculty Constitution and its By-Laws. The Parliamentarian need not be a member of the Faculty Senate.

Section 6. If the office of the Chair of the Faculty shall become vacant, the position shall be assumed by the Vice Chair of the Faculty. If other offices shall become vacant, they shall be filled by a special election conducted by the Faculty Senate.

**ARTICLE VI**

**DUTIES OF THE OFFICERS OF THE FACULTY SENATE**

Section 1. The Chair of the Faculty shall preside at all meetings. They are empowered to call special meetings as hereinafter provided. The Chair is an ex-officio member of all academic committees of the Faculty Senate, and represents the faculty on administrative committees. The Chair may delegate to the Vice Chair or an appointed representative their seat on any of the academic or various administrative committees. The Chair shall appoint persons to fill unexpired terms of committees.

Section 2. The Chair of the Faculty supervises the Faculty Senate Office Administrator and, with their assistance, plans the Fall Faculty Convocation. The Chair is responsible for conveying greetings of the Faculty at commencement exercises and representing the Faculty at university functions and Board of Trustees meetings. For the length of their term as Chair, the Chair of the Faculty serves as a Delegate to the Faculty Assembly (but not exceeding six consecutive years), with duties as a delegate described in the Bylaws of the Faculty Assembly of the University of North Carolina, and referenced in the ECU Faculty Manual.
Section 3. The Vice Chair of the Faculty shall perform all of the duties of the Chair in the absence or incapacity of the Chair. The Vice Chair of the Faculty shall serve, at the request of the Chair of the Faculty, as the Chair's representative on Faculty Senate Committees. The Vice Chair of the Faculty shall succeed to the office of Chair of the Faculty in the event that the office should become vacant during the term of the incumbent.

Section 4. The Secretary of the Faculty, with assistance of the Faculty Senate Office Administrator, shall keep accurate minutes of all regular and special meetings, ensure distribution of copies of the minutes to all members of the General Faculty, keep an accurate list of membership of the Faculty Senate, keep an accurate record of attendance, inform the Faculty Senate Office Administrator when a seat becomes vacant, serve, at the request of the Chair of the Faculty, as the Chair's representative on Faculty Senate committees, and perform such other appropriate duties as directed by the Faculty Senate.

ARTICLE VII
MEETINGS OF THE FACULTY SENATE

Section 1. Four regular meetings of the Faculty Senate will be held each fall and spring semester according to a schedule prepared by the Agenda Committee and approved by the Senate in the Fall Semester of the preceding year. The organizational meeting of the Faculty Senate will be held on a Tuesday following the last regular meeting of the spring semester.

Section 2. Upon written petition of fifteen members of the Faculty Senate, the Chair shall call a special session of the Faculty Senate within four calendar days. In an exceptional situation in which the regular procedures for scheduling a meeting of the Faculty Senate are clearly inadequate and would occasion undue delay, the Chair of the Faculty shall be empowered to call a special session of the Faculty Senate. A notice stating the purpose of the special session shall be distributed to the members of the Faculty Senate and the General Faculty twenty-four hours prior to the meeting.

Section 3. A quorum shall consist of three-fifths of the elected faculty members of the Faculty Senate. Each elected member of the Faculty Senate shall have one vote. Unless otherwise indicated, the ex-officio members shall have one vote each. Voting by the Faculty Senate shall ordinarily be by voice vote. All matters shall be decided by a majority vote of those Senators present and voting except as stated in this constitution.

Section 4. The General Faculty shall be informed of the time, place, and agenda of all regular and special meetings. Meetings of the Faculty Senate shall be open to all members of the general public in accordance with the North Carolina Open Meetings Law.

Section 5. Upon the unanimous consent of the Faculty Officers, regular or special meetings of the Faculty Senate may be held via a teleconference or videoconference, provided that all Senators are able to be recognized, engage in discussion, receive pending motions, and participate in votes. The procedures for electronic meetings must be communicated to Senators at least two weeks prior to the meeting date. Participation in a meeting by teleconference or videoconference shall constitute presence for purposes of voting and the determination of a quorum.

ARTICLE VIII
AMENDMENTS TO THE FACULTY CONSTITUTION
Section 1. As the creating body, the General Faculty shall be empowered to amend or abolish the Articles of the Faculty Constitution, including those articles establishing the Faculty Senate.

Section 2. All proposed amendments to the Faculty Constitution shall be presented first at a regular meeting of the Faculty Senate for discussion, amendment or substitution. At the next regular meeting of the Faculty Senate the amendment will be voted upon for submission to the General Faculty for approval. Final approval of any proposed amendment to the Faculty Constitution or action to abolish the articles therein shall require a two-thirds affirmative vote of those present and voting at a meeting of the General Faculty.

ARTICLE IX
ADOPTION AND CHANGING OF BY-LAWS OF THE FACULTY CONSTITUTION

Section 1. The Faculty Senate shall establish whatever by-laws are necessary. A motion to amend the by-laws shall be presented first at a regular meeting of the Faculty Senate for discussion only. At the next regular meeting of the Faculty Senate the motion to amend the by-laws will be acted upon, requiring a vote of two thirds of those elected senators present and voting for approval. An amendment to the By-Laws of the Faculty Constitution shall be effected only by action of the Faculty Senate.

BY-LAWS OF THE FACULTY CONSTITUTION

ARTICLE X
OPERATION OF THE FACULTY SENATE

Section 1. The Faculty Senate shall be free to establish its own agenda. The agenda for meetings of the Faculty Senate shall be prepared by the Agenda Committee and disseminated to each member of the faculty at least one week prior to the meeting.

Section 2. All matters of academic policy brought before the Agenda Committee by action of the general faculty, any senator, or any standing or special committee shall be placed on the agenda not later than the time of the second regular meeting of the Faculty Senate after receipt of the recommendation.

Section 3. The following order of business shall be observed in meetings of the Faculty Senate unless Senators vote to change the procedures as provided in this constitution: (I) call to order, (II) approval of the minutes, (III) special order of the day, (IV) unfinished business, (V) report of Graduate Council, (VI) reports of committees, (VII) new business.

Section 4. Matters to be brought before the Faculty Senate shall be considered in the order set forth by the Agenda Committee unless modified by a two-thirds vote of faculty senators present and voting at any meeting of the Faculty Senate.

Section 5. To facilitate the efficient flow of business, seats shall be assigned as follows: Faculty Senators or their alternates shall be assigned seats in alphabetical order by electoral units. Ex-officio
Section 6. Only elected and ex-officio members (including alternates, representing their electoral units) may answer the roll call, vote, or occupy seats assigned to senators. Visitors may not participate in Senate discussions and business except by advance invitation of the Senate Agenda Committee or the Chair of the Faculty. Such an invitation will be announced to the Senators prior to the meeting.

Section 7. The minutes of the Faculty Senate shall be the responsibility of the Faculty Senate Committee on Minutes comprised of the Chair of the Faculty, Vice Chair of the Faculty, and Secretary of the Faculty with the assistance of the Faculty Senate Office Administrator. Minutes shall become official on approval by the Faculty Senate Committee on Minutes. The Faculty Senate Office Administrator will post the official minutes on the Faculty Senate website. Any corrections to the minutes by the Senate shall be made a part of the official minutes of the subsequent meeting. Incorporation into the official minutes of verbatim remarks shall be allowed or disallowed at the discretion of the Faculty Senate Committee on Minutes. The Chair of the Faculty may request that verbatim remarks be submitted in writing to the Secretary of the Faculty.

ARTICLE XI
COMMITTEES OF THE FACULTY SENATE

Section 1. The standing committees of the Faculty Senate shall consist of Academic Committees, Faculty Senate Committees, and the Appellate Committee. The charge of each standing committee is available electronically on the Faculty Senate web site. The establishment and dissolution of standing committees is the responsibility of the Committee on Committees.

Section 2. Unless otherwise specified in a committee’s charge, all faculty members in at least their second consecutive year of full-time employment at East Carolina University are eligible to serve on Faculty Senate standing committees. A majority of the voting members of all Committees must be faculty members, and a majority of the elected members of all Committees must be tenured or probationary (tenure track) faculty. The Chancellor and the Chair of the Faculty or their representatives serve as ex-officio members of all committees. (Faculty Senate Resolution #20-27). Student members are nominated by the Student Government Association for appointment by the Chancellor. Members of committees serve in accordance with their ability, training, and experience rather than as representatives of their electoral unit.

Section 3. Members of Academic and Appellate Committees are elected to staggered three-year terms, which extend to the beginning of the fall semester. Service on an academic or administrative committee is limited to election to two consecutive three-year terms with ineligibility for election to the same committee for at least one year. Faculty members are not eligible to serve as an elected regular member on more than one Academic Committee at a time.

Section 4. The Chair of the Faculty may declare an elected member’s seat vacant upon the occurrence of three consecutive absences of that member. The Chair of the Faculty will appoint faculty members to fill vacancies of any Faculty Senate or Academic Committee that may occur during the academic year.
Section 5. The election of members to Academic Committees shall be as follows:
1. Volunteers are solicited for committee service by the Committee on Committees with the assistance of the Faculty Senate Office Administrator.
2. After reviewing the list of volunteers, the Committee on Committees presents to the Faculty Senate a slate of one or more nominees for each vacancy. Nominations may also be made from the floor of the Faculty Senate by any elected Senator (or their alternate). Election of Academic Committee members will take place at the Faculty Senate Organizational Meeting. Election will be by majority of elected Senators present and voting.
3. The process above shall also be used in the election of faculty members to university Administrative Committees in cases where the committee charge specifies election by the Faculty Senate.

Section 6. Appellate Committee members must be permanently tenured, or probationary (tenure-track) voting faculty holding no administrative title (ECU Faculty Manual Part IX, Section I - Tenure and Promotion Policies and Procedures). The process for election of faculty to the Appellate Committee, which serves as a pool for populating hearing panels (see ECU Faculty Manual Part XII, Faculty Grievance Policies and Procedures) will be as follows:
1. Each year in January, the Committee on Committees will solicit volunteers to serve on the Appellate Committee. Responses are due in the Faculty Senate office in February.
2. The Committee on Committees will review all responses and present to the Faculty Senate a slate of one or more nominees as there are vacancies to fill. Nominations may also be made from the Faculty Senate floor. Appellate Committee members will be elected at the spring Faculty Senate Organizational meeting. Election will be by a majority of elected Senators present and voting. This by-law may be suspended in accordance with procedures specified in Robert’s Rules of Order, Newly Revised.
3. A total of 30 tenured and probationary faculty will comprise the Appellate Committee, all serving three-year terms that are staggered with 10 members elected annually. All faculty ranks must be represented, with no fewer than 10 members from the rank of Professor, no fewer than 10 members from the rank of Associate Professor, and no more than five members from the rank of Assistant Professor. Individual faculty members are eligible to serve two consecutive three-year terms, which may extend to the beginning of the fall semester in the final year of a term. Faculty will be ineligible to serve again for one academic year after conclusion of a second consecutive term.
4. When vacancies occur in the Appellate Committee between annual elections, the Faculty Senate will elect additional faculty members to the committee through nominations initiated by the Committee on Committees.
5. Faculty who have been involved as either a grievant or respondent in an appellate hearing cannot serve on the Appellate Committee for the period of one three-year term from the date of the final decision on that appeal.
6. An Appellate Committee member who becomes a grievant or respondent while serving will be replaced by the usual procedure for vacancies between annual elections.
7. Members of the Faculty Governance Committee cannot be elected concurrently to the Appellate Committee.

Section 7. Regular members of the Agenda Committee and Committee on Committees must be elected Faculty Senators. Members are elected to one-year terms from among nominations made by elected Senators from the floor during the spring organizational meeting of the Faculty Senate. Service on the Agenda Committee and Committee on Committees is limited to six consecutive years with ineligibility for election to the same committee for at least one year.
Section 8. Officers of each committee are elected from among the regular members for a term of one year. Previous service as a committee officer shall not prejudice a member's election to any committee office. Under normal circumstances each committee shall have a chairperson, a vice chairperson, and a secretary. Interim elections may be held to fill an office that has become vacant or to replace an officer that two-thirds of the full committee membership deems is not fulfilling the obligations of the office.

Section 9. Faculty Senate and Academic Committees meet on a standard schedule, set and revised by the Committee on Committees. All committees and subcommittees, unless prohibited explicitly by the committee's charge, University policies, or state statutes, shall hold their regular and special meetings in open session in accordance with the North Carolina Open Meetings Law. The committee chairperson is responsible for informing the Senate office of the time and place of such meetings so they may be placed on the Senate calendar and publicized in order that interested faculty may attend.

Section 10. Each committee shall operate according to the latest version of *Robert's Rules of Order, Newly Revised*. Minutes of each committee are on file in the Faculty Senate office and available electronically on the Faculty Senate web site and shall be sent to members of the committee and Chair of the Faculty. A file on each committee's activities and records shall be maintained in the Faculty Senate office.

Section 11. The agenda for committee meetings is set by the committee chair and shall be disseminated to committee members in advance of the meeting. In carrying out the duties specified in their charges, committees should consult with appropriate administrators and are encouraged to invite persons with relevant expertise to attend committee meetings. The appropriate administrator should be provided an opportunity for adequate input during the development or revision of university policy.

Section 12. The officers of each committee shall prepare and submit to the Faculty Senate Office in May of each year an Annual Report outlining the committee's activities for that academic year. Copies of the committees' annual reports will be kept on file in the University Archives and Faculty Senate office, and made available electronically on the Faculty Senate web site. Upon request, copies of committees' annual reports shall be made available by the Faculty Senate office. Copies of the Annual Reports are also provided in committee organizational material at the start of the Fall semester.

Section 13. The Chair of the Faculty shall each year compile the Annual Report of the Faculty Senate. This report shall contain, among other things, a summary of Senate and Senate committees' activities for the immediate past year. The Report will be distributed to the Chancellor, academic Vice Chancellors and made available on the Faculty Senate web site. Copies of the report will also be kept on file in the University Archives and the Faculty Senate office. In addition, copies of the Annual Report of the Faculty Senate will be distributed to the members of the Faculty Senate not later than the first regular Faculty Senate meeting of the next academic year.

Section 14. Special committees may be established by the Senate at the discretion of the Chair of the Faculty in consultation with the Faculty Officers. Members of special committees may be appointed by the Chair of the Faculty or elected by the Faculty Senate. At least one senator shall be on each special committee. The chair of a special committee may be appointed by the Chair of the Faculty or elected by committee members.
ARTICLE XII
THE GRADUATE COUNCIL

Section 1. The Chair of the Faculty or their designee shall serve as an ex-officio member of the Graduate Council. The duties and responsibilities of the Graduate Council are described in the ECU Faculty Manual under Graduate School Governance. The Chair of the Graduate Council provides a monthly report to the Faculty Senate for information, comment, and advice.

ARTICLE XIII
THE FACULTY ASSEMBLY

Section 1. Faculty Assembly delegates and alternates shall be elected as follows:
   A. The Faculty Assembly nomination form will be distributed in November to all faculty by the Committee on Committees with assistance of the Faculty Senate Office Administrator. The completed nomination forms are due in the Faculty Senate office in December.
   B. The Committee on Committees will review the nominations and present to the Faculty Senate a slate of one or more nominees for each vacancy. Additional nominations may be made from the Faculty Senate floor. Faculty Assembly representatives will be elected by the Faculty Senate at its January regular meeting. Election will be by majority present and voting. One Faculty Assembly Delegate will be the Chair of the Faculty, holding a term for each year they are elected to serve as Chair of the Faculty. As per the Bylaws of the Faculty Assembly, no delegate may serve on the Faculty Assembly for more than six consecutive years.

Approved:
FS Resolution #05-18 (Appendix A) September 2005, Chancellor
FS Resolution #05-19 (By-Laws) April 2005, Chancellor

Amended:
FS Resolution #09-06, September 2009
FS Resolution #12-79, April 2012
FS Resolution #14-88, December 2014
FS Resolution #20-27, April 2020

CURRICULUM AND ACADEMIC MATTERS

January 21, 2022 General Education and Instructional Effectiveness Committee meeting including:
   • The following transfer credit approval:
       o Global Diversity (GD) credit for ANTH& 206 Cultural Anthropology from Pierce College [Note, the “&” in “ANTH&” is not a typo]
   • Maintaining Domestic Diversity (DD) credit for GEOG 4340 after prerequisite change
   • Global Diversity (GD) credit for ANTH 3015 Cultures of the Middle East

April 18, 2022 AACC Resolution #22-26

Approved by the Faculty Senate: March 29, 2022
Approved by the Chancellor: April 18, 2022
Resolution #22-27
Approved by the Faculty Senate: April 26, 2022
Received by the Chancellor: May 31, 2022

Formal faculty advice on curriculum and academic matters acted on and recorded in the April 18, 2022, Graduate Council meeting minutes, including level I action items from the March 16, 2022, March 30, 2022, and April 13, 2022, Graduate Curriculum Committee meeting minutes which were approved by its delegated authority and are reported here for informational purposes; programmatic action item (CG 22-05) including level II programmatic action items from the March 16, 2022, and April 13, 2022, Graduate Curriculum Committee meeting minutes, which were forwarded to the Educational Policies and Planning Committee (EPPC), including discontinuation of an existing certificate (level II) Nurse Anesthesia Certificate from the Department of Advanced Nursing Practice and Education within the College of Nursing, and a revision of an existing certificate (level II), to move the academic home of the Biostatistics Certificate from the Department of Biostatistics within the College of Allied Health Sciences to the Department of Public Health within the Brody School of Medicine; and Graduate Policy action items (GC 22-06) including a recommendation to the research division (REDE) to revise the "Doctoral Students Tuition Remission, Fees, Compensation, Supplementation" policy with language that allows faculty to write in out-of-state tuition remissions for full-time Ph.D. students supported on their grants.

Resolution #22-28
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022

Curriculum and academic matters acted on and recorded during the April 11, 2022 Writing Across the Curriculum meeting, including retention of Writing Intensive (WI) designation after notification of curricular changes to ANTH 4025.

Resolution #22-29
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: pending, require additional time for review (05/31/2022)

Revisions to ECU Faculty Manual Part VI., Section II. Academic Integrity

The Committee received feedback from units and from the Office of Student Rights and Responsibilities indicating dissatisfaction with some of the updates to this procedure, especially the requirement for a formal departmental meeting involving the unit head to consider allegations of academic integrity violations. Chair Martinez conferred with the Office of University Counsel and learned that the interpretation of the UNC Code that seemed to require a formal departmental meeting was no longer favored and that the Committee could remove that requirement and still remain in compliance. The Committee has revised the policy to take into account the feedback received, and the revisions are as follows:

Additions in bold and deletions in strikethrough.
PART VI – TEACHING AND CURRICULUM REGULATIONS, PROCEDURES AND ACADEMIC PROGRAM DEVELOPMENT

SECTION II

Academic Integrity
(Text moved from former Part IV)

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I. Statement of Academic Integrity

Academic integrity is the application of pertinent personal virtues, such as honesty, responsibility, authenticity, honor, and justice, to academic work. Academic integrity is a cornerstone value of
the intellectual community at East Carolina University. Academic integrity is required for students to derive optimal benefit from their educational experience and their pursuit of knowledge. Violating the principle of academic integrity damages the reputation of the university and undermines its educational mission. Without the assurance of integrity in academic work, including research, degrees from the university lose value; and the world beyond campus (graduate schools, employers, colleagues, neighbors, etc.) learns that it cannot trust credits, or a diploma earned at ECU. For these reasons, academic integrity is required of every ECU student. Maintaining the academic integrity of ECU is the responsibility of all members of the academic community. Faculty should ensure that submitted work accurately reflects the abilities of the individual student. Toward this end, faculty should—through both example and explicit instruction—instill in students a desire to maintain the university’s standards of academic integrity and provide students with strategies that they can use to avoid intentional or accidental violation of the academic integrity policy.

II. Purpose and Scope

This document sets forth democratic procedures to follow for suspected academic integrity violations (AIVs) at ECU as well as possible penalties. These procedures comply with the minimal due process standards of 700.4.1 of the UNC Policy Manual (https://www.northcarolina.edu/apps/policy/index.php). These procedures pertain to anyone registered for an academic course at the University, including but not limited to, undergraduate and graduate students who are classified as degree or non-degree seeking, as well as visiting students, and students studying abroad. The Academic Integrity Regulation also applies to student violations discovered after the student has completed the course, has left the University, or has graduated. Depending on the circumstances of the case, degree revocation may be a consequence, as outlined in the relevant catalog. All students are responsible for conducting themselves in a manner that enhances a learning environment where the rights, dignity, worth, and freedom of each member of the academic community are respected. Upon acceptance of admission to ECU, each student agrees to abide by the policies of the University and to conduct themselves on- and off-campus in a manner consistent with its educational mission. Students have a responsibility to review the Academic Integrity Regulation and other policies, and, if necessary, to seek clarification from the Office of Student Rights and Responsibilities (OSRR).

ECU’s policy on research misconduct is a separate and independent process from this AIV process. “Research Misconduct” is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting the results. The determinations, results, procedures, and outcomes of the Research Misconduct Proceedings shall rely on ECU’s PRR on the Regulation on Research Misconduct (https://www.ecu.edu/prr/10/45/01), which is necessary for university compliance with this UNC system policy as well as with state and federal laws. It is recommended that all faculty, staff, and students be familiar with the Research Misconduct Proceedings Regulation. The procedures for reporting, investigating, and determining penalties in cases of academic integrity violations under these procedures for Academic Integrity shall not supersede procedures for reporting, investigating, and determining penalties for Research Misconduct. Cases and questions related to Research Misconduct should be reported to the Office of Student Rights and Responsibilities (OSRR).

1. In addition to the expectations of Academic Integrity provided by the Faculty Manual, certain academic departments, programs, colleges, and schools, especially at the professional and graduate level, may have additional ethical and behavioral expectations of their students, including expectations for the conduct of research; further, units may also establish additional
penalties for AIVs. As a result, various academic units and administrative departments have policies specific to their area of responsibility. It is the responsibility of each student to be familiar with University policies and procedures applicable to the University generally, as well as any individual program or unit. This Academic Integrity Regulation and related policies and procedures are available on-line within the University’s Policy Manual.

2. In addition to the consequences outlined in this Regulation and the possible penalties and sanctions discussed below, students who represent units within the University to third-parties, such as medical students, dental students, graduate students, student athletes, resident advisors, student organization leaders, and residential students may also be subject to additional consequences under the standards set by those units.

III. Definitions of Academic Integrity Violations

An academic integrity violation (AIV) is defined as any activity that exhibits dishonesty in the educational process or that compromises the academic honor of the university. Examples of AIVs include, but are not limited to, the following:

1. Cheating: Unauthorized aid or assistance or the giving or receiving of unfair advantage on any form of academic work. Examples of cheating include, but are not limited to: copying from another student’s paper or receiving unauthorized assistance during a quiz or examination; using books, notes, or other devices when these are not authorized; improperly obtaining tests or examinations; collaborating on academic work without authorization and/or without truthful disclosure of the extent of that collaboration; allowing or directing a substitute to take an examination.

2. Plagiarism: Copying the language, structure, ideas, and/or thoughts of another and adopting the same as one’s own original work. Examples of plagiarism include, but are not limited to: submitting a paper that has been purchased or downloaded from an essay-writing service; directly quoting, word for word, from any source, including online sources, without indicating that the material comes directly from that source; omitting a citation to a source when paraphrasing or summarizing another’s work; submitting a paper written by another person as one’s own work.

3. Falsification/Fabrication: The statement of any untruth, either spoken or written, regarding any circumstances related to academic work. This includes any untrue statements made with regard to a suspected AIV. Examples of falsification/fabrication include, but are not limited to: making up data, research results, experimental procedures, internship or practicum experiences, or otherwise claiming academic-related experience that one has not actually had; inventing or submitting deceptive citations for the sources of one’s information; submitting a false excuse for an absence from class or other academic obligation.

4. Multiple submission: The submission of substantial portions of the same academic work for credit more than once without authorization from the faculty member who receives the later submission. Examples of multiple submission include, but are not limited to: submitting the same essay for credit in two courses without first receiving written permission; making minor revisions to an assignment that has already received credit in a course and submitting it in another class as if it were new work.

5. Violation assistance: Knowingly helping or attempting to help someone else in an act that constitutes an AIV. Examples of violation assistance include, but are not limited to: knowingly allowing another to copy answers during an examination or quiz; distributing test questions or examination materials without permission from the faculty member teaching the course; writing an essay, or substantial portions thereof, for another student to submit as his or her own work; taking
an examination or test for another student; distributing information involving clinical simulation and skills assessments.

6. Violation attempts: Attempting any act that, if completed, would constitute an AIV as defined herein. In other words, it does not matter if a student succeeds in carrying out any of the above violations, the fact that a violation was attempted is itself a violation of academic integrity.

IV. University-Wide Responsibility to Report AIVs

AIVs are unfair to honest students and they damage the quality and reputation of the entire university. Thus, the University places obligations on students and community members to report information on AIVs based on the principle that ignoring AIVs is as problematic as actively committing an AIV.

A. Responsibilities of Faculty, Teaching Assistants, and other Instructional Personnel

Faculty, teaching assistants, and other instructional personnel are responsible for communicating university-wide expectations for academic integrity, for example, by providing copies of this AIV Regulation or by providing a reference to it in their course syllabus to ensure that students are accountable for conforming their conduct to these expectations. It is also recommended that faculty, teaching assistants, and other instructional personnel communicate clear ground rules for academic work conducted under their supervision and take reasonable steps to prevent AIVs. For example, faculty, teaching assistants, and other instructional personnel should: prevent unauthorized access to examinations during the development, duplication, and administration of such exams; avoid reusing prior examinations (in whole or in part) to the extent possible; take all reasonable steps consistent with physical classroom conditions to reduce the risk of cheating during the administration of examinations; and maintain proper security during the administration of examinations, including as appropriate overseeing distribution and collection of examinations, and proctoring the examination session.

If faculty, teaching assistants, or other instructional personnel suspect an AIV, they should:

1. follow the procedures for responding to suspected AIVs (enumerated below, Section VI). The responsibility for following the stated procedures also includes but is not limited to, the following: obeying time constraints of this regulation, providing proper notice to the respondent student alleged to have committed an AIV, refraining from taking unilateral punitive action, and reporting the alleged violation to the Office of Student Rights and Responsibilities (OSRR), and the department chair (or his/her designee), as required; and
2. cooperate with the OSRR, Academic Integrity Review Committee (AIRC), the Academic Integrity Appeal Board (AIAB), and the Academic Integrity Board (AIB) when these bodies are conducting investigations, administering hearings and/or reviewing matters of academic integrity. The cooperation may call for actions such as providing testimony or other evidence, recommending appropriate sanctions, or helping to bring the matter to a prompt conclusion.

B. Responsibilities of Students:

ECU students are responsible for promoting academic integrity in the ECU community by upholding it in their own work and by reporting any suspected violations. A student knowing of circumstances in which an AIV may have occurred (or is likely to occur) should bring this knowledge to the attention of a faculty member or OSRR.
ECU students are responsible for understanding what plagiarism is, learning the recognized
techniques of proper attribution of sources used in the preparation of written work, and identifying
allowable resource materials or aids to be used during examination or in completion of any graded
work. Students should seek clarification from faculty if it is not clear whether a certain action
would violate this Academic Integrity Policy.

ECU students are responsible for complying with faculty classroom procedures designed to
reduce the possibility of cheating—such as removing unauthorized materials or aids from the
classroom and protecting one’s own examination paper from the view of others.

ECU students are responsible for maintaining the confidentiality of examinations by divulging no
information concerning an examination, directly or indirectly, to another student.

ECU students are responsible for reporting any instance in which reasonable grounds exist to
believe that a student has given or received unauthorized aid in graded work or in other respects
committed an AIV. Such report should be made to the OSRR, the Office of the Dean of Students
(DOS), or other appropriate instructor or official of their college or school.

ECU students are responsible for cooperating with the OSRR in the investigation and hearing of
any incident of alleged violation, including providing testimony when called upon.

C. Responsibilities of other University Community Members

Other ECU community members are responsible for promoting academic integrity in the ECU
community both by upholding it in their own work and by reporting any suspected AIV. An ECU
community member knowing of circumstances in which an AIV may have occurred (or is likely to
occur) should bring this knowledge to the attention of a faculty member or the OSRR. The AIV
form for reporting to OSRR can be found at https://osrr.ecu.edu/faculty-staff/

D. Responsibilities of the Office of Student Rights and Responsibilities (OSRR)

The OSRR is responsible for discussing the suspected AIV with the instructor of record for the
course(s) involved. The OSRR, in consultation with the faculty member(s), will follow the
procedures outlined in this Regulation. The OSRR is responsible for acting as a source of
information and liaison concerning this Regulation and procedure for faculty, teaching assistants,
other instructional personnel, department chairs, administrators, and students.

The OSRR is also responsible for coordinating the staffing and for maintaining of the University
Committee on Academic Integrity (UCAI), the Academic Integrity Review Committee (AIRC), and
the Academic Integrity Board (AIB), and the Academic Integrity Appeals Board (AIAB).

E. University Committee on Academic Integrity (UCAI) Composition and Membership

1. Faculty members – Sixteen faculty members, at least six (6) of whom have graduate
   faculty status, each of which is elected for three-year staggered terms by the Faculty
   Senate.
2. Student members – Sixteen students, at least six (6) of whom are graduate students,
   elected by and from among the members of the Student Conduct Board. These
   students shall serve for a one year term and may be reelected for one additional one
   year term.
3. The Director of the OSRR, or designee, shall serve as an administrative officer of the committee, but shall not participate in hearings.

The members of the UCAI form the following Boards:

1. Academic Integrity Review Committee (AIRC): Is a three-member panel consisting of: one administrator from OSRR (designated by the Director of OSRR); one student member from UCAI; and one faculty member from UCAI. In cases involving possible academic integrity violations by a graduate student, the faculty appointed to the AIRC must have graduate faculty status and the student must be a graduate student. The AIRC is charged with reviewing student appeals from a Department’s finding and/or academic penalty imposed, or if there was a violation of due process or material deviation from substantive and procedural standards. The AIRC will review the appeal request to determine if it is appropriate to forward it to the AIB. (See below for appeal grounds and standard of review.)

2. Academic Integrity Board (AIB): Is a panel of five UCAI members; three faculty members and two students. The AIB is charged with determining whether a student has violated this policy and, if appropriate, assigning academic penalties and/or sanctions, in matters referred to OSRR for UCAI review. This includes: appeals from the Initial Meeting: cases in which the department recommends additional sanctions (e.g. suspension or expulsion) after an Initial Meeting; in cases of repeat violations, multi-student violations; or suspected violations at the undergraduate level that occur outside of a specific course. In all matters where the respondent student is a graduate student, at least two of the three faculty members must have graduate faculty status; and every attempt should be made to ensure that all three faculty members on the board have graduate faculty status. Additionally, in cases involving possible violations by graduate students, the student members of the board must be graduate students. The AIB will select a chair from among its faculty membership. All members of the AIB may vote on the selection of a chair.

3. Academic Integrity Appeal Board (AIAB): is a panel of five UCAI members; three faculty members and two students. The AIAB is charged with hearing cases referred to an AIAB by the AIRC. The AIAB determines if the appeal letter submitted by the student has merit and if the original decision made by the instructor should be altered. The AIAB can determine the following: (1) affirm and uphold the instructor’s original determination and sanction assigned; (2) affirm and uphold the instructor’s original determination that AIV occurred and alter the sanction assigned; (3) determine that there was not enough information to uphold the instructor’s finding that an AIV occurred. The AIAB is not charged with determining if suspension or expulsion is warranted. Cases involving a recommendation of suspension or expulsion are referred to the AIB for a hearing. Detailed procedures for AIAB hearings are available from the OSRR. If the AIRC grants an AIAB hearing to a student, OSRR will notify the student and faculty member in writing of the date, time, and location of the hearing.

V. Rights and Responsibilities

A. Respondent Student Rights and Responsibilities

A student whose conduct is under review is a Respondent student ("the student") and has the rights and responsibilities listed below. The Respondent student may forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, he/she fails to do so.
1. **Respondent Student** Rights:
   a. The right to an objective and impartial evaluation of the complaint.
   b. The right to be present during the meeting with the instructor of record and during the AIB hearing (if applicable).
   c. The right to reasonable access to all information gathered throughout the investigation pertinent to the alleged violation.
   d. The right to present information relevant to the alleged violation, including inviting witnesses.
   e. The right to respond to information presented against the **Respondent student**.
   f. The right to a separate meeting with a faculty member or AIB hearing in cases involving multiple **Respondents students**. Charges against multiple **Respondents students** involved in the same incident may be heard in a single case only if each **Respondent student** consents to such a proceeding.
   g. The right not to provide information, with the understanding that the University will make a determination with or without the **Respondent's student's** information.
   h. The right to review of the decision, after receiving written notice of the outcome, including to appeal as described below.
   i. The right to be informed of pertinent University-based support services.

**Respondent Student** Responsibilities:

   a. The responsibility to be honest and direct in communicating with individuals involved in the Academic Integrity process.
   b. The responsibility to review this Academic Integrity policy and procedures and to seek clarification if necessary.
   c. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.
   d. The responsibility to provide the decision-maker with pertinent information that the **Respondent student** would like considered in the review of the alleged violation.
   e. The responsibility to participate in the Academic Integrity process in a manner that is civil and respectful.

B. **Complainant Instructor** Rights and Responsibilities

A faculty member, teaching assistant, or other instructional personnel who alleges a violation of this Regulation is (the **Complainant instructor**) and has the rights and responsibilities listed below. The **Complainant instructor** may forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, he/she fails to do so.

1. **Complainant Instructor** Rights:
   a. The right to an objective and impartial evaluation of the complaint.
   b. The right to invite relevant witnesses with knowledge of the alleged AIV.
   c. The right to submit a written statement.
   d. The right, after receiving written notice of the outcome, to review the decision, if permitted under ECU policies, University of North Carolina System policies and local, state, and
2. **Complainant Instructor** Responsibilities:

- The responsibility to provide a copy of the course syllabus and all relevant controlling documents (e.g. project instructions).
- The responsibility to be honest and direct in communicating with individuals involved in the conduct process.
- The responsibility to review this Academic Integrity Policy and its procedures, and to seek clarification if necessary.
- The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.
- The responsibility to provide the decision-maker(s) with pertinent information that the Complainant instructor would like considered in the review of the alleged violation.
- The responsibility to participate in the Academic Integrity process in a manner that is civil and respectful.

C. Bias

If the Respondent student and/or Complainant instructor believes that one or more of the fact finders, such as the Department Chair (or designee), a member(s) of the AIRC, AIAB or the AIB, has a conflict with, bias about, or an interest in a case that may unduly influence the decision making either positively or negatively, the Respondent student and/or Complainant instructor may request a different Panel or Official. The challenging party will be asked to provide specific reasons for the challenge. If the challenge is made concerning the Formal Departmental Meeting, then the Department Chair (or designee) will be responsible for making a determination following the request, and may decide to recuse and replace themselves. If the challenge is made concerning the AIRC, AIAB, or the AIB, then the Chair of the UCAI along with the Director of the OSRR, or designee, will determine whether the identified panel member should be removed. If the removal of a panel member results in fewer than five panel members, parties will be given the option to consent to continuing with the existing panel (less than 5 members) or to reschedule the hearing for review by a full panel.

D. Contact Information

Students have the responsibility to update personal contact information on their Pirate Port account as soon as it changes and to consistently monitor their ECU e-mail account and telephone answering equipment, as the University frequently communicates through these modes.

VI. Procedure for Reporting a Suspected Academic Integrity Violation
Outlined below is a formal procedure for reporting suspected AIVs. This procedure applies to all ECU students regardless of mode of instruction. Additional information regarding AIVs in distance education (DE) courses is available from OSRR.

Standard of Evidence: The standard used throughout the academic integrity process to reach case resolution is preponderance of the evidence. This standard will be used to evaluate the evidence for purposes of making findings and drawing conclusions for an investigation conducted under this Regulation. To meet the standard of preponderance of evidence, the evidence must demonstrate that it is more likely than not that the alleged conduct occurred. Formal rules of evidence do not apply to student conduct cases.

All complaints of suspected AIVs will be reviewed by the OSRR to track and to determine whether the reported behavior is governed by this Regulation. Anonymous complaints may result in a formal charge if they contain sufficient information to independently establish a violation of this policy.

Retaliation: The University does not tolerate retaliation against individuals who file a complaint. Retaliation means any act of interference, restraint, penalty, coercion, reprisal, intimidation, threats, or harassment against an individual for using applicable policies responsibly (including testifying, assisting, or participating in a hearing, proceeding, review process or investigation; opposing an illegal act; or exercising any other right protected by this policy). Students who retaliate against such persons will be held accountable under the Student Conduct Process (https://www.ecu.edu/pr/11/30/01). It is the responsibility of the target of the retaliation to immediately report the behavior to OSRR. In certain circumstances OSRR may determine it necessary to implement directives and/or interim measures while the allegation of retaliation is being investigated.

A. Notice of Suspected AIV and Scheduling the Initial Meeting

The Initial Meeting is designed as the primary hearing for Academic Integrity Violations. If it is believed that an AIV has occurred in the Complainant’s instructor’s course, then the student will be invited to an Initial Meeting with the Complainant instructor. The purpose of this meeting is to gather information and to provide the student (Respondent) with the opportunity to respond to the allegations.

Formal review of a suspected AIV is initiated upon sending notice of the Initial Meeting. Any informal discussions between faculty and student about coursework prior to the Initial Meeting is not considered part of the formal AIV review process. The Initial Meeting is designed for the Complainant to gather information, discuss the allegation with the Respondent, and provide evidence of the suspected violation.

In a case where the AIV involves multiple students (for example, cheating rings), the instructor may consult OSRR to determine if the instructor or OSRR should handle the case. The nature and scope of the suspected AIV will determine who resolves the matter. OSRR reserves the right to refer the case to the UCAI for an AIB hearing regardless of who handles the case. A cheating ring is three or more students working together in a non-course sanctioned manner that improperly benefits at least one of the students in the group. If the faculty member and/or OSRR determine that the nature of the cheating ring is egregious, it has significant impact to the integrity of the course,
and/or the students involved have previous academic integrity violations, a recommendation of suspension or expulsion may be warranted. Complainant should submit a report of the suspected AIV(s) to OSRR for handling. In the event that OSRR receives credible reports of multi-student violations, it reserves the right to refer the case to the UCAI for an AIB hearing.

B. Initial Meeting Procedures

To initiate the formal review of a suspected AIV, the Complainant (as a designated University official) shall provide written notice of the Initial Meeting to the Respondent student. This notice:

1. must be sent by some method with evidence of dispatch (e.g., email from the Complainant’s instructor’s official ECU email account to the Respondent’s student’s official ECU email account, or hand-delivered letter accompanied by a brief form that the Respondent student signs to indicate the note was delivered);
2. must be sent to the Respondent student(s) involved within seven (7) calendar days of the time the suspected violation comes to the attention of the Complainant instructor. (If the AIV is discovered during a time when regularly scheduled classes are not being held, the seven (7) calendar days shall be counted starting with the next day regularly scheduled classes are held.);
3. must communicate the following important information:
   a. a specification of the suspected AIV(s);
   b. a brief description of the material evidence supporting the allegation;
   c. the proposed academic penalty and a list of the possible sanctions/penalties, including any program specific AIV penalties, if appropriate. If the Complainant instructor believes that the alleged violation(s) could result in suspension, this possibility must be stated, and the Respondent student shall be provided written notice that the matter will be referred to OSRR for review following any recommendation of suspension for a hearing process in accordance with the requirements of applicable ECU and UNC system policies. Further, if the Complainant instructor believes that the alleged violation(s) could result in expulsion, this possibility must be stated and the Respondent student shall be provided written notice that expulsion precludes matriculation at any UNC constituent institution, and that the matter will be referred to OSRR for review following any recommendation of expulsion for a hearing process in accordance with the requirements of applicable ECU and UNC system policies;
   d. instructions for the Respondent student to contact the Complainant instructor to set up the Initial Meeting, including appropriate contact information for the Complainant instructor;
   e. a statement presenting the option to bypass the Initial Meeting and accept the academic penalty proposed by the Complainant, including instructions for how to do so; and
   f. a copy of the student’s rights and responsibilities form (available on the OSRR webpage https://osrr.ecu.edu/faculty-staff/)
A student may not withdraw from a course while a suspected AIV is being investigated. The AIV investigation is commenced once notice of the Initial Meeting or notice of the AIB hearing is sent, whichever comes first. If hand-delivered, then the commencement date is based upon the signed note of receipt.

If a faculty member finds an AIV at the end of the semester and the student has already attended the last scheduled class session and final exam, the faculty member should follow the steps above and notify the Respondent student in writing of a suspected violation and mark a grade of Incomplete (I) until the investigation is complete.

Upon delivery of the written notification from the Complainant instructor, the Respondent student has seven (7) calendar days to contact the Complainant instructor and schedule a day and time for the Initial Meeting. If the Respondent student fails to respond to Complainant instructor notification within seven (7) calendar days, the Respondent student shall forfeit the opportunity to respond. However, the Director of OSRR (or designee) may decide to reopen a case if good cause exists or extenuating circumstances explain the Respondent student’s failure to respond in a timely manner (e.g. medical issue, family death, etc.).

In the event that the Respondent student fails to respond to the notice, the Complainant instructor may find the Respondent student responsible for the AIV and may impose an appropriate academic penalty (as outlined below; see Section VI.C). If so, the Complainant instructor will need to complete an Academic Integrity Violation Form (AIV form) (which is available on the OSRR webpage https://osrr.ecu.edu/faculty-staff/) and submit it to the OSRR within twenty-four calendar days of the date on which the notice of a suspected violation was sent to the Respondent student. OSRR will notify the Respondent student, in writing, of the Complainant instructor’s decision and the academic penalty within seven (7) calendar days of receiving the AIV form. The written notice shall include a copy of the student’s rights and responsibilities form and inform the Respondent student of their right to appeal and the appeal process (described below). In the event that the Respondent student involved in the violation is a graduate student or is in a degree program that has additional penalties for or policies regarding academic integrity violations (i.e., professional medical or dental school student), the OSRR will also submit a copy of the AIV form to the appropriate program administrator.

In some instances, there may be a reasonable delay in the reporting of the AIV to OSRR as well as OSRR informing the student of the instructor’s decision and academic penalty assigned. Reasonable delays will be communicated in writing to the student. The communication regarding the delay will be sent in writing to the student but may not be sent prior to the seven (7) calendar days given for notification from the instructor and/or OSRR. The communication may be provided after the seven (7) days have passed based on the reason for the delay, which may include protecting the integrity of the investigation related to the AIV. Reasonable delays may include, but are not limited to times when there are scheduled breaks (fall, winter, spring, summer), natural disasters, instances involving multiple students, proctored exams, or the need for further investigation into the allegation. If an instructor or OSRR have documented and communicated the reason for a reasonable delay, the delay would not constitute a violation of due process or material deviation.
The Respondent may waive the Formal Departmental Meeting and accept an academic penalty proposed by the Complainant during or after the Initial Meeting. The waiver and acceptance must be in writing and signed by the Respondent. Waivers are made available by the OSRR at [https://osrr.ecu.edu/faculty-staff/](https://osrr.ecu.edu/faculty-staff/).

If the Respondent does not accept responsibility for the alleged AIV at the Initial Meeting (or waive their rights to proceed), a Formal Departmental Meeting shall be held within twenty-four calendar days of the date that the suspected AIV came to the Complainant’s attention.

**B. Provisions for Special Cases**

1. If a Complainant discovers a suspected violation in which the currently enrolled Respondent has used the work of a student either in a different section of the course or has taken a course at a different time, the Complainant should follow the procedures for the Initial Meeting and what follows (described in the previous section and below) for the Respondent enrolled in their course. If the other student involved is enrolled in another section of the course or if the student took the class during a different time (different semester), then the Complainant should submit the AIV Form directly to OSRR for an AIB hearing.

2. If a Complainant discovers a suspected violation at a time immediately after the Respondent is no longer within the Complainant’s course, the Complainant should refer the case, including all evidence related to the suspected violation, directly to OSRR for an AIB hearing via the AIV Form. The AIB will review the evidence submitted (e.g., syllabus, any AI statement signed by the student, documents such as the paper and SafeAssign or other software used to find a suspected violation, etc.) through its normal hearing procedures and impose an appropriate academic penalty or sanction if a violation is found.

3. University Community Complainant: If the suspected AIV occurs outside of a specific course, the case will be referred directly to OSRR for an AIB hearing. (The AIV Form is available at [https://osrr.ecu.edu/faculty-staff/](https://osrr.ecu.edu/faculty-staff/).) In the case of a suspected AIV reported directly to OSRR for which an instructor of record can be identified, OSRR will first consult with the faculty member(s) in charge of the course(s) affected. The faculty member will determine whether to pursue the alleged violation against the student in their course. If the faculty member decides to pursue, the procedures of the Initial Meeting and subsequent procedures (as described below) shall be followed. Following this consultation, if the suspected violation(s) is egregious, pervasive, or involves multiple students, OSRR may decide to pursue the alleged AIV(s) and additional academic penalties or sanctions outside of that course by taking the case to the UCAI for an AIB hearing.

4. Graduate Advisor or Director Complainant: If the suspected AIV involves a graduate student and occurs outside of a specific course, the case will be referred to the student’s Faculty Advisor who will serve in the role of the faculty member in the steps above and below. In the event that no Faculty Advisor can be identified, the Graduate Program Director will serve in the role of the faculty member in the process described above and below. The Advisor or Director will then follow the procedures of the Initial Meeting and what follows or refer the case to the OSRR, whichever is applicable.

If the suspected academic violation involves a professional school student, the school may have its own panel or board and may have supplemental processes or procedures, and/or additional academic penalties or sanctions, as long as the professional program and its procedures comport with 700.4.1 of the UNC Policy on Minimum Substantive and Procedural
Standards for Student Disciplinary Proceedings, as well as Federal, State and Local Law. The Complainant is also required to follow the procedures of this Regulation and report the suspected AIV to OSRR. Also, the professional school’s panel does not have the authority to suspend or expel a student from the University; all matters where a suspension or expulsion from the University is recommended shall be referred to OSRR.

C. Formal Departmental Meeting

The Formal Departmental Meeting is designed as the primary formal hearing for Academic Integrity Violations. The Formal Departmental Meeting is not necessary, nor required, if the Respondent waives their right to this Formal Departmental Meeting during the Initial Meeting. A determination as to responsibility and/or assignment of penalty/sanction may be made at, or following, the Formal Departmental Meeting.

The Formal Departmental Meeting shall be held within twenty-four (24) calendar days of the date that the suspected AIV came to the Complainant’s attention. The Respondent, Complainant, or the Department Chair (or designee) may request a reasonable postponement of the Formal Departmental Meeting by contacting the other parties, in writing, no fewer than two (2) business days before the scheduled meeting. Any requests for postponement must explain the reason for the request and provide an alternate meeting date and time. The Department Chair (or designee) will make the final determination of the meeting date and time.

1. Participating Parties and Nonparticipating Observers

The Complainant and the Department Chair (or designee) are required to participate in the Formal Departmental Meeting. The Respondent is strongly encouraged, but not required to participate. If the Respondent does not participate after being properly notified, the matter will be decided on the basis of information gathered by the Complainant or Department Chair. Witnesses with information relevant to the alleged AIV may be invited by the Respondent or Complainant. Character witnesses may not participate in the Meeting, but may submit written statements. The Respondent and the Complainant may each have a nonparticipating observer at the Formal Departmental Initial Meeting. The Complainant’s instructor’s nonparticipating observer should be another faculty member from the same department. The Respondent student may select a faculty member, parent, or student who is not involved in the suspected AIV, as his/her nonparticipating observer. The observer(s) may attend the Meeting and take careful notes for reference, but they may not actively participate or present information, this includes verbal or in writing. The Meeting is closed to the public and no individuals except those described above may attend unless the student or instructor have received an ADA accommodation through the university or arranged and received permission for an individual to provide language translation to either party.

2. Meeting Procedures

The Department Chair (or designee) shall ensure an orderly meeting and that both the Complainant and Respondent have the opportunity to present evidence, including but not limited to witness testimony and relevant documents.

C. Student Withdrawal from Course
A student may not withdraw from a course while a suspected AIV is being investigated. The AIV investigation commences once notice of the Initial Meeting or notice of the AIB hearing is sent, whichever comes first. If hand-delivered, then the commencement date is based upon the signed note of receipt.

If a student attempts to withdraw before any hold is placed on the student’s academic record, the faculty member or OSRR will inform the registrar that the student is not allowed to withdraw while the AIV investigation progresses and to reinstate them back into the class. Once the AIV process has concluded, if the penalty assigned is an “XF” the student may not receive a W for the course.

D. Outcome of the Formal Departmental Initial Meeting

The Department Chair (or designee) instructor shall evaluate evidence presented at the Formal Departmental Initial Meeting and determine if a preponderance of evidence supports the conclusion that the Respondent student is responsible for an AIV. The Department Chair (or designee) instructor shall also determine the appropriate academic penalty and/or sanction, in consultation with the Complainant’s recommendation. The outcome of the Formal Departmental Initial Meeting shall be communicated to the student within ten (10) calendar days of the Meeting. In certain circumstances there may be a delay in communication of the outcome. The communication regarding the delay will be sent in writing to the student but may not be sent prior to the ten (10) calendar days given for notification of the outcome from the instructor. The communication may be provided after the ten (10) days have past based on the reason for the delay, which may include protecting the integrity of the investigation related to the AIV. If a determination is made in the absence of the Respondent student because the Respondent student failed to attend the Meeting, the Complainant instructor must complete and submit the Academic Integrity Violation Form (AIV form; available on the OSRR webpage https://osrr.ecu.edu/faculty-staff/) to OSRR within twenty-four (24) calendar days from the date of the initial notice to the student regarding the AIV violation. The Chair (or designee) instructor can make any of the following determinations and/or assign the following academic penalties:

1. No violation found: The Department Chair (or designee) instructor determines that the evidence fails to indicate that an AIV occurred, and therefore, no penalty will be imposed. The Department Chair instructor will notify the student in writing of this decision, and no AIV form will be submitted to the OSRR.

2. Violation found: The Department Chair (or designee) instructor determines that the evidence indicates that the Respondent student is responsible for an AIV and that an academic penalty is appropriate. If the Respondent student does not appear for a scheduled meeting, the Department Chair (or designee) instructor may make a determination in the Respondent’s absence. The Department Chair shall impose the academic penalty recommended by the Complainant, provided that, however, the penalty is an academic penalty, and in no case can the Chair instructor issue a sanction of suspension or expulsion. The Department Chair (or designee) instructor shall submit a completed AIV form to OSRR within ten (10) calendar days of the Meeting. If the Department Chair (or designee) deems the penalty to be disproportionate to the AIV, the Chair will indicate this finding on the AIV Form submitted to OSRR. Furthermore, if the Complainant or Department Chair (or designee)
instructor believes the violation is egregious enough to warrant further university action and an additional sanction, the Department Chair (or designee) to the instructor’s sanctions, the instructor will include such a statement on the AIV Form submitted to OSRR.

Possible academic If OSRR determines that the case warrants additional sanctions, OSRR may assign sanctions in addition to the penalties, include, assigned by the instructor. The following but are not limited to, possible additional sanctions that may be assigned by OSRR: written warning, additional work or learning opportunity, reducing the grade on the assignment(s), or reducing the overall course grade.

If at any time during the review of the alleged AIV, in the Complainant’s instructor’s discretion, the Complainant instructor determines the penalty for the alleged AIV should be something less than a grade reduction (e.g., a warning, some additional work or learning opportunity) then the Complainant instructor is required to formally notify the Respondent student and to formally report the decision and imposed academic penalty educational resolution to the respective Department Chair (or designee) and OSRR (for its records). If at any point, however, the Complainant instructor determines that the AIV warrants a grade reduction or other substantial academic penalty, either as a result of the initial determination and penalty assignment, or as a result of a student failing to complete alternative work or learning opportunities assigned as an initial penalty, the Complainant instructor must follow the reporting process to OSRR for its review, support, and coordination.

If the penalty assigned is a failure for the course, OSRR will inform the registrar to record a final grade of “XF” on the Respondent’s student’s transcript to indicate that failure in the course was the result of an AIV. The “X” indicates the matter is related to a responsible finding of AIV. If the Complainant regards the AIV as severe enough to warrant additional sanction such as suspension or expulsion, the Department Chair shall indicate this recommendation on the AIV form, and the matter will be referred to OSRR for review. The decision to pursue suspension or expulsion will be made by OSRR.

The “X” designation must remain on the student’s transcript for at least one year and will be removed from the official transcript after one year only if the student has completed the academic integrity training module and obtained the approval of the Director of the OSRR. The approval of the Director of the OSRR must be obtained through the submission of a formal written request for removal of the “X” designation. Courses in which a student receives a grade of “XF” are not eligible for grade replacement even if the “X” is removed from the official transcript. All courses for which a student receives an “XF” will be factored into the student’s GPA, even if the “X” is removed from the official transcript and the course is retaken.

If the instructor regards the AIV as severe enough to warrant additional sanction such as suspension or expulsion, they shall indicate this recommendation on the AIV form, and the matter will be referred to OSRR for review. The instructor must have also informed the student of the recommendation of suspension or expulsion in their initial meeting or in their notice of the outcome of the AIV to the student. The decision to pursue suspension or expulsion will be made by OSRR. OSRR may make the determination that the AIV or the student’s prior AI violations warrant a review for suspension and in those cases, notification of suspension or expulsion as a recommended sanction will come from OSRR.
OSRR shall provide written notification to the Respondent student of the Department Chair’s decision and the imposed academic penalty within seven (7) calendar days of receiving the AIV form. The written notice shall include a copy of the student’s rights and responsibilities form and inform the Respondent student of their right to appeal and the appeal process (described below). In the event that the Respondent student involved in the violation is a graduate student or is in a degree program that has additional penalties for or policies regarding AIVs, the OSRR will also submit a copy of the AIV form to the appropriate program administrator.

3. Disagreement between Complainant and Department Chair (or designee).

If there is a disagreement between the Department Chair (or designee) and Complainant regarding responsibility for the violation or academic penalty imposed, the Complainant may appeal the decision to the respective college Dean (or administrative designee) for review. In such cases, all information related to the AIV shall be submitted to the Dean (or designee) for review. The review shall be resolved within fourteen (14) calendar days. If the Dean (or designee) rules in favor of the Department Chair (or designee), that decision will be final. If the Dean (or designee) rules in favor of the Complainant, the AIV process will resume following the procedure to report the AIV to OSRR as outlined in part VI.D.2.

E. Provisions for Special Cases

1. If an instructor discovers a suspected violation in which the currently enrolled student has used the work of a student either in a different section of the course or has taken a course at a different time, the instructor should follow the procedures for the Initial Meeting and what follows (described in the previous section and below) for the student enrolled in their course. If the other student involved is enrolled in another section of the course or if the student took the class during a different time (different semester), then the instructor should submit the AIV Form directly to OSRR for an AIB hearing.

2. If an instructor discovers a suspected violation at a time immediately after the student is no longer within the instructor’s course, the instructor should refer the case, including all evidence related to the suspected violation, directly to OSRR for an AIB hearing via the AIV Form. The AIB will review the evidence submitted (e.g., syllabus, any AI statement signed by the student, documents such as the paper and SafeAssign or other software used to find a suspected violation, etc.) through its normal hearing procedures and impose an appropriate academic penalty or sanction if a violation is found.

3. University Community: If the suspected AIV occurs outside of a specific course, the case will be referred directly to OSRR for an AIB hearing. (The AIV Form is available at https://osrr.ecu.edu/faculty-staff/). In the case of a suspected AIV reported directly to OSRR for which an instructor of record can be identified, OSRR will first consult with the faculty member(s) in charge of the course(s) affected. The faculty member will determine whether to pursue the alleged violation against the student in their course. If the faculty member decides to pursue, the procedures of the Initial Meeting and subsequent procedures (as described below) shall be followed. Following this consultation, if the suspected violation(s) is egregious, pervasive, or involves multiple students, OSRR may decide to pursue the alleged AIV(s) and additional
academic penalties or sanctions outside of that course by taking the case to the UCAI for an AIB hearing.

4. Graduate Advisor or Director If the suspected AIV involves a graduate student and occurs outside of a specific course, the case will be referred to the student’s Faculty Advisor who will serve in the role of the faculty member in the steps above and below. In the event that no Faculty Advisor can be identified, the Graduate Program Director will serve in the role of the faculty member in the process described above and below. The Advisor or Director will then follow the procedures of the Initial Meeting and what follows or refer the case to the OSRR, whichever is applicable.

5. Professional school student: If the AIV involves a professional school student, the school may have its own panel or board and may have supplemental processes or procedures, and/or additional academic penalties or sanctions, as long as the professional program and its procedures comport with 700.4.1 of the UNC Policy on Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings, as well as Federal, State and Local Law. The instructor is also required to follow the procedures of this Regulation and report the suspected AIV to OSRR. Also, the professional school’s panel does not have the authority to suspend or expel a student from the University; all matters where a suspension or expulsion from the University is recommended shall be referred to OSRR.

4. F. Referral to the UCAI for AIB Review

If a Respondent student’s case is referred for AIB review, OSRR will notify the Respondent student of the referral within seven (7) calendar days of receiving the AIV form. The role of the AIB hearing is to review the entirety of the case, including determination of responsibility, assignment of academic penalty, and additional recommended University sanctions (if applicable). There are three four situations in which OSRR will refer the case to the UCAI for AIB review:

1. In a case where the recommended sanction includes suspension or expulsion.
2. In a case where the student has prior AIV. If OSRR finds that the Respondent student has a prior AIV on file, the case will may be referred to the UCAI for an AIB hearing to consider whether additional academic penalties or sanctions are appropriate based on a pattern of behavior and a history of prior AIV findings.
3. In a case where the AIV involves multiple students. OSRR will receive all reports of suspected AIVs involving multiple students (for example, cheating rings). The instructor will consult with OSRR to determine the best course of action.
Faculty members, students, and community members should, in all cases, report suspected AIVs involving multiple students to OSRR. In the event that OSRR receives credible reports of multi-student violations, it reserves the right to refer the case to the UCAI for an AIB hearing.

4. When an AIV occurs outside a specific course or once the course has concluded; or may involve multiple courses.

The AIV form, and all records concerning disciplinary actions brought against Respondent(s) for academic infractions, including charges, evidence, transcripts, recordings, summaries, appeals, correspondence, and other related records, shall be kept by the OSRR in compliance with applicable record retention periods, including the retention of records for a period of eight (8) years; in matters where suspension or expulsion is assigned as a sanction, records shall be retained permanently. In instances where suspension or expulsion are assigned, the student’s transcript will be noted for the duration of the suspension and expulsion periods. Record retention is maintained in compliance with the most recent UNC Records Retention and Disposition Schedule (§12.13) and Federal Code 20 USC 1232g; and is subject to change to remain in compliance with the governing law.

E. AIB Hearings (In lieu of Formal Departmental Meeting and for appeals Formal Departmental Meeting)

As stated above, an AIB Hearing will be convened: (1) as an appeal of the Formal Departmental Meeting; (2) when the alleged AIV occurs outside a specific course; or (3) is egregious enough that it involves possible sanctions of suspension or expulsion. (In addition to Formal Departmental Meeting appeal, examples include, but are not limited to, sanction of suspension or expulsion, cases of repeat AIVs, multi-student AIVs, or suspected violations at the undergraduate level that occur outside of a specific course.)

G. AIB Hearings

If an AIB Hearing is convened: In the case of an alleged AIV by a graduate student, at least two of the three faculty members must have graduate faculty status and every attempt should be made to ensure that all three faculty members on the AIB board have graduate faculty status. Further, in these matters, the student members of the board must be graduate students. The AIB will select a chair from among its faculty membership. All members of the AIB may vote on the selection of a chair.

All AIB hearings are reviewed de novo (from the beginning), meaning that whether the case originates from a Formal Departmental Meeting or as an AIB hearing, the case will be reviewed in its entirety, including All AIB hearings will include a review of all facts and allegations to determine responsibility and the appropriate penalty/sanctions (if applicable).

The Director of the OSRR (or designee) will notify the parties involved of a meeting of the AIB within ten (10) calendar days of receipt of a case that requires an AIB hearing. The Complainant instructor (if appropriate), the Respondent student, witnesses, Student Advisors, and the five (5) Panel members shall be provided not less than 10 calendar days’ notification of the date, time, and place of the AIB meeting. Appropriate waivers of the Family Educational
Rights and Privacy Act (FERPA) must be obtained prior to any hearing, in accordance with applicable law. If a grade for the Respondent student must be submitted prior to the conclusion of the AIB process, the Complainant instructor shall record a grade of incomplete, pending a decision by the AIB.

1. Participating Parties and Nonparticipating Observers

The required participating parties include all individuals who have relevant information related to are the alleged AIV(s), including but not limited to: a student, department chair, instructor, witnesses, Complainant, the Respondent, and the five AIB panel members, witnesses for the Complainant and/or Respondent, and any other person party called by the AIB Chair or OSRR; and the five AIB panel members.

If the Respondent student or Complainant instructor would like to request the assistance of a Student Advisor, the Respondent student or Complainant instructor may contact OSRR for assistance. The Director of the OSRR (or designee) is a nonparticipating observer.

If the Respondent student or Complainant instructor (if appropriate) fail to appear without prior approval of the OSRR administrative officer, the AIB will proceed with an absentia hearing.

The student may have a non-participating support person present with them during the hearing. This individual is not allowed to present information or speak on behalf of the student.

Attorneys are not permitted to participate in the AIB unless the Respondent student is facing pending criminal charges stemming from the incident in question or if the University is otherwise required by law to allow an attorney to be present. In such situations, the attorney may only advise their client. The attorney is not permitted to actively participate in the AIB, for example, the attorney may not ask questions or present information, except and unless allowing the Respondent’s student’s attorney to participate is otherwise required by law. The Respondent student will assume all responsibility for attorney fees.

2. Hearing Procedures

The AIB Chair will give an extensive and detailed summary of the case, present materials relevant to the case, and direct the AIB hearing. Detailed procedures for AIB hearings are available from the OSRR. A determination of whether the Respondent student committed the AIV, and a determination of an appropriate sanction/penalty, if applicable, will be made by a simple majority of the AIB. The AIB chair will vote only in the case of a tie. Detailed procedures for AIB hearings are available from the OSRR.

The Director of the OSRR (or designee) will serve as administrative officer and is responsible for maintaining accurate and complete records of the proceedings. The hearing will be audio recorded; however, recording quality problems and/or malfunctions will not invalidate or nullify the decision of the AIB.
The recording is for appeal purposes and is the official recording of the hearing and property of ECU.

AIB hearings are closed to the public.

AIB members and staff assigned to perform work related to the hearing shall report any potential procedural irregularities or procedural errors that come to their attention, which may have occurred before or during the hearing, to the Director of OSRR for review by the Senior Vice Chancellor for Academic Affairs (or designee). The Senior Vice Chancellor for Academic Affairs (or designee) shall have the authority to determine whether corrective action, including but not limited to, a new hearing, is necessary to correct such procedural errors. This review does not constitute an appeal, and is a separate, independent review of the hearing procedures.

F. H. Appeals

Appeals to the Initial Meeting decision and/or the AIB decisions are referred to the Academic Integrity Appeals Board (AIAB). During an appeal, the appealing party has the burden of showing either (1) a violation of due process; or (2) a material deviation from Substantive and Procedural Standards adopted by the Board of Governors:

1. Violation of Due Process. Due Process requires notice and an opportunity to be heard. A violation of due process means that the appealing party was not provided the required notice or an opportunity to be heard due to specified procedural errors, or errors in interpretation of University policies or regulations, that were so substantial as to effectively deny the Respondent student a fair hearing. Reasonable deviations from the procedures set out in this Regulation will not invalidate a decision or proceeding unless the Respondent student can show that, but for the deviation or error, there likely would have been a different outcome in the case.

2. Material Deviation from Substantive and Procedural Standards. Material Deviation from Substantive and Procedural Standards require that the decision reached be neither arbitrary nor capricious. A material deviation from substantive standards means that there is a lack of information in the record that could support the decision or sanction(s). This does not mean the information presented at the hearing can be re-argued on appeal; rather, it requires showing that no reasonable person could have determined the Respondent student was responsible or could have imposed the sanction that was issued, based upon the information in the record. A material deviation from procedural standards means that a lack of information in the record that could support the decision is due to a procedural error that resulted in the proffered evidence or testimony being excluded.

The Respondent student must specify in writing (“appeal letter”) which grounds form the basis for the Respondent student’s appeal. The Respondent student must provide factual information to support the appeal and explain what outcome is sought. The Respondent student has a right to be assisted in preparing their written challenge appeal by a licensed attorney or non-attorney advocate, at the Respondent student’s expense.

The appeal letter must be dated, signed by the Respondent student, and received by OSRR within five (5) calendar days from the date that the written decision on the outcome and sanctions is provided to the Respondent student, either by hand delivery or by delivery or attempted delivery through e-mail. Appeals should be directed to osrr@ecu.edu; or 364 Wright Building. Failure to deliver the written notice of appeal within this time limit will render the decision of the Department Chair/AIB final and conclusive.
good cause may be requested within the five day limit, but it is within the discretion of OSRR to grant or deny such requests.

Appeals will be limited to the record of the hearing, including the supporting documents provided by the Respondent student and available records (“written record”) within OSRR and the student’s written appeal.

In appeals from a Formal Departmental Initial Meeting, the AIRC will review the written record and make a determination as to whether a decision and/or sanction is supported by the evidence and whether the decision or penalty/sanction should be altered; and if there was a violation of due process or material deviation from substantive and procedural standards. If an appeal hearing is granted it will be referred to the AIAB. If the AIRC denies the appeal, the decision of the Department Chair instructor and any assigned sanctions are effective immediately, and the student will have no further appeal opportunities. The AIRC decision is final.

The final decision of the AIRC will be made within forty-five (45) calendar days after of OSRR receiving the hearing and report of the AIV. The student will be notified in writing of the outcome of the AIRC’s review of the appeal within ten (10) calendar days of the date the AIRC’s decision was made. The decision will include a brief summary of the information upon which the decision was based. The AIRC decision is final.

In appeals from a hearing before the AIB where suspension is assigned, the Director of OSRR will compile the written record and provide it to the Senior Vice Chancellor for Academic Affairs (or designee) who will make the final administrative determination. The Vice Chancellor (or designee) will determine whether to impose the sanctions recommended by the AIB, to modify the sanctions recommended by the AIB, to refer the case back to OSRR for a new hearing before a different AIB, or to take other necessary administrative action.

In appeals from a hearing before the AIB where expulsion is recommended, the Director of OSRR will compile the written record and provide it to the Senior Vice Chancellor for Academic Affairs (or designee) who will make the final administrative determination. The Vice Chancellor (or designee) determines that the student should be expelled from the University, the student has the right to file an appeal by following the process described in Section G below.

The final decision in cases where suspension or expulsion is the sanction will be made within 45 calendar days after the hearing and will be shared with the Respondent student in writing within ten (10) calendar days of the date on which the decision was made. The letter will include a brief summary of the information upon which the decision was based and any appeal rights, including the time limits during which to appeal and the permitted grounds for appeal.

Requests for reconsideration based on new information, sufficient to alter a decision and not reasonably available at the time of the decision, should be directed to the original decision-
maker. An instructor or Respondent student has one calendar year after the final imposition of sanctions by the University to present new information.

**G. Appeal of Expulsion**

Should the Senior Vice Chancellor for Academic Affairs (or designee) uphold a recommendation of expulsion, the Respondent student has the right to appeal the decision to the East Carolina University Board of Trustees. The Respondent student should send a written appeal by certified or registered mail, return receipt requested, or by another means that provides proof of delivery to the Assistant Secretary to Board within ten (10) calendar days after the notice of the Vice Chancellor’s decision is sent to the Respondent student. A copy should also be provided to the Office of Student Rights and Responsibilities and the Vice Chancellor for Legal Affairs and University Counsel of East Carolina University. If the appeal is received in a timely manner, the Board of Trustees will establish a schedule for its review. If the Respondent student fails to comply with the schedule, the Board of Trustees may dismiss the appeal. The decision of the Board of Trustees is final.

**VII. Records**

A. Family Educational Rights and Privacy Act of 1974: Academic Conduct case information is recorded and maintained by OSRR in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). Generally, information contained in OSRR files that personally identifies a student will not be released without the written and dated consent of the student identified in the record. However, disciplinary records may be shared with third parties to the extent allowed under FERPA. For specific information on FERPA, please contact the Registrar’s Office.

B. Maintenance of Records: Academic Conduct records are maintained by the OSRR for at least eight (8) years from the completion of the last sanction imposed. Records of students, who have been suspended or expelled, and of those who have a pending case or have not completed sanctions, are kept indefinitely.

C. UNC Suspension/Expulsion Database: Information about students who are suspended, expelled, or have serious pending cases is entered into a UNC database, where it is stored permanently. All UNC constituent institutions have access to this information.

D. Transcript Notation: Academic Conduct suspensions and expulsions will be permanently marked on the student’s transcript for the duration of the suspension.

E. Awarding of Degrees: The University does not award degrees solely because a student successfully completed all academic requirements. Violations of this Regulation and/or the Student Code of Conduct, including academic and non-academic violations, may impact the awarding of a degree, and if a student has a disciplinary complaint pending, the awarding of the degree may be delayed until the complaint is resolved, and, if imposed, the sanctions have been completed.

F. Withdrawal: Students with a pending AIV case will not be permitted to withdraw from the University without first resolving the case, or receiving permission from the Director of OSRR to do so.

G. Continual Enrollment: Students with a pending AIV case might be prohibited from future enrollment until the AIV matter is resolved by the University. In cases where the student withdraws from the University, the AIV case will still be adjudicated.
VIII. Annual Reports

At the end of each academic year, the UCAI shall prepare a report summarizing its work. This annual report shall be submitted early in the fall semester to the Faculty Senate, the Student Government Association (SGA), and the Academic Council.

IX. Review of the AIV Process

The Faculty Senate will convene the AIV Review Committee every three (3) years. This committee will assess the effectiveness of the AIV process and related policies and recommend any changes in policy or procedure to the Faculty Senate.

Originally Approved (entire document): Faculty Senate Resolution #83-26, April 1983

East Carolina University Chancellor

Amended:
FS Resolution #83-30 thru #83-34, April 1983 Chancellor
FS Resolution #84-42, January 1985 Chancellor
FS Resolution #87-16, October 1987 Chancellor
FS Resolution #11-36, June 2011 Chancellor
FS Resolution #20-18, June 2021 Chancellor

Resolution #22-30
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022

Curriculum and academic matters acted on and recorded during the March 3, 2022 Undergraduate Curriculum Committee meeting, including curricular actions in the following units:

- Department of Technology Systems within the College of Engineering and Technology (both consent agenda items and regular agenda items)
- School of Music within the College of Fine Arts and Communication
- Department of Clinical Laboratory Science within the College of Allied Health Sciences

Curriculum and academic matters acted on and recorded during the March 24, 2022 Undergraduate Curriculum Committee meeting, including actions in the following units:

- Department of Technology Systems within the College of Engineering and Technology (both consent agenda items and regular agenda items)
- Department of Philosophy and Religious Studies within the Thomas Harriot College of Arts and Sciences
- Department of English within the Thomas Harriot College of Arts and Sciences

And curriculum and academic matters acted on and recorded during the April 7, 2022 Undergraduate Curriculum Committee meeting, including curricular actions in the following units:

- Department of Anthropology within the Thomas Harriot College of Arts and Sciences (both consent and regular agenda items)
- Department of Foreign Languages and Literatures within the Thomas Harriot College of Arts and Sciences
Interdisciplinary Programs within the Thomas Harriot College of Arts and Sciences (both consent agenda and regular agenda items)
Department of Accounting within the College of Business
Miller School of Entrepreneurship within the Department of Business
Department of Mathematics, Science, and Instructional Technology Education within the College of Education
Department of Recreation Sciences within the College of Health and Human Performance
Department of Human Development and Family Science with the College of Health and Human Performance
Department of Chemistry within the Thomas Harriot College of Arts and Sciences
Department of Biology within the Thomas Harriot College of Arts and Sciences
Department of Biostatistics within the College of Allied Health Sciences

Resolution #22-31
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022

Curriculum and academic matters acted on and recorded during the April 8, 2022 Educational Policies and Planning meeting, including the following:
• new graduate certificate in Pharmaceutical Sciences and Technologies
• moving the graduate certificate in Biostatistics to the Department of Public Health within the Brody School of Medicine
• new graduate certificate in School Counseling
• program revision of the MAEd in Elementary Education
• program revision of the MAEd in Middle Grades Education
• new undergraduate certificate in Multicultural Literature
• new graduate dual degree Hispanic Studies MA and Marriage and Family Therapy MS
• new Accelerated BS in Criminal Justice/MS in Criminal Justice
• new undergraduate minor in Medical Humanities
• program revision of the BS in Information and Computer Technology
• APR unit response for Sociology
• Discontinuation of graduate certificate in Nurse Anesthesia

Resolution #22-32
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022 with comment*

Endorsement by the ECU Board of Trustees:

The reorganization of the Health Sciences academic units under the Chief Academic Officer, the Provost, requires endorsement by the ECU Board of Trustees. Academic Council and the Chancellor will work with the Assistant Secretary to the Board of Trustees, Megan Ayers, and Chairman Shook to move this forward to the Board of Trustees.

Reorganization of the Health Sciences academic units
Resolution #22-33
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022

Reorganization of the Department of Public Health

Resolution #22-34
Approved by the Faculty Senate: April 26, 2022
Received by the Chancellor: pending, needs additional review (05/31/2022), see comment*

*Academic Council has reviewed the Academic Computer Use interim policy and recommends that Zach Loch, Associate VC & Chief Information Officer, and Stephanie Coleman, Vice Chancellor for Administration and Finance, meet with the Faculty Governance Committee to further discuss the suggestions and feedback received from the Distance Education & Learning Technology Committee and the Faculty Governance Committee since there are concerns with the proposed revisions to the interim regulation.

Formal faculty advice on the Academic Computer Use interim regulation, as follows:

Chair of the Faculty Martínez charged the Distance Education and Learning Technology (DELT) Committee to review the Academic Computer Use Interim regulation this academic year, and to send their feedback to the Faculty Senate office so it could be forwarded to the Faculty Governance Committee for additional comment. Chair Martínez thought feedback from both the DELT Committee and the Faculty Governance Committee would be appropriate, given the issues presented in the regulation. Once the Faculty Governance Committee has added their feedback, the combined advice will be presented as formal faculty advice to the Faculty Senate (under a Faculty Governance Committee report).

As requested, the Faculty Governance Committee has reviewed the university’s interim policy on Academic Computer Use, with additions proposed by ITCS.

It shares the concerns raised by the Distance Education and Learning Technology (DELT) Committee:

1. Games, which are now a common subject of academic scholarship, should be removed from the list of prohibited apps in 4.9.1.
2. Item 4.9.6, which seems to allow arbitrary, unrestricted surveillance of university employees whenever they use university computers, should be stricken entirely.
3. Item 4.9.5, which prohibits the installation of any software that has not been approved by ITCS, should be stricken entirely. The threat of ransomware is real, but that threat must be balanced against the freedom to experiment, which is essential to the academic enterprise. In its current form, the prohibition in 4.9.5 is too broad to become permanent policy.

In addition, Faculty Governance suggests the following changes:

1. A new item, under General Statement: "1.2.6. ECU will provide a single source of all information technology-related rules and regulations for employees to reference." This is important if we actually want employees to follow the rules.
2. In 2.5, the standard for posting and sending materials is unrealistically high. Instead of guaranteeing that "material must be accurate," employees should be required not to post or send materials that are "deliberately inaccurate" or "known to be inaccurate." This item's requirement to specify a receiver of all materials used, posted, or sent seems unnecessary.

3. In 4.2, the policy needs to clarify that this rule governs what employees can publish on university infrastructure. (As written, the regulation seems also to govern what employees can publish on all platforms -- including privately-owned servers --, which would be an infringement on free speech.)

Additions in **bold** and deletions in **highlight**.

**Policy**
REG08.05.10

**Title**
Academic Computer Use

**Category**
Information Technology

**Sub-category**
Security and Compliance

**Authority**
Chancellor

**History**
ITCS Policy No. 1.600 (supercedes policy dated April 17, 1998); Revised and placed in University Policy Manual April 30, 2018.

**Contact**
Chief Information Officer, (252) 328-9000

**University Student and Employee Computer Use Policy**

**Related Policies**
Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay

**Additional References**
East Carolina University Copyright Regulation

**Freedom of Expression Regulation**

**Introduction**

1.1. **Purpose**

To govern the use of university computer systems, which includes hardware, data, software and communication networks.

1.2. **General Statement**

1.2.1. Freedom of expression and academic freedom are limited to no greater degree in electronic formats than in printed or oral communication. Individual faculty members are entitled to full freedom in research and in the publication of results. Academic freedom includes freedom of artistic expression through electronic means as well as in familiar and traditional media. Intellectual property in electronic form is as fully protected as are those properties in other forms. Individual faculty members are entitled to freedom in the classroom in discussing their subject, including those formats used in virtual spaces and areas where communication is inherent in the teaching and learning process.

1.2.2. The university provides academic access to a functioning system of electronic communication on a nondiscriminatory basis, without regard to the perceived merit of a particular content or subject matter or the views of users. Equality of access is assured without regard to race, gender, nationality, age, religion, disability, or sexual orientation.
1.2.3. The university relies heavily upon its computer information systems to meet operational, financial, educational and informational needs. It is essential that East Carolina University’s computer systems, and computer networks, as well as the data they store and process, be operated and maintained in a secure environment and in a responsible manner. It is critical that these systems and machines be protected from misuse and unauthorized access.

1.2.4. This policy applies to university computer systems and refers to hardware, data, software and communications networks associated with these computers. In particular, this policy covers computers ranging from multi-user timesharing systems to single user personal computers, whether stand-alone or connected to the network.

1.2.5. Individual faculty members shall make every effort to show that they are not speaking for the university when they are not. Special care shall be taken in posting or distributing digital material, on a web page or site created and accessed through the university computing system. Individual faculty members must avoid or dispel any inference that the speaker represents the views of the university or of faculty colleagues. Individual faculty members are responsible for following federal, state, University of North Carolina Board of Governors, and university laws and policies.

1.2.6. ECU will provide a single source of all information technology-related rules and regulations for employees to reference.

2. Regulatory Limitations

2.1. The university may monitor access to the equipment and networking structures and systems to ensure the security and operating performance of its systems and networks and to enforce university policies. Monitoring or otherwise accessing individual faculty member’s computers to enforce university policies requires specific approval of the Chancellor or the Chancellor’s designee.

2.2. The university reserves the right to limit access when federal or state laws or university policies are violated or where university contractual obligations or university operations may be impeded.

2.3. The university may authorize confidential passwords or other secure entry identification; however, employees have no expectation of privacy in the material sent or received by them over the university computing systems or networks. While general content review will not be undertaken, monitoring of this material may occur for the reasons specified above. Again, monitoring or otherwise accessing individual faculty members’ computers to enforce university policies requires specific approval of the Chancellor or the Chancellor’s designee.

2.4. The university generally does not monitor or restrict material residing on university computers housed within a private domicile or on non-university computers, whether or not such computers are attached or able to connect to campus networks.

2.5. All material prepared and utilized for work purposes and posted to or sent over university computing and other telecommunication equipment, systems or networks must not be deliberately inaccurate and must correctly identify the creator and receiver of such.

3. Permissible Uses
3.1. Faculty members are expected to follow this policy and any related university rules, regulations and procedures for university work produced on computing equipment, systems and networks. Faculty members may access these technologies for personal uses if the following restrictions are followed.

3.1.1. The use is lawful under federal or state law.

3.1.2. The use is not prohibited by Board of Governors, university or institutional policies.

3.1.3. The use does not overload the university computer equipment or systems, or otherwise harm or negatively impact the system’s performance.

3.1.4. The use does not result in commercial gain or private profit (other than allowable under university intellectual property policies).

3.1.5. The use does not violate federal or state laws or university policies on copyright and trademark.

3.1.6. The use does not state or imply university sponsorship or endorsement.

3.1.7. The use does not violate state or federal laws or university policies against race or sex discrimination, including sexual harassment.

3.1.8. The use does not involve unauthorized passwords or identifying data that attempts to circumvent system security in any way attempts to gain unauthorized access.

4. Other Computer Usage Guidelines

4.1. Users are to have valid, authorized accounts and may only use those computer resources which are specifically authorized. Users are responsible for taking reasonable precautions to safeguard their own computer account.

4.2. Users who choose to publish home pages on the World Wide Web university infrastructure must identify themselves as the author. In addition, they must include a disclaimer that any personal home page content reflects their own views and not necessarily that of the university. Furthermore, any links to other Web resources must be identified.

4.3. Users may not change copy, delete, read or otherwise access files or software owned by other parties without permission of the custodian of the files or the system administrator. Users may not bypass accounting or security mechanisms to circumvent data protection schemes. Users may not attempt to modify software except when intended to be user customized.

4.4. Users shall assume that any software they did not create is copyrighted. They may neither distribute copyrighted proprietary material without the written consent of the copyright holder nor violate copyright or patent laws concerning computer software, documentation or other tangible assets.

4.5. Users must not use the computer systems to violate any rules in the East Carolina University faculty manual, or any local, state or federal laws.

4.6. University policies stated in the faculty manual of which individual faculty members should be aware that may bear on computer use include: Part IV, Section V, External Professional Activities for Pay; Part VII, Section II.G., Copyright Procedures; and Appendix I, East Carolina University Policy on Conflicts of Interest and Commitment.
4.7. North Carolina statutes of which individual faculty members should be aware that may bear on computer use include: 14-190-1, Obscene Literature and Exhibitions; 114-15.1., Denial of Computer Services to an Authorized User and 114-14.1 Department Heads to Report Possible Violations of Criminal Statutes Involving Misuse of State Property to the State Bureau of Investigation. 

4.8. United States statutes of which individual faculty members should be aware that indirectly may bear on computer use include Title 18, Section 1030, Fraud and Related Activity in Connection with Computers.

4.9. The following general categories of software are specifically prohibited on all University Information Technology resources unless specifically authorized for university business, academic, or research requirements.

4.9.1. Software used that compromises and impacts the security or integrity of the University network and security controls such as P2P, games, hacking tools, password descramblers, network sniffers, and port scanners.

4.9.2. Software that proxies the authority of one user for another, for the purpose of gaining access to systems, applications, or data illegally.

4.9.3. Software which instructs or enables the user to bypass normal security controls.

4.9.4. Any other software specifically identified as prohibited by Information Technology and Computing Services.

4.9.5. Personal software which the University has not permitted or licensed or authorized for university business, academic or research requirements shall not be installed on university-owned computers.

4.9.6. All University-owned equipment is subject to monitoring for compliance.

4.9.10. It is the responsibility of each user of university-owned equipment to ensure that the software installed on their computer is in compliance with all applicable University and IT policies.

Resolution #22-35
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: pending, needs additional review (05/31/2022)
Approved by the Board of Trustees: pending

Revisions to ECU Faculty Manual Part VIII., Section I., Subsection VIII. Faculty Personnel Files, as follows:

Additions in bold and deletions in strikethrough.

VIII. Faculty Personnel Files
B. Article 7 of Chapter 126 of the General Statute of North Carolina The Human Resources Act, Chapter 126 of the North Carolina General Statutes, shall govern matters relating to an employee’s personnel file, its contents, and permissible access. Current North Carolina General Statutes may be requested through the Office of University Counsel (formerly, the University Attorney) or through references in Joyner Library. They may also be accessed at the North Carolina General Assembly website.
Timing of storage and transfer of personnel records vary depending on the specific type of document. Refer to the Records Retention and Disposition Schedule for the Institutions of the University of North Carolina System and ECU Records Management.

For questions regarding personnel file, contact The Faculty Senate Office, the appropriate Academic Affairs Division Vice Chancellor Office, and/or the University Counsel Office can be consulted for more information or clarification related to personnel files.

C. Definition and Content

North Carolina General Statutes § 126-22 defines and lists the type of information that is appropriately contained in a personnel file of a state employee. That statute and status applies to individuals employed by East Carolina University. The provisions for access to records apply to former employees and applicants the same as they apply to present employees. Not all information related to an employee is regularly maintained in an individual’s Personnel File. However, all employment-related documentation gathered by ECU, such as information related to an individual’s application, selection, promotion, demotion, transfer, leave, salary, contract for employment, benefits, suspension, performance evaluation, disciplinary actions, and termination is maintained in an individual’s personnel file.

No material obtained from an anonymous source shall be placed in the personnel file except for data from student opinion surveys. Data from student opinion surveys shall be submitted by the authorized surveying agent to the faculty member and the unit administrator. As noted in other areas of the Faculty Manual, evaluations and other documentation shall not include, refer to, or be based on information the employee (i.e. subject of the evaluation or documentation) has not been provided and given the opportunity to respond to, consistent with due process.

“Personnel File” means any employment-related or personal information gathered by an employer or by the Office of State Human Resources. Employment-related information contained in a personnel file includes information related to an individual’s application, selection, promotion, demotion, transfer, leave, salary, contract for employment, benefits, suspension, performance evaluation, disciplinary actions, and termination. Personal information contained in a personnel file includes an individual’s home address, social security number, medical history, personal financial data, marital status, dependents, and beneficiaries.

“Record,” as used in this Part VIII of the Faculty Manual, means the personnel information that each employer is required to maintain in accordance with G.S. 126-123.

The Personnel Action Dossier (PAD) and Portfolios for Advancement in title are evaluative documents, employment-related personnel information, and a part of the faculty member’s personnel file. The personnel file is University property and is retained by the University.

Contents of the personnel file are kept in accordance with the Records Retention and Disposition Schedule approved by the Chancellor. Timing of storage and transfer vary depending on the specific type of document. Please refer to the following websites for additional information: Records Retention and Disposition Schedule for the Institutions of the University of North Carolina System and ECU Records Management.

D. Location Access
a. Privacy of Personnel File

Consistent with North Carolina law, and with the exception of certain information deemed to be open to public inspection under NCGS 126-23(a), the information contained in a personnel file is confidential. Access to personnel file records is limited to individuals in the supervisory chain who are above the employee who is the subject of the records, or persons authorized by the institution to carry out authorized administration functions, for purposes of official University business only. Additionally, the Chancellor, as the head of the institution, may authorize disclosure of personnel file information in order to maintain the level or quality of services provided by ECU or to maintain the integrity of the institution. There are other statutory exceptions that can be found in NCGS 126-24, which provides for additional information about authorizations for personnel file access.

b. Faculty Member Access to their own Personnel File

The contents of a faculty member’s Personnel File are maintained by University officials as required by federal and state laws and regulations, as well as, the policies of The University of North Carolina System office and East Carolina University. The contents of a faculty member’s Personnel File may be maintained by various departments or units based on relevant employment responsibilities and authority. Examples of possible locations throughout the University where employees may find contents of their Personnel File, as well as other personnel related records, are listed below. Not every faculty member will have a file or records/materials in every location. A faculty member seeking access to personnel related file(s) and records/materials, is encouraged to contact their respective unit administrator, Academic Affairs Division personnel/human resources office, or the Faculty Senate Office. Questions related to legal issues involving personnel files/records should be directed to the Office of University Counsel.

Examples of possible employment-related offices where faculty Personnel Files and/or personnel records/materials may be located, include but are not limited to:

- Primary employment unit (such as department or school)
- Joint appointment unit, if applicable
- College/School Dean’s Office or Library Director’s Office
- Academic Affairs Division Office and personnel support/administrative section
- ECU Office of Human Resources
- ECU Offices within the Division of Administration and Finance (such as Payroll, Grants Administration, and Financial Services Accounting Office)
- ECU Office for Equity and Diversity (Equal Employment Opportunity office)
- ECU Office of University Counsel
- ECU Office of Internal Audit and Management Advisory Services
- ECU Office of ADA Coordinator
- Faculty Senate Office

Personnel records exist in various locations across campus. Academic Affairs and the Health Sciences divisions will maintain comprehensive lists of locations where files may be found on a website accessible to faculty members. The Faculty Senate office can direct faculty members to the appropriate website.
All records used in the formal evaluation of faculty members should be located in the primary collection of documents that are kept in the department or unit that are part of the personnel file, hereafter referred to as the department/unit personnel file. The unit administrator can inform the faculty member of the location of evaluative material.

An appeal hearing file or an investigative file prepared by the EEO Office or by the Office of University Counsel may include materials such as: filed grievances; appeals of non-reappointment or non-conferral of tenure; complaints filed by or against a faculty member with the ECU EEO Office alleging sexual harassment, discrimination based on race/ethnicity, color, genetic information, national origin, religion, sex (including pregnancy and pregnancy related conditions), sexual orientation, gender identity, age, disability, political affiliation, and veteran status (“Protected Class”), or a violation of the amorous relations policy; and records relating to any disciplinary action against a faculty member.

Information retained in the EEO Office or the University Counsel’s Office will remain confidential, but the documents collected and/or created in those offices are usually considered part of an investigative/preparation file and are not considered part of the department/unit personnel file. Disclosure of documents in those files is subject to applicable University policies and state laws. Additionally, in accordance with the relevant University policy and state laws, the University will formally notify the faculty member of any complaint or grievance formally filed against a faculty member and will follow the procedures prescribed for due process. In most cases, documents containing employment-related or personal information maintained in the EEO Office or University Counsel’s Office will be duplicates of documents in the department/unit personnel file. In all cases, the documents in those files will be available for review by the faculty member, except that the University does not waive rights and responsibilities to limit disclosure recognized by law, including but not limited to attorney-client communication privilege and attorney work product privilege.

A faculty member may obtain copies of any materials contained in the personnel file subject only to restrictions provided by state law. Faculty members may obtain access to their departmental/unit personnel file by submitting advance notice of at least 4 calendar days to the unit administrator. Documents restricted by North Carolina General Statutes § 126-24(1) will be removed before providing access to the file. The unit administrator must arrange to have office staff available to oversee the review process to ensure the integrity and safekeeping of the records and to assist in making copies of the file, if applicable.

Access to a faculty member's Personnel File by someone other than the faculty member associated with the file is governed by North Carolina Statutes §§126-22, 126-23, and 126-24.

E. Objecting to Content Included in Personnel File

NC General Statute § 126-25 provides guidance related to employees that object to material in their personnel file.

(a) An employee, former employee, or applicant for employment who objects to material in the employee’s file may place in their file a written statement relating to the material the employee considers to be inaccurate or misleading.

(b) An employee, former employee, or applicant for employment who objects to material in the employee’s file because they consider it inaccurate or misleading may seek the removal of such material from the file in accordance with a grievance procedure approved by the State Human Resources Commission. If the agency
determines that material in the employee's file is inaccurate or misleading, the agency shall remove or amend the inaccurate material to ensure the file is accurate. Nothing in this subsection shall be construed to permit an employee to appeal the contents of a performance appraisal or written disciplinary action. ((1975, c. 257, s. 1; c. 667, s. 2; 1977, c. 866, s. 11; 1985, c. 638; 2013-382, s. 7.4; 2014-115, s. 55.3(c).)

State law requires that the University permit the public to have access to the following employment related information about each employee:

- name;
- age;
- date of original employment or appointment to state service;
- the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the university has the written contract or a record of the oral contract in its possession;
- current position;
- title;
- current salary;
- date and amount of each increase or decrease in salary with the university;
- date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the university;
- date and general description of the reasons for each promotion with the university;
- date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the university. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the Chancellor setting forth the specific acts or omissions that are the basis of the dismissal; and
- the office to which the employee is currently assigned.

To the extent allowed by applicable law (e.g., Article 7 of Chapter 126 of the General Statutes of North Carolina), all other information contained in the personnel file is confidential and shall not be open for inspection and examination except to the following persons:

(1) The employee, applicant for employment, former employee, or his or her properly authorized agent, who may examine his or her own personnel file in its entirety except for (i) letters of reference solicited prior to employment or (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to a patient. An employee's medical record may be disclosed to a licensed physician designated in writing by the employee;

(2) The supervisor of the employee;

(3) A potential state or local government supervisor, during the interview process, only with regard to the performance management documents;

(4) Members of the General Assembly who may inspect and examine personnel records under the authority of G.S. 120-19;

(5) A party by authority of a proper court order may inspect and examine a particular confidential portion of a State employee's personnel file; and

(6) An official of an agency of the federal government, state government, or any political subdivision thereof. Such an official may inspect any personnel records when such inspection is deemed by the department head of the employee whose record is to be inspected or, in the case of an applicant for employment or a former employee, by the department head of the agency in which the record is maintained as necessary and essential to the pursuance of a proper function of said agency; provided, however, that
Evaluative materials or summaries thereof prepared by peer committees as part of a regular evaluation system are placed in the department/unit personnel file when signed by a representative of the committee, including official copies of Personnel Action Dossiers for tenure and promotion of tenured and probationary faculty and Portfolios for advancement in title of fixed-term faculty, as outlined in Part X of the ECU Faculty Manual. This includes documentation submitted by faculty members for consideration in the tenure, reappointment, promotion, and advancement in title processes. These documents shall reside in the department/unit personnel file.

No material obtained from an anonymous source shall be placed in the personnel file except for data from student opinion surveys. Data from student opinion surveys shall be submitted by the authorized surveying agent to the faculty member and the unit administrator. Administrators shall not keep secret files.

A faculty member who objects to material in the department/unit personnel file or other employment-related or personal information contained in the personnel file may place in the file a statement relating to the material the faculty member considers to be inaccurate or misleading. This concise statement shall be submitted to the custodian for inclusion as an attachment to the specific document. A faculty member who objects to material in the personnel file because it is inaccurate or misleading may seek the removal of such material from the personnel file in accordance with Part XII of the Faculty Manual.

E. Access

Personnel records may be located at various locations across campus. The personnel offices of Academic Affairs and the Health Sciences divisions will maintain comprehensive lists of locations where files may be found.

Faculty members may obtain access to their departmental/unit personnel file by submitting advance notice of at least 4 calendar days to the unit administrator. Confidential documents, as specified in D.1 (above), will be removed. The faculty member may request the unit administrator’s assistance in gathering files from various locations. The unit administrator must make arrangements to have office staff available to oversee the review process to ensure the integrity and safekeeping of the records and to assist in making copies of the file, if applicable. A faculty member may obtain copies of any materials contained in the personnel file subject only to restrictions provided by state law.

E. Disclosure of Confidential Information

Willful disclosure of confidential information or unauthorized access to a personnel file by any person violates state law and university regulations and may result in disciplinary action under university regulations. Any public official, employee, agent, University contractor, student worker, intern, or volunteer who knowingly and willfully permits these violations but does not act to has not addressed it them has neglected his or her their duties and may also be disciplined in accordance with university regulations.
Resolution #22-36
Approved by the Faculty Senate: April 26, 2022
Received by the Chancellor: May 31, 2022

Formal faculty advice on Use of University Property Interim Regulation.

The Committee’s previous advice on this regulation was received by the Chancellor with the comment that the proposed changes regarding amplified sound would be too restrictive for many events held on campus. Student Affairs leadership met with the Committee chair, Dr. Pamela Reis, and they discussed changes to that part of the advice that were presented to the full Committee and approved. The portion that was changed from the original advice appears below (as a clean version):

3.5.12 Amplified Sound

3.5.12.1 Amplified Sound, including recorded music, sound checks, microphones, or bull horns is not permitted within 25 feet of classrooms, research facilities, and the libraries.

3.5.12.2 All outdoor Amplified Sound event requests must be submitted to and approved by the Central Reservations Office (CRO) or the Chancellor’s Office. All events must take place at Central Reservations locations on campus and must follow the CRO processes.

3.5.12.3 All outdoor events must comply with applicable local and state noise ordinances.

3.5.12.4 CRO will reference the Approved University Priority Events list for outdoor Amplified Sound event requests. Any requests not included on the Approved University Priority Events list must be approved by the Vice Chancellor for Student Affairs or designee.

3.5.12.5 Outdoor Amplified Sound events with any impacts to parking lots, vehicle traffic, and/or pedestrian / bicycle paths must be coordinated with Environmental Health and Campus Safety, including Parking and Transportation. Any detours or closures must be communicated prior to the event date to the University community.

3.5.12.6 Outdoor Amplified Sound events must comply with the ECU Freedom of Expression regulation (https://ecu.edu/prr/07/30/06) which prohibits provoking immediate violence (“fighting words”) or damaging University property.

3.5.12.7 Communication Plans:

3.5.12.7.1 Approved outdoor Amplified Sound events must have their event posted on the 25 Live Large Events calendar.

3.5.12.7.2 Planned outdoor Amplified Sound events from the Approved University Priority Events list must have a communication plan which includes messaging to the campus community regarding any detours or closures as well as the expected time and duration of the event including sound checks.

3.5.12.7.3 This does not include Freedom of Expression activities.
Resolution #22-37
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022, with minor addition in green text to the “Additional References” section

Formal faculty advice on Software and Data Collection Services Acquisition Interim Regulation, as follows:

Chair Martínez charged the Committee with reviewing the Software and Data Collection Services Acquisition Interim Regulation. The Committee developed questions and invited Zach Loch, Chief Information Officer, and Stephanie Coleman, Vice Chancellor of Administration and Finance, to a meeting to share their feedback and get answers to their questions. Their concerns are below, with answers from Chief Information Officer Loch and Vice Chancellor Coleman appearing in italicized red text.

1. In terms of item 1.2.4 Institutional Data, there was concern about whether this definition of institutional data might conflict with copyright regulations already in effect at ECU, particularly around what counts as “faculty owned” data. Do faculty, in fact, own any of their own teaching and research data or is everything we do considered “institutional data”?
   a. More specifically, where faculty research is related to teaching (e.g., scholarship of teaching and learning), how do we distinguish institutional data from data related to teacher research?
      a. Clarification from data stewards is needed to better understand the boundaries.
   b. What if an ECU faculty member is not the Primary Investigator on a research project? Does the data they contribute need to be stored on ECU-approved non-cloud-based services, or do we defer to the institutional policies of the PI?
      a. We have some instances of non-university-approved file management software (Google Drive, Dropbox, etc.) for research in conjunction with other institutions. Faculty can still access the web versions of the software, but state auditors flagged the automatic synching of cloud-based file management options as a security risk. Enterprise versions of the software have additional security settings that would address the concerns with automatic synching.
   c. Just as students come to ECU having used cloud-based collaboration tools like Google Drive/Docs and often want to continue using these tools, faculty collaborate with colleagues in a host of cloud-based spaces like Google Drive, iCloud, Dropbox, Box, etc. We do not believe that faculty should be prohibited from using these services when they are using them with non-sensitive data.
      a. ECU does allow faculty to use the web versions of these cloud-based file management tools, just not the automatic synching installed version.
   d. Similarly in some scenarios, students are asked to use pedagogically appropriate tools for class and those tools do not require sensitive data to be entered. In no way would it be possible to have all of these tools reviewed and/or to put agreements in place. Does the current policy prevent the use of these tools and, if so, could the policy be adjusted to be more supportive of innovative teaching and learning practices?
      a. This type of software use would still require a review to ensure there are no security issues or concerns (like FERPA, HIPAA, etc.). Some of these tools require students to register and provide information, which is potentially problematic and would need review by other offices on campus.

2. In terms of item 1.2.8 Acquisition, should this be limited to only those products that involve protected data? As stated, it seems to be fairly broad. This links to 2.2 Approvals.
   a. Those products still require review, even if it does not involve sensitive data.

3. In terms of 2.6 Administrators, we wondered if there were a link to the “University best practices” mentioned. It was unclear to us what those “best practices” are and how they came to be identified as such.
ECU does have ITCS security best practice manuals. One is for all employees, one is for tech support, and one is for administrators. These are usually included in ITCS newsletters. ITCS is open to suggestions for better access to these manuals.

4. In terms of 3.1 Responsibility, it was unclear how a unit head would ensure faculty and staff awareness and/or compliance. Is there a process in place or is it up to the administrator to determine?
   a) Unit heads are required to take IT security training when they first step into that role. ECU has data stewards and a data stewardship committee that discusses data access and other topics.
      1. The Committee recommends a formalized process for educating units/department heads on these policies and security issues. A document outlining this process and appropriate contact information should be made public and readily accessible to all unit heads and faculty.

5. To align with practices at other large universities within the UNC System, the Committee suggests publishing a list of vetted software that faculty and staff can consult to confirm if software has already moved through the vetting process or is being proposed for adoption.

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<td>Security and Compliance</td>
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<tr>
<td>Contact</td>
<td>Chief Information Officer (252) 328-9000, Director of Materials Management (252) 328-6434</td>
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1. Introduction

1.1. Purpose

The purpose of this regulation is to seek good stewardship of the University’s resources by managing cost through standardizing where possible and ensuring flexibility to meet the academic mission. Other purposes are to ensure that resources are used as effectively and efficiently as possible, that data security
standards are protecting University data, and that all acquisitions of software are properly vetted and approved, whether on-site, software as a service (SAAS or “cloud”), data collection services, or consulting agreements.

1.2. Definitions

1.2.1. Cloud Services

Cloud services include software or hardware services provided by third parties at remote locations that are not directly controlled by or associated with the University. Other terms that refer to similar services include but are not limited to cloud hosted services, hosted systems, online tools, software as a service, platform as a service, and infrastructure as a service. These include purchased software applications that are hosted at a data center external to ECU and content hosted by external service providers.

1.2.2. Covered Persons

All persons and entities employed by or performing work on behalf of the University, including but not limited to, staff, faculty, student workers, contractors, and volunteers.

1.2.3. Data Stewards

Data Stewards are designated University employees that ensure the Appropriate Use of Institutional Data within their designated areas of administrative responsibility. Data Stewards direct the management of Institutional Data in order to improve its usability, accessibility, and quality. They assist in the development, maintenance, and implementation of data management policies, processes and requirements. Data Stewards are appointed by and delegated authority from the Data Trustees and are responsible for managing defined segments of Institutional data.

1.2.4. Institutional Data

Institutional Data means any information, facts, statistics, data, or records in any medium now existing or existing in the future that are created, acquired, maintained, managed, used, or transmitted by Covered Persons in the course and scope of employment, volunteering, or otherwise on behalf or in furtherance of the mission of the University.

1.2.5. SAAS

Software as a service, sometimes referred to as "on-demand software" supplied by ISVs or "Application-Service-Providers," is a software delivery model in which software and associated data are centrally hosted on the cloud.

1.2.6. Data Collection Services

Data Collection Services is the systematic approach to gathering and measuring information from a variety of sources to get a complete and accurate picture of an area of interest. Data Collection Services enable a person or organization to answer relevant questions, evaluate outcomes and make predictions about future probabilities and trends.
1.2.7. Software

Software is a set of instructions or programs instructing a computer to do specific tasks. Scripts, applications, programs and a set of instructions are all terms often used to describe software.

1.2.8. Acquisition

The term ‘acquisition’ refers to all the stages from buying, introducing, applying, adopting, adapting, localizing, and developing through to distribution, whether the specific product is purchased or free.

1.3. Prohibition on Software and Cloud Services Use without Approval

The Chief Information Officer and/or their designee is the final approver of all software and cloud services. Data steward approval is required for institutional data storage and/or usage. No software or cloud solution may be used to process or store institutional data without these approvals.


Use of software and cloud computing services must be in compliance with all University policies and regulations, contracts, and federal, state, and local laws. All University and campus policies, procedures, and guidelines apply to any institutional data, whether the data is stored on University or non-University systems.

2. Requirements

2.1. Reviews

Prior to use, all software, cloud solutions, or data collection services must be reviewed by ITCS for compatibility with existing infrastructure and applications, duplication of existing services, security and accessibility of the software or services, and risks associated with its use. Software, cloud solutions, or data collection services that use, process, or store University data regulated by federal or state laws or other applicable regulations, such as protected health information, educational records, or credit card information, will be subject to more in-depth reviews. The ITCS review process will typically be initiated during the purchasing process. All departments/units and employees are responsible for ensuring that the review process is triggered, whether software or services are acquired via the Requisition/Purchase Order process, on a University ProCard, or downloaded from the web (in the case of “free” tools and services).

2.2. Approvals

Any use, processing, or storage of institutional data in software, cloud solutions, or data collection services is prohibited unless approved by the relevant data stewards and the Chief Information Officer or his/her designee. This applies to software that is locally installed as well as tools that are cloud-based. It applies to purchased tools as well as free software and services.

2.3. Contract Review and Approval

The Department of Materials Management will maintain a preferred contract template which has been vetted by the CIO and the Office of University Counsel for University use (“ECU Hosted Services Contract”). All contracts, terms of agreement, memorandums of understanding, and service level agreements must
include the primary components of the ECU Hosted Services Contract. Any exceptions to this requirement (such as any modified wording that is requested by a vendor) must be approved by Materials Management. In some cases, based on the data type (e.g., protected health information), additional agreements (e.g., HIPAA Business Associate Agreements) and contract terms are required. In the case of software that is downloaded from the internet and requires the user to “click through” any agreement(s) at the time of download, the terms of the click through agreement(s) must be reviewed and approved by the official with the appropriate authority according to the Delegation of Authority to Sign Contracts regulation.

2.4. Risk Acceptance

In some instances, software, cloud solutions, or data collection services may pose risks that are inconsistent with best practices in technical and information security, or pose other risks which the appropriate data steward(s) or their representative committee(s) do not approve. In situations which the applicable data steward(s)/committee(s) do not initially approve the acquisition and use of a specific tool, the decision is final unless the associated risks are formally reviewed and accepted by the appropriate division Vice Chancellor and/or designee, and the Chief Information Officer. These situations require a signed IT Security Risk Acceptance Form. In all cases, the Risk Acceptance requires the acknowledgement of the appropriate institutional data steward(s), and the written approval of the division Vice Chancellor and/or designee, and the Chief Information Officer.

2.5. Periodic Review

Software, cloud solutions, and data collection services are subject to periodic review by ITCS and/or the applicable data steward(s) during the contract and/or purchasing renewal to determine if there have been changes in the technology that impact data collection, processing, storage, interfaces or the use agreement/contract, and to review whether the vendor has met the contractual service level agreement. Software, cloud solutions, or data collection services that use, process, or store University data regulated by federal or state laws or other applicable regulations, such as protected health information, educational records, or credit card information will be subject to more in-depth reviews. Products/solutions that impact sensitive or regulated data may need to be reviewed at more frequent intervals, at the discretion of the applicable data steward(s).

2.6. Administrators

Administrators of software or data collection services are required to follow University best practices as published by ITCS for administration and management of software or data collection service systems.

3. Compliance

3.1. Responsibility

Unit/Department heads are responsible for ensuring that their subordinates are aware of the requirement to comply with this Regulation. It is the employee/requestor’s responsibility to take privacy and security into consideration when making decisions about when it is, and is not, acceptable to use software, cloud solutions, and data collection services. It is the responsibility of the employee using these services to ensure the use is consistent with all applicable policies, regulations, and rules. Failure to comply may result in disciplinary actions.
Resolution #22-38  
Approved by the Faculty Senate: April 26, 2022  
Approved by the Chancellor: *pending additional review by the Faculty Governance Committee (see comment)*

*Academic Council recommends edits to the Computer Replacement/Retirement Program, red text with a strikethrough needs to be deleted and green text needs to be added.*

Formal faculty advice on the Computer Replacement/Retirement Program, as follows:

Chair Martínez charged the Committee with reviewing the Computer Replacement/Retirement Program document issued by ITCS. The Committee developed questions and invited Zach Loch, Chief Information Officer, and Stephanie Coleman, Vice Chancellor of Administration and Finance, to a meeting to share their feedback and get answers to their questions. Their concerns are below, followed by answers from Chief Information Officer Loch and Vice Chancellor Coleman appearing in italicized red text.

1) In “2. Scope,” the text refers to “faculty and non-faculty staff,” but these are not the categories that ECU uses more broadly. Does this refer to EHRA teaching and non-teaching faculty and SHRA staff both? Just the former? Does this cover all employees with computers or just some groupings?

2) The Committee struggled to understand the logic of “2.1.2 New Employees, and had the following questions.”

   a) Why are depts/colleges charged with purchasing the first computer and then ITCS with replacements? What if the dept/college buys something non-standard that then ITCS will not replace? Having individual units purchase seems to negate the cost-saving suggestions elsewhere in the document regarding centralized purchasing. E.g., in “3. Standardization,” it seems that if depts buy computers that are not close enough to standard, then they are not replaced, so again, why are depts in charge of this and paying for it when they might make the “wrong” choice and then have to pay replacements endlessly for that machine?

   b) Should this instead suggest that new positions should receive funding for a computer since later in the document it states the computers follow the positions? That being said, does a computer leave an area when the position is reallocated to another college? And if the college bought the first computer would it stay with the college? What if the computer came in a startup package?

   c) We also need to keep in mind that depts are not equally or equitably resourced, so shifting this purchasing burden to depts may mean that some faculty have less access to effective/new technology; this also means that their students are disadvantaged. A working computer should be the expectation for all faculty regardless of the financial health of their college or dept.

   d) In “2.1.3 Part time …” the document references “a recycled computer”: where does this computer come from? What is a “recycled computer”? Are these maintained centrally when the computers seem to “belong” to the units that purchased the initial computer, or do they follow the position as it moves? Can the dept. keep that computer in perpetuity? How long are these machines maintained and is it the dept’s responsibility?

3) 3.1.1 begins “While standard configurations are no cost to the department, any make and model may be specified,” it is unclear what this means given other ways that cost is addressed in the document; this also seems to contradict 3.1.2, where Apple computers are singled out as not allowed for “non-faculty” (again, that designation is unclear). In terms of 3.1.2, it is unclear where the “extra cost” is funded for non-standard configurations or Apple products.
4) 3.1.3 specifies the “four standard ‘no cost to department’ computers” but it’s curious that monitors are not provided with computers. Where do the monitors come from? What does this mean for Apple iMacs, where the standard config involves an all-in-one computer and monitor combination? Does this refer to replacements where the CPU is replaced but not the monitor? How does one get a new monitor if one ages out or ceases to function properly? This seems to put monitors and CPUs on different schedule; does that create issues with warranties?

5) 3.1.3.1 indicates that depts “are responsible for out-of-warranty repairs.” Where depts do not have funds, what are faculty to do? Just not have a computer? This suggests that it’s more important for depts to pay for things than for student needs to be met. Faculty should have ready access to temporary machines given how much we rely on up-to-date machines for online/distance learning. This policy seems to create an undue burden on economically stressed units and then on students. Not all departments are resources equally and equitably and this will mean some units get computers and some don’t. Modern laptop computers are essentially unrepairable: battery glued in, RAM soldered in or part of the CPU, anti-tampering sensors. It is usually cheaper to get a new computer than do major repair.

6) 3.1.3.2 creates confusion about computers, “ownership,” and movement. If the faculty member has two computers, the second is part of the program until the first fails, at which point the first becomes part of the program but likely has specialized hardware and software so not covered. This seems unnecessarily complicated.

7) 4.1.1. indicates “the University provides” but earlier, depts or colleges have been responsible for the first computer. Again, this seems unnecessarily confusing when a more centralized process for the first and subsequent computers is more logical and equitable for faculty. One suggestion was to provide a fixed amount of money to the intended computer user and let them make their own purchases with guidance.

8) 4.1.2 suggests that computers are connected to position numbers, but positions are not “owned” by departments, so what happens to the computers assigned to the positions when a person leaves the position/university? Does a new person hired on that position receive an old machine at startup? Does the dept lose that machine? Where does it go, e.g., some centralized storage facility? How is it tracked? Or does it go to the college, where positions are typically “owned”?

9) 4.1.4 suggests that computers are placed when they are “end of life” but earlier in the document replacement seems to be related to a 5-year cycle. Is this end of life, end of warranty, or something else? Who makes the decisions about where retired computers go? Again, these processes seem to evidence a confused set of “ownership” and “provenance” on the machines.

10) 4.1.5 schedules replacements and notifications in terms of the fiscal year, but most faculty are on 9-month contract and are unemployed during the summer when the fiscal year begins. This process should be adjusted to accommodate faculty contract schedules so that there is no data loss or misplaced equipment. Spring break was suggested as good time to begin this process so that faculty have time to work with the replacement computer and to notice if any data was not transferred from the old machine before that machine is wiped.

11) In “6. Asset Management,” it is unclear who the “Distributed IT technicians” are and where they are located (and funded). Are these positions funded by ITCS? Does every department have one? Why would the dept track this inventory if the computers are assigned to positions (which do not belong to the dept)? What happens when positions move out of the dept because of retirement or faculty taking different jobs?

12) The bulleted list in “7. Images and Standard Software” need to be explained and clarified as they can have multiple meaning, particularly “least privilege’ user logins.” This item seems to raise the same questions as much of what’s in our Academic Computer Use concerns where computer images may disallow certain software; as such, those issues should be addressed as part of managing the standard computer image.

13) We would suggest not naming as specific anti-virus product in “9. Information Security Tools” as those may change more regularly than policy documents are updated.
14) We suggest that “10. Governance” should include DELT/Faculty Senate specifically for considering major changes/updates to policies that impact faculty.

The Committee met with Zach Loch (title) and Stephanie Coleman, Vice Chancellor for Administration and Finance, and they provided the following answers:

*It was clarified that this program applies to all employees who are funded with state funds.*

*As part of the computer refresh, if an individual gets a new computer, the old one is returned to ITCS. For vacated positions, the old machine is still used and can be held by the department. There is a process to receive a machine back after it has been returned and scrubbed. ECU spends 300-500K annually on replacement machines. There is a different process for new machines depending on if they are for faculty or staff. Clarification is needed to determine whether units are given funds for a new computer when they receive a new position, and that is a question they will explore.*

*Inventory management is crucial due to the large number of machines and the potential vulnerabilities. Older machines must be upgraded to current operating systems for security and the recent audit revealed a significant number of machines that were untraceable. While these machines are not as valuable as newer machines, attempts have been made to sell them.*

*It would be much more expensive to allow customization for replacement computers. The timeline for notification and collection of the refresh requests and unit supplements to the standard machines can be difficult to manage due to staffing issues. ITCS found that monitors and docking stations were going unused; monitors also have a longer shelf life. It was noted that some faculty have dual monitors in their set up and if no new monitors will come with new machines, units may run out. There is a small inventory of machines and monitors to be used in the interim (e.g., a machine breaks, in between refreshes). It was noted this could be communicated better to faculty and unit heads.*

*Concerning out of warranty repairs, ideally, ITCS would replace them according to the refresh schedule; if it falls out of warranty, it is up to the department. This policy came about because some users were using machines past their use of life and it then breaks typically because individuals were unable to get the upgraded machine they wanted.*

*The refresh schedule is supposed to begin July 1, but it typically begins at the beginning of the fall semester.*

*Image refers to the baseline for the computer which has the minimum software needed to save significant time. The “least privilege user log-in” refers to granting an individual no more access to a computer than one is required to have and is approved.*

*It was believed that in this instance, specifically naming Defender, given that this software is used for anti-virus, it is appropriate.*

*The inclusion of the DELTC and Faculty Senate representatives in IT Governance will be considered.*

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**Computer Replacement/Retirement Program** (retrieved from [https://ecu.teamdynamix.com/TDClient/1409/Portal/KB/ArticleDet?ID=67603](https://ecu.teamdynamix.com/TDClient/1409/Portal/KB/ArticleDet?ID=67603) on 09/22/2021)

Tags policy computers replacement faculty-staff

1. Introduction

The computer replacement/retirement program provides faculty and non-faculty staff with one (1) primary computer replacement for devices that are five (5) years old or older. The device will utilize centrally-supported systems including computer patching, active directory, encryption, vulnerability scanning and mobile device management where applicable to ensure the University meets its goals related to computer standards, information security and cost.
2. Scope
As part of our mission and vision, Information Technology and Computing Services (ITCS) recognizes that technology is an integral part of teaching, learning and administration at ECU. It is our intention to provide the appropriate technology for faculty and non-faculty staff through this program. Eligible departments funded for this program include:

- All central state funds – East (16065) and West (16066)

2.1.1. Auxiliary and Self Support Units
The computer replacement/retirement program excludes funding for non-state funded auxiliaries and self-support units.

2.1.2 New Employees
The hiring department is responsible for purchasing computers for new employees (if they choose to provide a new computer) or providing recycled computers to those employees. ITCS may assist and conduct the purchase for the new employee to get the best pricing for the University. New computers for new employees are not funded by the computer replacement/retirement program. Once the new computer has been provided to the employee by the hiring department; it will subsequently be eligible for replacement within this program.

2.1.3 Part Time, Temporary Faculty, Staff and Students
Part time, temporary faculty, staff and student employees are provided a computer at the expense of the hiring department. It is the hiring department’s choice to issue a new computer or a recycled computer. The computer replacement/retirement program does not provide funding to replace computers for these employment types.

3. Standardization
The University currently supports specific makes and models of computers. Departments should consider their business continuity plans when determining the selection of device type. These devices are chosen to allow diversity in brand yet provide enough similarity that adequate support is maintained by ITCS. The standardization of devices decreases cost significantly through bulk purchasing discounts, vendor agreements and resource support. University-owned computers eligible under this program may be replaced with newer computers (based on funding availability) on a 5-year (or older) replacement cycle to minimize service costs and improve productivity and security. After an older computer is replaced, the device is retired following the University computer retirement (decommissioning) guidelines (Section 12).

3.1.1 While standard configurations are no cost to the department, any make and model may be specified. All computer replacement orders beyond the standard configuration require department approval and requires that the department subsidize the cost difference.

3.1.2 Non-faculty requests for Apple equipment require a business justification referencing the necessity of an Apple device to perform job functions. A personal preference for Apple equipment is not a justification.

3.1.3 Four standard “no cost to department” computers are specified by ITCS. The device configurations are reviewed by ITCS at least semi-annually. The configuration must be suitable to address the computing needs for office productivity, console application programming and general use. Options include the following:

<table>
<thead>
<tr>
<th>Standard Devices</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. PC desktop w/o monitor</td>
<td>5-year warranty</td>
</tr>
<tr>
<td>2. PC laptop w/ docking station</td>
<td>5-year warranty</td>
</tr>
<tr>
<td>3. Apple-based desktop w/o monitor</td>
<td>4-year warranty</td>
</tr>
<tr>
<td>4. Apple-based laptop w/ docking station or dongle</td>
<td>4-year warranty</td>
</tr>
</tbody>
</table>

3.1.3.1 Departments are responsible for any out-of-warranty repairs (required repairs after warranty expiration). This also includes battery replacement after equipment warranty (noted above) has expired.

3.1.3.2 Faculty who have received grant startup funds for a computer shall be excluded from the computer replacement program (except for scenarios where the grant-funded computer is functioning as or in direct support of specialized scientific equipment or utilized by student (UG|GR) research assistants). The grant-funded computer received shall be labeled as the faculty’s primary device and the computer received from the university computer replacement program will be recorded as a secondary device. At the point the granted-funded (primary) computer’s reaches End of Life, the faculty member will be eligible for a computer replacement via the university computer replacement program.
Non-Standard Devices

1. iPads and tablets

3.1.5 The university computer replacement/retirement program does not provide or replace non-standard devices.

4. Distribution

4.1.1. The University provides either one (1) laptop OR one (1) desktop as a primary computer to faculty and non-faculty staff where routine computer use is required by the job description.
4.1.2. Primary computers are assigned to **University position numbers** to aid with facilitation of the computer replacement/retirement program.
4.1.3. Faculty and non-faculty staff who have a computer replaced under this program are required to return the previous primary computer before issuance of the new replacement.
4.1.4. University computers are replaced within the fiscal year they are determined to be end-of-life, provided funding is available.
4.1.5. Faculty and non-faculty staff who have a computer scheduled for replacement are contacted by ITCS at the start of each fiscal year. Device replacement begins fall semester and runs through spring semester.
4.1.6. Faculty and non-faculty staff secondary computers are not eligible for replacement under this program.

5. Special Needs

If additional computers, special peripherals and software are needed, funds are furnished through department or grant funds (as determined by the department). ITCS helps by obtaining quotes from vendors and configuring machines. These computers are not included in the computer replacement/retirement program.

6. Asset Management

All devices received through the computer replacement/retirement program are tracked through the **Central Asset Management System**. Distributed IT technicians are responsible for data entry of all delivered computers into the asset management system. Required information includes:

- Make and model
- Serial number
- Asset inventory number
- Purchase date
- Replacement cycle
- Position number

Distributed IT technicians must also validate at least annually that all computers are accounted for, either visually or through reporting tools.

- Primary user (employee machines)
- Position number (required)
- Physical location
- DOD wipe date, where applicable
- Disposition date, where applicable

The system tracks a device throughout its entire life cycle including initial purchase, current location, current owner, data disposition status and survey status. Departments receiving computers are considered device custodians and are responsible for maintaining an accurate inventory.

As part of each department’s **Annual Inventory Assessment**, a computer inventory report is provided to ITCS noting any missing equipment. Each department is given ten (10) days to locate the property. If the department is still unable to locate the property after the 10-day period, the department notes the missing property on the **Missing Equipment**.
Report and files a police report with the ECU Police Department for investigation. The computer replacement-retirement program does not fund the replacement of missing/lost/stolen equipment.

7. Images & Standard Software

Computer images, at minimum, must comply with the University Student and Employee Computer Use Regulation (REG08.05.04) and include:

- Anti-virus (required on all devices, regardless of operating system)
- Patch management
- Password management (Active Directory)
- Encryption (Mobile Computing - REG08.05.12)
- User-specific login credentials
- "Least privilege" user logins
- NO DEPLOYMENT of standard “factory” images installed by PC providers (Dell, HP, Lenovo, etc.)

ITCS assists with image creation and provides services to ensure adequate protection of our information assets including: Active Directory, password management, patch management, encryption and anti-virus.

8. Software Licensing

Departments are responsible for purchasing, maintaining and ensuring compliance with all software vendors. This includes adherence to the Software and Data Collection Services Acquisition Regulation (REG08.05.11) as well as acquiring all necessary approvals for software use. Several UNC system-wide and University-wide agreements currently provide licenses for essential software. All purchased computers must have appropriate licensing for the installed operating system. Contact ITCS for additional information or visit https://download.ecu.edu for available software downloads.

9. Information Security Tools

To protect University information assets, several technologies are available in conjunction with this program. Per University Student and Employee Computer Use Regulation (REG08.05.04), all computers will be equipped with anti-virus protection, meet minimum password standards, be physically secure, maintain security patches and be sufficiently protected for Level 1 and Level 2 data stored on internal memory.

In conjunction with ECU's Information Security Regulation (REG08.05.08), the computer replacement-retirement program requires Microsoft Defender Antivirus, University Central Active Directory services, physical locks, patch management and hard drive encryption wherever practical. Any exceptions must be documented and approved by the Information Security Office.

10. Governance

The Chief Information Officer (CIO) or his/her designate coordinates and oversees the computer replacement-retirement program.

The computer replacement-retirement program is reviewed with campus constituents through various committees and other governance bodies.

Distributed IT technicians across the University are responsible for ensuring computer replacement-retirement standards and best practices are followed by employees in their respective areas and also report potential security violations.

11. Definitions

11.1 Desktop  A personal computer small enough to fit in an individual workspace. Does not have to be capable of storing data.

11.2 Laptop  A personal computer that is portable. Does not have to be capable of storing data. Includes touch screen and traditional screen tablets and convertible devices capable of running a desktop operating system (i.e., Microsoft Windows, Apple macOS)
11.3 End of Life
A time period that describes the end of a computer’s useful period. For laptops and desktops, this is generally five (5) years past the date of purchase.

11.4 Viable Computer
A computer is deemed viable if it can be utilized by another department and can still be effectively supported by IT Desktop Technologies Support.

11.5 Obsolete Computer
Computing hardware is considered obsolete under one or more of the following conditions:
- It no longer provides a “basic level of service.”
- It has exceeded its useful life.
- It can no longer be effectively supported by the IT Desktop Technologies Support technicians.
- It is no longer supported by the manufacturer.
- It no longer runs a current operating system (related to security and/or licensing).

12. Retirement (Decommissioning)
All departments are required to update the Asset Management System whenever a device is taken out of operation. Decommissioning of devices follows standard operating procedures for proper disposal. Computers from the replacement/retirement program are handled by ITCS and all other computers are handled by Materials Management (Surplus) SOP. Department inventories and automated tools are compared to order sheets to ensure computers are decommissioned as quickly as they are purchased.

Computers have a functional life both at the University and in specific business scenarios. The average life cycle of computers at ECU is listed in the Hardware Life Cycle section of this document. In general, computers are replaced (when funding is available) in specific locations when the hardware becomes a barrier to the end-user.

Note, for an employee to receive a computer from the replacement/retirement program, the current primary computer must be returned to the technician setting up the replacement computer. If an employee is unwilling to return the current primary computer, she/he is NOT eligible to receive the new replacement computer.

12.1 All retired ECU-owned (desktop and laptop) computers that fall under the Computer Refresh Program (i.e., replaced/retired) must be returned to ITCS and inventoried in the ITCS inventory system.

12.2 All inventoried computers are retained by ITCS and stored in a physically secure area for ten (10) business days. During this time frame, the former asset owner may contact ITCS to recover any data files missing from the new computer. After ten (10) business days, retained computers are re-imaged by ITCS and stored until either redistributed or resold.

12.3 University-purchased/licensed software is removed from the computer once the computer is wiped and reimaged and returned to the license pool for reuse. The computer is not to be donated or sold with University-purchased/licensed software to comply with current licensing agreements.

12.4 Repurposing
12.4.1 Computers are the property of the University and are provided as tools to support ECU’s mission. Departments interested in pursuing a surplus item should contact the Surplus Property Office. A computer being replaced is evaluated to determine if it is obsolete or if it is useful for re-purposing under the following scenario:
- The computer being replaced is running a supported operating system, and the computer is in good condition (or reasonably repairable). ITCS will repurpose the PC (usually by formatting and reimagining the hard drive) and place it back into inventory for reuse.

13. Program Annual Review
The Chief Information Officer or his/her designate will perform an annual review of this policy and will communicate any changes or additions to the appropriate University stakeholders. The replacement/retirement program is updated as necessary to reflect changes in ECU policies, ECU’s academic, administrative or technical environments or applicable laws and regulations.

13.1.1 The program may be augmented, but neither supplanted nor diminished by additional policies and standards.
13.1.2 Any changes to this program will be communicated in writing to stakeholders by the CIO including VC’s, Deans, and Distributed IT staff.

Resolution #22-39  
Approved by the Faculty Senate: April 26, 2022  
Received by the Chancellor: May 31, 2022

Formal faculty advice on Regulation on Reporting and Responding to Allegations of Research Misconduct, as follows:

The Committee was charged with reviewing a revised version of this regulation (originally titled “Regulation on Research Conduct”), which appears below. The Committee has been made aware concerns that persist in the revised version and members have been meeting with several campus offices to gather more information. These meetings are ongoing, and more work needs to be done before the Committee’s formal advice is finalized. The committee will clarify the process for this policy and the intersection with other policies. The full formal faculty advice will be presented at a meeting during the 2022-2023 academic year.

<table>
<thead>
<tr>
<th>Policy</th>
<th>REG10.45.01</th>
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</thead>
<tbody>
<tr>
<td>Title</td>
<td>Regulation on Responding to Allegations of Research Misconduct</td>
</tr>
<tr>
<td>Category</td>
<td>Research and Graduate Studies</td>
</tr>
<tr>
<td>Sub-category</td>
<td>Research Compliance</td>
</tr>
<tr>
<td>Authority</td>
<td>Chancellor</td>
</tr>
<tr>
<td>History</td>
<td>Effective July 13, 2012. This regulation supersedes and replaces the Interim Regulation on Research Conduct dated July 13, 2012.</td>
</tr>
<tr>
<td>Contact</td>
<td>Office of Research Integrity &amp; Compliance Administration (252) 328-9473</td>
</tr>
<tr>
<td>Related Policies</td>
<td>UNC Policy Manual 500.7</td>
</tr>
<tr>
<td>Additional References</td>
<td>National Science Foundation Research Misconduct Regulation 45 CFR 689</td>
</tr>
<tr>
<td>Additional References</td>
<td>Public Health Service Research Misconduct Regulation 42 CFR 93</td>
</tr>
</tbody>
</table>

1. Introduction

ECU observes the highest standards of professional conduct and intellectual integrity in all of its scientific and research activities. A climate of intellectual honesty mandates that all scholars have an obligation to conduct research in a manner reflecting these principles and each member of the University community has a responsibility to foster such an environment. This responsibility governs not only the production and dissemination of research and creative activities, but also all applications for funding, reports to funding agencies, teaching, and publication of teaching materials.

ECU’s definition of research misconduct, and procedures for investigating and reporting allegations of misconduct, conform to the definitions and regulations of those federal funding agencies which have policies on this subject.

2. Purpose

This statement of policy and procedures is intended to carry out this institution’s responsibilities under the Public Health Service (PHS) Policies on Research Misconduct, 42 CFR Part 93 as well as those of other federal sponsors.

3. Scope and Applicability
3.1 This regulation applies to any person paid by, under the control of, an agent of, or affiliated by contract or agreement with the institution at the time of the alleged misconduct. This includes scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators at ECU. The regulation and associated procedures will normally be followed when an allegation of possible research misconduct is received by the Research Integrity Officer (RIO). Particular circumstances in an individual case may dictate variation from the usual procedures when deemed to be in the best interests of the University or required by relevant federal regulations or agency procedures. Any significant variation from this Policy and associated procedures must be approved in advance by the Vice Chancellor for Research, Engagement and Economic Development (REDE) who also serves as the Deciding Official.

3.2 This regulation applies to all scientific and research activities whether or not the activity is funded.

3.3 This regulation does not apply to authorship or collaboration disputes.

4. Policy Statement

4.1 All employees or individuals associated with ECU as defined in section 3.1 should report observed, suspected, or apparent research misconduct to the Research Integrity Officer. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may contact the Research Integrity Officer to discuss the suspected misconduct informally. If the circumstances described by the individual do not meet the definition of research misconduct, the Research Integrity Officer will refer the individual or allegation to other offices or officials with the responsibility for resolving the issue.

4.2 Allegations of Research Misconduct occurring more than six years prior to submission of the allegations shall not be reviewed under this Policy unless applicable federal regulations require review of such allegations, or the alleged Research Misconduct was not reasonably discoverable at an earlier time, or the Research Misconduct poses a current threat to the health and safety of employees, patients, or research subjects.

5. Definitions

5.1 Allegation means a disclosure of possible research misconduct through any means of communication. The disclosure may be a written or oral statement or other communication made to the RIO.

5.2 Conflict of Interest, as used in this Regulation, means the real or apparent interference of one person's interests with the interests of another person where potential bias may occur due to prior or existing personal or professional relationships.

5.3 Complainant means a person who makes an allegation of research misconduct. There may be more than one Complainant in a given case.

5.4 Evidence means any document, tangible item, or testimony offered or obtained during a research misconduct proceeding that tends to prove or disprove the existence of an alleged fact.

5.5 Research means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. For the purpose of this Regulation, Research includes all basic, applied, and demonstration research in all academic disciplines to include the arts, basic sciences, liberal arts, applied sciences, social sciences, clinical sciences, the professions, and research involving human subjects or animals.

5.6 Research Misconduct as defined by the federal government means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Fabrication is making up results and recording or reporting them; falsification is manipulating research materials, equipment or processes or changing or
omitting data or results such that the research is not accurately represented in the research record; plagiarism is the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.

5.7 **Respondent** means a person or person(s) against whom allegations of research misconduct are made. There may be more than one Respondent in a given case.

5.8 **Good faith** as applied to a complainant or witness, means having a belief in the truth of one’s allegation or testimony that a reasonable person in the same position could have based on the information known to the complainant or witness at the time. An allegation or cooperation with a research misconduct proceeding is not in good faith if made with knowing or reckless disregard for information that would negate the allegation or testimony. Good faith as applied to a committee member means cooperating with the research misconduct proceeding by carrying out the duties assigned impartially for the purpose of helping an institution meet its responsibilities under this definition. A committee member does not act in good faith if his or her acts or omissions on the committee are dishonest or influenced by personal, professional, or financial conflicts of interest with those involved in the research misconduct proceeding.

5.9 **Inquiry** means preliminary information gathering and preliminary fact-finding to determine whether an allegation or apparent instance of research misconduct has substance and warrants an investigation.

5.10 **Investigation** means the formal development of a factual record and the examination of that record leading to a decision not to make a finding of research misconduct or to a recommendation for a finding of research misconduct which may include a recommendation for other appropriate actions, including administrative actions.

5.11 **Notice** means a written communication served in person, sent by mail or its equivalent, to the last known street address, facsimile number, or e-mail address of the addressee.

5.12 **Preponderance of the evidence** means proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

5.13 **Research Record** means the record of data or results that embody the facts resulting from scientific inquiry, including but not limited to, research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and any documents and materials provided to a federal agency having jurisdiction and authority or an institutional official by a respondent in the course of the research misconduct proceeding. A research record also includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports, laboratory notebooks, notes, correspondence, videos, photographs, X-ray film, slides, biological materials, computer files and printouts, manuscripts and publications, equipment use logs, laboratory procurement records, animal facility records; human and animal subject protocols, consent forms, medical charts, and human subject research files.

5.14 **Research Integrity Officer (RIO)** is the institutional official responsible for assessing allegations of research misconduct to determine if they fall within the definition of research misconduct, are covered by law, regulation, or research sponsor policy, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified. The RIO is also responsible for sequestering research records upon determining criteria for an inquiry are met; overseeing inquiries and investigations; and the other responsibilities outlined in this Regulation. This Regulation provides the RIO with individual authority to direct the sequestration of research records. The university’s RIO is the Director of the Office of Research Integrity & Compliance.

5.15 **Deciding Official (DO)** means the institutional official who makes final determinations on allegations of research misconduct. The Deciding Official will not be the same individual as the Research Integrity Officer and should have no direct prior involvement in the institution’s inquiry, investigation, or allegation assessment. A DO’s appointment of an individual to assess allegations of research misconduct, or to serve on an inquiry or investigation
committee, is not considered to be direct prior involvement. The DO for ECU is the Vice Chancellor for Research, Economic Development, and Engagement (REDE). In the event that the Vice Chancellor for REDE has a conflict of interest in a particular case, the Chancellor shall appoint a designee as the DO for that particular case.

5.16 Retaliation means any adverse action taken against an individual in response to a good faith allegation of research misconduct, or good faith cooperation with research misconduct proceedings of the University.

6. Responsibilities of the Research Integrity Officer

6.1 The RIO will be appointed by the Vice Chancellor for REDE and will have primary responsibility for implementing compliance with this Regulation. These responsibilities include the following as they relate to research misconduct proceedings:

6.1.1 Assess each allegation of research misconduct in accordance with Section 11.1.1 of this Regulation to determine whether it falls within the definition of research misconduct and warrants an inquiry;

6.1.2 Take interim action as necessary, and notify sponsors of special circumstances in accordance with Section 10.6.2 of this Regulation;

6.1.3 Sequester research records and evidence pertinent to the allegation of research misconduct in accordance with Section 11.3 of this Regulation and maintain sequestered records in a secure manner;

6.1.4 Provide confidentiality to those involved in the research misconduct proceeding as required by applicable law and University policy;

6.1.5 Notify the respondent and provide opportunities for him or her to review and respond to allegations, evidence, and committee reports in accordance with Sections 12.2 and 14.2.1 of this Regulation;

6.1.6 Inform respondents, complainants, and witnesses of the procedural steps in the research misconduct proceeding;

6.1.7 Ensure that the Deciding Official appoints the members and chair of the inquiry and investigation committees and there is expertise appropriate to carry out a thorough and authoritative evaluation of the evidence;

6.1.8 Determine whether each person involved in handling an allegation of research misconduct has an unresolved personal, professional, or financial conflict of interest and take appropriate action, including recusal, to ensure that no person with such conflict is involved in the research misconduct proceeding;

6.1.9 In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of good faith complainants, witnesses, and committee members and counter potential or actual retaliation against them by respondents or other institutional members;

6.1.10 Keep the Deciding Official and others who need to know apprised of the progress of the review of the allegation of research misconduct;

6.1.11 Notify and make reports to federal agencies as required by applicable law or regulation;

6.1.12 Take appropriate action to notify other involved parties, such as law enforcement agencies, professional societies, and licensing boards of corrective actions;

6.1.13 Maintain records of the research misconduct proceeding and make them available to federal agencies in accordance with Section 14.5 of this Regulation; and

6.1.14 If the research misconduct allegation is made against a Respondent who is a student, notify the Office of Student Rights and Responsibilities (OSSR) prior to the investigation phase (if applicable) and inform the Respondent that such notification will be made.
7. Responsibilities of the Complainant

The Complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with the inquiry and investigation. As a matter of good practice, the complainant should be interviewed at the inquiry stage and be provided the transcript or recording of the interview for correction if needed.

8. Rights and Responsibilities of the Respondent

8.1 The Respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry and investigation. The Respondent is entitled to:

8.1.1 A good faith effort from the RIO to be notified in writing at the time of or before beginning an inquiry;
8.1.2 An opportunity to comment on the inquiry report and have his or her comments attached to the report;
8.1.3 Be notified of the outcome of the inquiry and receive a copy of the inquiry report that includes a copy of, or refers to any applicable regulation of a federal sponsor and this Regulation;
8.1.4 Be notified in writing of the allegations to be investigated within a reasonable time after the determination that an investigation is warranted, but before the investigation begins (usually within thirty (30) calendar days after a decision is made to begin an investigation).
8.1.5 Be notified in writing of any new allegations not addressed in the inquiry or in the initial notice of investigation;
8.1.6 Be interviewed during the investigation, have the opportunity to review and correct, if necessary, the recording or transcript, and have the corrected recording or transcript included in the record of the investigation;
8.1.7 Have any witness interviewed during the investigation who has been reasonably identified by the Respondent as having information on relevant aspects of the investigation, have the recording or transcript provided to the witness for correction, and have the corrected recording or transcript included in the record of investigation; and
8.1.8 Receive a copy of the draft investigation report and, concurrently, a copy of, or supervised access to the evidence on which the report is based, be notified that any comments must be submitted within thirty (30) calendar days of the date on which the copy was received, and that the comments will be considered by the institution and addressed in the final report.

8.2 The Respondent should be given the opportunity to admit that research misconduct occurred and that he or she committed the research misconduct. With the advice of the RIO, the Deciding Official may terminate the institution’s review of an allegation that has been admitted, provided the institution accepts the admission and any proposed settlement is approved by any federal agency having authority and jurisdiction.

9. Responsibilities of the Deciding Official

9.1 The DO will receive the inquiry report and after consulting with the RIO, decide whether an investigation is warranted. Any finding that an investigation is warranted must be made in writing by the DO and, where required by applicable law or regulation, must be provided to any federal agency with authority and jurisdiction, together with a copy of the inquiry report, within thirty (30) calendar days of the finding. If it is found that an investigation is not warranted, the DO and the RIO will ensure that detailed documentation of the inquiry is retained for at least seven (7) years after termination of the inquiry, so that any federal agency with authority and jurisdiction may assess the reasons why the institution decided not to conduct an investigation.

9.2 The DO will receive the investigation report and, after consulting with the RIO, decide the extent to which he or she accepts the findings of the investigation. If research misconduct is found, the DO will refer the matter to the appropriate Vice Chancellor to decide what, if any, institutional administrative actions are appropriate. The DO shall ensure that the final investigation report, the findings of the DO, and a description of any pending or completed
administrative actions are provided to any federal agency with jurisdiction and authority as required by law or regulation.

10. General Policies and Principles

10.1 Responsibility to Report Misconduct

10.1.1 All individuals associated with ECU as defined in section 3.1 will report observed, suspected, or apparent research misconduct to the RIO. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the RIO to discuss the suspected research misconduct informally, which may include discussing it hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the issue.

10.1.2 Any individual affiliated with the University may have discussions and consultations about concerns of possible misconduct with the RIO and will be counseled about appropriate procedures for reporting allegations.

10.2 Cooperation with Research Misconduct Proceedings

All individuals associated with ECU as defined in section 3.1 will cooperate with the RIO and other university officials in the review of allegations and the conduct of inquiries and investigations. These individuals, including Respondents, have an obligation to provide evidence relevant to research misconduct allegations to the RIO or other university officials.

10.3 Confidentiality

The RIO shall limit disclosure of the identity of respondents and complainants to those who need to know in order to carry out a thorough, competent, objective and fair research misconduct proceeding; and except as otherwise prescribed by law, limit the disclosure of any records or evidence from which research subjects might be identified to those who need to know in order to carry out a research misconduct proceeding. The RIO should use written confidentiality agreements or other mechanisms to ensure that any person and/or entity receiving information about the case does not make any further disclosure of identifying information.

10.4 Protecting complainants, witnesses, and committee members

Individuals affiliated with ECU as defined in section 3.1 may not retaliate in any way against complainants, witnesses, or committee members. Any alleged or apparent retaliation against complainants, witnesses or committee members should immediately be reported to the RIO, who shall review the matter and make all reasonable and practical efforts to counter any potential or actual retaliation. This includes efforts to protect and restore the position and reputation of the person against whom the retaliation is directed.

10.5 Protecting the Respondent and Use of Legal Counsel

10.5.1 As requested, and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in research misconduct, but against whom no finding of research misconduct is made.

10.5.2 During the research misconduct proceeding, the RIO is responsible for ensuring that Respondents receive all the notices and opportunities required under this Regulation. Respondents may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice and may bring the personal advisor or legal counsel to interviews or meetings on the case. The role of the respondent's legal counsel is restricted to advising the respondent(s) and he or she may not act in a representative capacity or otherwise actively participate in interviews, meetings, or hearings.
10.5.3 The University shall provide legal counsel to assist the RIO, DO, inquiry committee, and investigation committee. The role of counsel is to advise and not to act in a representative capacity or otherwise actively participate in interviews, meetings, or hearings; provided, however, University counsel may be present at such interviews, meetings, or hearings, and must be present whenever respondent’s legal counsel is present.

10.6 Interim Administrative Actions

10.6.1 Throughout the research misconduct proceeding, the RIO will review the situation to determine if there is any threat of harm to public health, animal health, sponsor funds, equipment, or the integrity of the sponsored research process. In the event of such a threat, the RIO will, in consultation with other institutional officials and any federal agency with jurisdiction and authority, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the research process and the handling of equipment or sponsor funds, freezing or limiting access to fund accounts, reassignment of personnel or of the responsibility for the handling of equipment or sponsor funds, additional review of research data and results, or delaying publication.

10.6.2 The RIO shall, in consultation with the DO, at any time during a research misconduct proceeding, notify any federal agency with jurisdiction and authority immediately if he or she has reason to believe that any of the following conditions exist:

10.6.2.1 Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;

10.6.2.2 Federal resources or interests are threatened;

10.6.2.3 Research activities should be suspended;

10.6.2.4 There is a reasonable indication of possible violations of civil or criminal law;

10.6.2.5 Federal action is required to protect the interests of those involved in the research misconduct proceeding;

10.6.2.6 The research misconduct proceeding may be made public prematurely and federal agency action may be necessary to safeguard evidence and protect the rights of those involved; or

10.6.2.7 The research community or public should be informed.

11. Conducting the Assessment and Inquiry

11.1 Assessment of Allegations

11.1.1 Upon receiving an allegation of research misconduct, the RIO will immediately assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of research misconduct may be identified and whether the allegation falls within the definition of research misconduct. An inquiry must be conducted if these criteria are met.

11.1.2 The assessment period should be brief, concluded within a reasonable time period as warranted by the nature of the allegations, typically within seven (7) to twenty-one (21) calendar days. In conducting the assessment, the RIO need not interview the complainant, respondent, or other witnesses, or gather data beyond any that may have been submitted with the allegation, except as necessary to determine whether the allegation is sufficiently credible and specific so that potential evidence of research misconduct may be identified. The RIO shall, on or before the date on which the respondent is notified of the allegation, obtain custody of, inventory, copy as warranted, and sequester all research records and evidence needed to conduct the research misconduct proceeding, as provided in paragraph 13.2 of this section.

11.2 Initiation and Purpose of the Inquiry

If the RIO determines that the criteria for an inquiry are met, he or she will immediately initiate the inquiry process. The inquiry process begins with the first meeting of the inquiry committee or individual responsible for conducting
the inquiry. The purpose of the inquiry is to conduct an initial review of the available evidence to determine whether to conduct an investigation. An inquiry does not require a full review of all the evidence related to the allegation.

11.3 Notice to Respondent; Sequestration of Research Records

The RIO must make a good faith effort to notify the respondent in writing before beginning the inquiry, if the respondent is known. If the inquiry subsequently identifies additional Respondents, they must be notified in writing as soon as practicable.

11.4 On or before the date on which the Respondent is notified, or the inquiry begins, whichever is earlier, the RIO must take all reasonable and practical steps to obtain custody of all the research records and evidence needed to conduct the research misconduct proceeding, inventory the records and evidence and sequester them in a secure manner, except that where the research records or evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or evidence on such instruments, so long as those copies are substantively equivalent to the evidentiary value of the instruments. The RIO will provide a receipt of sequestered items to the respondent(s) or other individuals who have information relating to the inquiry. The RIO may consult with any federal agency with jurisdiction and authority for advice and assistance in this regard.

11.5 Appointment of the Inquiry Committee

The DO, in consultation with the RIO and other institutional officials as appropriate, will appoint an inquiry committee and chair, as soon after the RIO has determined that an allegation is sufficiently credible and specific. In some instances, a single individual may be appointed to conduct the inquiry. The individual conducting the inquiry or inquiry committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the inquiry and should include individuals with the appropriate scientific or other relevant expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. The respondent will be notified in writing of the proposed committee membership and may object to a proposed member based upon a personal, professional, or financial conflict of interest. Any such objections must be submitted to the RIO no more than five (5) calendar days from the date of the notification. The RIO will make the final determination of whether a conflict exists.

11.6 Charge to the Committee and First Meeting

11.6.1 The RIO will prepare a charge for the inquiry committee that:

11.6.1.1 Sets forth the time for completion of the inquiry;

11.6.1.2 Describes the allegation(s) and any related issues identified during the allegation assessment;

11.6.1.3 States that the purpose of the inquiry is to conduct an initial review of the evidence, including the testimony of the respondent, complainant and key witnesses, to determine whether an investigation is warranted, not to determine whether research misconduct definitely occurred or who was or were responsible;

11.6.1.4 States that an investigation is warranted if the committee determines: (1) there is a reasonable basis for concluding that the allegation falls within the definition of research misconduct; and, (2) the allegation(s) may have substance, based on the committee’s review during the inquiry.

11.6.1.5 Informs the inquiry committee that they are responsible for preparing or directing the preparation of a written report of the inquiry that meets the requirements of this Regulation and applicable law or regulation.

11.6.2 At the committee’s first meeting, the RIO will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The RIO will be present or available throughout the inquiry to advise the committee as needed.
11.7. Inquiry Process

The inquiry committee may interview the complainant, the respondent, and key witnesses as well as examine relevant research records and materials. The inquiry committee will then evaluate the evidence, to include the testimony of any complainants, respondents and key witnesses obtained during the inquiry. After consultation with the RIO, the committee members will decide whether an investigation is warranted based on their preliminary information gathering and fact-finding. The scope of the inquiry is not required to and does not normally include deciding whether misconduct definitely occurred, determining definitely who committed the research misconduct or conducting exhaustive interviews and analyses. However, if a legally sufficient admission of research misconduct is made by the respondent, misconduct may be determined at the inquiry stage if all relevant issues are resolved. In that case, as required by applicable law or regulation, the institution shall promptly consult with any federal agency with jurisdiction and authority, if any, to determine the next steps that should be taken in accordance with Section 15.2.

11.8 Time for Completion

The inquiry, including preparation of the final inquiry report and the decision of the DO on whether an investigation is warranted, must be completed within sixty (60) calendar days of initiation of the inquiry, unless the RIO determines that circumstances clearly warrant a longer period. Initiation of the inquiry begins on the date of the first meeting of the inquiry committee where it receives its charge. If the RIO approves an extension, the inquiry record must include documentation of the reasons for exceeding the 60-calendar day period. The respondent will be notified in writing of the extension.

12. The Inquiry Report

12.1 Elements of the Inquiry Report

12.1.1 A written inquiry report must be prepared that includes the following information: (1) the name and position of the respondent; (2) a description of the allegations of research misconduct; (3) the identification of any sponsor support, including, for example, grant numbers, grant applications, contracts and publications; (4) the basis for recommending or not recommending that the allegations warrant an investigation; (5) any comments on the draft report by the respondent or complainant.

12.1.2 Institutional counsel should review the report for legal sufficiency. Modifications should be made as appropriate in consultation with the RIO and the inquiry committee. The inquiry report should include: the names and titles of the committee members and experts who conducted the inquiry; a summary of the inquiry process used; a list of the research records reviewed; summaries of any interviews; and whether any other actions should be taken if an investigation is not recommended.

12.2 Notification to the Respondent and Opportunity to Comment

12.2.1 The RIO shall notify the respondent whether the inquiry found an investigation to be warranted, include a copy of the draft inquiry report for comment(s) usually within ten (10) calendar days, and include a copy of or refer to this Regulation and any pertinent federal sponsor regulation.

12.2.2 Any comments that are submitted by the respondent will be attached to the final inquiry report. Based on the comments, the inquiry committee may revise the draft report as appropriate and prepare it in final form. The committee will deliver the final report to the RIO.

Notification to the Complainant

The RIO may notify the complainant whether the inquiry found an investigation to be warranted.
12.3 Institutional Decision and Notification

12.3.1 Decision by Deciding Official

The RIO will transmit the final inquiry report and any comments to the DO, who will determine in writing whether an investigation is warranted. The inquiry is completed when the DO makes this determination.

12.3.2 Notification to Federal Agencies

Within thirty (30) calendar days of the DO’s decision that an investigation is warranted, as required by applicable law or regulation, the RIO will provide any federal agency with authority and jurisdiction with the DO’s written decision and a copy of the inquiry report. The RIO will also notify those institutional officials who need to know of the DO’s decision. As required by applicable law or regulation, the RIO must provide the following information to such federal agency upon request: (1) the institutional policies and procedures under which the inquiry was conducted; (2) the research records and evidence reviewed, transcripts or recordings of any interviews, and copies of all relevant documents; and (3) the allegations to be considered in the investigation.

12.3.3 Documentation of Decision Not to Investigate

If the DO decides that an investigation is not warranted, the RIO shall secure and maintain for seven (7) years after the termination of the inquiry sufficiently detailed documentation of the inquiry to permit a later assessment by federal agencies with authority and jurisdiction of the reasons why an investigation was not conducted. These documents must be provided to such agencies upon request.

13. Conducting the Investigation

13.1 Initiation and Purpose

13.1.1 The investigation must begin within thirty (30) calendar days after the determination by the DO that an investigation is warranted. For the purpose of this Regulation, the investigation begins when the investigation committee meets for the first time and is given its charge by the RIO.

13.1.2 The purpose of the investigation is to develop a factual record by exploring the allegations in detail and examining the evidence in depth, leading to recommended findings on whether research misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible research misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged research misconduct involves clinical trials, potential harm to human subjects, the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice.

13.1.3 The findings of the investigation must be set forth in an investigation report.

13.2 Notifying Respondent; Sequestration of Research Records

13.2.1 As required by applicable law or regulation, on or before the date on which the investigation begins, the RIO must: (1) notify any federal agency with jurisdiction and authority of the decision to begin the investigation and provide such federal agency a copy of the inquiry report; and (2) notify the respondent in writing of the allegations to be investigated. The RIO must also give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the inquiry or in the initial notice of the investigation.

13.2.2 The RIO will, prior to notifying respondent of the allegations, take all reasonable and practical steps to obtain custody of and sequester in a secure manner all research records and evidence needed to conduct the research misconduct proceeding that were not previously sequestered during the inquiry. The need for additional sequestration of records for the investigation may occur for any number of reasons, including the University's
decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry. 13.3. Appointment of the Investigation Committee

13.3.1 The DO, in consultation with the RIO and other institutional officials as appropriate, will appoint an investigation committee and committee chair. The investigation committee must consist of individuals who do not have unresolved personal, professional, or financial conflicts of interest with those involved with the investigation and should include individuals with the appropriate scientific or other relevant expertise to evaluate the evidence and issues related to the allegation, interview the respondent and complainant and conduct the investigation. Individuals appointed to the investigation committee may also have served on the inquiry committee. When necessary to secure the necessary expertise or to avoid conflicts of interest, the DO may select committee members from outside the University.

13.3.2 The respondent will be notified of the proposed committee membership and given an opportunity to object to a proposed member or members based upon a personal, professional, or financial conflict of interest. If so, the respondent must submit objections in writing to the RIO no more than five (5) calendar days from the date of the notification. The RIO will make the final determination of whether a conflict exists.

13.4 Charge to the Committee and First Meeting

13.4.1 The RIO will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of this Regulation and any applicable federal law or regulation governing the investigation. The RIO will be present or available throughout the investigation to advise the committee as needed.

13.4.2 The RIO will define the subject matter of the investigation in a written charge to the committee that:

13.4.2.1 Describes the allegations and related issues identified during the inquiry;
13.4.2.2 Identifies the respondent(s);
13.4.2.3 Defines research misconduct;
Informs the committee of the following:
13.4.2.4 it must conduct the investigation as prescribed in paragraph 7.5 of this section;
13.4.2.4.1 it must evaluate the evidence and testimony to determine whether, based on a preponderance of the evidence, research misconduct occurred and, if so, the type and extent of it and who was responsible;
13.4.2.4.2 in order to determine that the respondent committed research misconduct it must find that a preponderance of the evidence establishes that: (1) research misconduct, as defined in this Regulation, occurred (respondent has the burden of proving by a preponderance of the evidence any affirmative defenses raised, including honest error or a difference of opinion); (2) the research misconduct is a significant departure from accepted practices of the relevant research community; and (3) the respondent committed the research misconduct intentionally, knowingly, or recklessly; and
13.4.2.4.3 it must prepare or direct the preparation of a written investigation report that meets the requirements of this Regulation and applicable law or regulation.

13.5. Investigation Process

The investigation committee must:
13.5.1 Use diligent efforts to ensure that the investigation is thorough and sufficiently documented, including examination of all research records and evidence relevant to reaching a decision on the merits of each allegation;

13.5.2 Take reasonable steps to ensure an impartial and unbiased investigation to the maximum extent practical;

13.5.3 Interview each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent, and record or transcribe each interview, provide the recording or transcript to the interviewee for correction, and include the recording or transcript in the record of the investigation; and

13.5.4 Pursue diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of any additional instances of possible research misconduct, and continue the investigation to completion.

13.6 Time for Completion

The investigation is to be completed within one-hundred twenty (120) calendar days of beginning it, including conducting the investigation, preparing the report of findings, providing the draft report for comment and, as required by applicable law or regulation, sending the final report to any federal agency with jurisdiction and authority.

13.6.1 If the RIO determines that the investigation will not be completed within this time period, as required by applicable law or regulation, he/she will submit to any federal agency with jurisdiction and authority a written request for an extension, setting forth the reasons for the delay.

13.6.2 The RIO will ensure that periodic progress reports are filed with such agency, if the agency grants the request for an extension and directs the filing of such reports. If no federal agency is involved, any request for extension of time must be approved in writing by the DO and the respondent notified in writing of such approval.

14. The Investigation Report

14.1 Elements of the Investigation Report

The investigation committee and the RIO are responsible for preparing a written draft report of the investigation that:

14.1.1 Describes the nature of the allegation of research misconduct, including identification of the respondent;

14.1.2 Describes and documents any relevant external sponsor support, including, for example, the numbers of any grants that are involved, grant applications, contracts, and publications listing the sponsor support;

14.1.3 Describes the specific allegations of research misconduct considered in the investigation;

14.1.4 Includes the University policies and procedures under which the investigation was conducted;

14.1.5 Identifies and summarizes the research records and evidence reviewed and identifies any evidence taken into custody but not reviewed; and

14.1.6 Includes a statement of findings for each allegation of research misconduct identified during the investigation. Each statement of findings must: (1) identify whether the research misconduct was falsification, fabrication, or plagiarism, and whether it was committed intentionally, knowingly, or recklessly; (2) summarize the facts and the analysis that support the conclusion and consider the merits of any reasonable explanation by the respondent, including any effort by respondent to establish by a preponderance of the evidence that he or she did not engage in research misconduct because of honest error or a difference of opinion; (3) identify the specific sponsor support; (4) identify whether any publications need correction or retraction; (5) identify the person(s) responsible for the misconduct; and (6) list any current support or known applications or proposals for support that the respondent has pending with any federal agencies.
14.2 Comments on the Draft Report and Access to Evidence

14.2.1 Respondent

The RIO must give the respondent a copy of the draft investigation report for comment and, concurrently, a copy of, or supervised access to the evidence on which the report is based. The respondent will be allowed thirty (30) calendar days from the date he/she received the draft report to submit comments to the RIO. The respondent's comments must be included and considered in the final report.

14.2.2 Complainant

On a case-by-case basis, the RIO may provide the complainant a copy of the relevant portions of the draft investigation report for comment. The complainant will be allowed thirty (30) calendar days from the date he/she receives the draft report to submit comments to the RIO. The complainant's comments must be included and considered in the final report. The complainant shall execute in advance a written confidentiality agreement in a form approved by the Office of the University Attorney as a condition for access to the report.

14.2.3 Confidentiality

In distributing the draft report, or portions thereof, to the respondent or complainant, the RIO will inform the recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to ensure such confidentiality.

14.3 Decision by Deciding Official

14.3.1 The RIO will assist the investigation committee in finalizing the draft investigation report, and ensure that the respondent’s and complainant’s comments, if applicable, are included and considered. The final investigation report will be transmitted to the DO, who will determine in writing: (1) whether the institution accepts the investigation report, its findings, and the recommended institutional actions; and (2) the appropriate institutional actions in response to the accepted findings of research misconduct.

14.3.2 If the DO’s determination varies from the findings of the investigation committee, the DO will, as part of his/her written determination, explain in detail the basis for rendering a decision different from the findings of the investigation committee. Alternatively, the DO may return the report to the investigation committee with a request for further fact-finding or analysis.

14.3.3 When a final decision on the case has been reached, the RIO will normally notify both the respondent and the complainant in writing. If the finding of research misconduct requires informing ORI, the DO will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which relevant reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case.

14.3.4 The RIO is responsible for ensuring compliance with all notification requirements of funding or sponsoring agencies.

14.4 Notice of Institutional Findings and Actions

In accordance with applicable law or regulation, unless an extension has been granted, the RIO must, within the 120-day period for completing the investigation, submit the following to any federal agency with jurisdiction and authority: (1) a copy of the final investigation report with all attachments; (2) a statement of whether the institution accepts the findings of the investigation report; (3) a statement of whether the institution found research misconduct and, if so, who committed the research misconduct; and (4) a description of any pending or completed administrative actions against the respondent.

14.5 Maintaining Records for Review by Federal Agencies
In accordance with applicable law or regulation, the RIO must maintain and provide to any federal agency with jurisdiction and authority upon request records of research misconduct proceedings. Unless custody has been transferred to the federal agency or the federal agency has advised in writing that the records no longer need to be retained, records of research misconduct proceedings must be maintained in a secure manner for seven (7) years after completion of the proceeding or the completion of any federal agency proceeding involving the research misconduct allegation. The RIO is also responsible for providing any information, documentation, research records, evidence or clarification requested by the federal agency to carry out its review of an allegation of research misconduct or of the institution’s handling of such an allegation.

15. Completion of Cases; Reporting Premature Closures to Federal Agencies

15.1 Generally, all inquiries and investigations will be carried through to completion and all significant issues will be pursued diligently.

15.2 Pursuant to applicable law or regulation, the RIO must notify any federal agency with jurisdiction and authority in advance if there are plans to close a case at the inquiry or investigation stage on the basis that respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason, except: (1) closing of a case at the inquiry stage on the basis that an investigation is not warranted; or (2) a finding of no misconduct at the investigation stage, which must be reported to the federal agency, as prescribed in this Regulation.

16. Institutional Administrative Actions

If, the DO determines that research misconduct is substantiated by the findings, he or she will refer the case to the appropriate Vice Chancellor to decide on the appropriate actions to be taken, after consultation with the RIO. Administrative actions may include:

16.1 Withdrawal or correction of all pending or published abstracts and papers emanating from the research where research misconduct was found;

16.2 Removal of the responsible person from the particular project, letter of reprimand, special monitoring of future work, probation, suspension, salary reduction, or initiation of steps leading to possible rank reduction or termination of employment;

16.3 Restitution of funds to the grantor agency as appropriate; and

16.4 Other action appropriate to the research misconduct, including, but not limited to, the imposition of sanctions, up to and including termination from employment.

17. Other Considerations

17.1 Termination, Resignation, or Withdrawal Prior to Completing Inquiry or Investigation

17.1.1 The termination of the respondent's institutional employment or other affiliation with the university, by resignation or otherwise, before or after an allegation of possible research misconduct has been reported, will not preclude or terminate the research misconduct proceeding or otherwise limit any of the University’s responsibilities to investigate the alleged research misconduct.

17.1.2 If the respondent, without admitting to the misconduct, elects to resign his or her position after the University receives an allegation of research misconduct, the assessment of the allegation will proceed, as well as the inquiry and investigation, as appropriate based on the outcome of the preceding steps. If the respondent refuses to participate in the process after resignation, the RIO and any inquiry or investigation committee will use their best efforts to reach a conclusion concerning the allegations, noting in the report the respondent's failure to cooperate and its effect on the evidence.
17.1.3 If the respondent is a student and without admitting to the misconduct, elects to withdraw from the university before or after an allegation of research misconduct has been reported, it will not preclude or terminate the research misconduct proceeding or otherwise limit any of the University’s responsibilities to investigate the alleged misconduct.

17.2 Restoration of the Respondent's Reputation

Following a final finding of no research misconduct, including concurrence of any federal agency with jurisdiction and authority, where required by law or regulation, the RIO must undertake reasonable and practical efforts to restore the respondent's reputation. Depending on the particular circumstances and the views of the respondent, the RIO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in any forum in which the allegation of research misconduct was previously publicized, and expunging all reference to the research misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation should first be approved by the DO.

17.3 Protection of the Complainant, Witnesses and Committee Members

During the research misconduct proceeding and upon its completion, regardless of whether the institution determines that research misconduct occurred, the RIO must undertake all reasonable and practical efforts to protect the position and reputation of, or to counter potential or actual retaliation against, any complainant who made allegations of research misconduct in good faith and of any witnesses and committee members who cooperate in good faith with the research misconduct proceeding. The DO will determine, after consulting with the RIO, and with the complainant, witnesses, or committee members, respectively, what steps, if any, are needed to restore their respective positions or reputations or to counter potential or actual retaliation against them. The RIO is responsible for implementing any steps the DO approves.

17.4 Allegations Not Made in Good Faith

If relevant, the DO will determine whether the complainant's allegations of research misconduct were made in good faith, or whether a witness or committee member acted in good faith. If, the DO determines that there was an absence of good faith, he/she will refer the matter to the appropriate Vice Chancellor to determine whether any administrative action should be taken against the person who failed to act in good faith.

Resolution #22-40
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022

Curriculum and academic matters acted on and recorded during the March 21, 2022 General Education and Instructional Effectiveness Committee meeting, including:

- The following transfer credit approvals:
  - General Education Natural Sciences (GE:SC) credit for CH 120: Drugs & Their Implications to Society from Sacred Heart University
  - Domestic Diversity (DD) credit for SOC 200: Introduction of Sociology from Valencia Central Alabama Community College
  - General Education Humanities (GE:HU) and Global Diversity (GD) credit for HUM 170: The Holocaust from Cape Fear Community College
  - Domestic Diversity (DD) credit for HIST 1311: History of the United States to 1865 from the University of Texas-Arlington
  - General Education Fine Arts (GE:FA) credit for ARTT 100 (7380): Introduction to Drawing from University of Maryland Global Campus
• Notification of banking of the following General Education/Diversity courses:
  o ANTH 2200 Introduction to Cultural Anthropology (GE:SO, GD)
  o ANTH 3013 Cultures of Mainland Southeast Asia (GD)
  o ANTH 3002 Cultures of East Asia (GE:SO, GD)
  o ANTH 4054 Anthropology of Religion (GD)
• Notification of discontinuation of the following General Education/Diversity courses:
  o ANTH 3009 Motherhood of God in Asian Traditions (GE:SO, GD)
  o ANTH 4050 Psychological Anthropology (GD)
• Maintaining General Education Natural Sciences (GE:SC) credit for BIOL 2015/2016 after removal of prerequisite
• Maintaining General Education Humanities (GE:HU) and Global Diversity (GD) credit for GRBK/ASIA 2010 after prerequisite revisions
• Maintaining General Education Humanities (GE:HU) credit for GRBK 2400 after prerequisite revision
• Maintaining General Education Humanities (GE:HU) credit for GRBK 2500 after prerequisite revision
• Maintaining General Education Humanities (GE:HU) credit for GRBK 3001 after co/pre-requisite revision
• Maintaining Global Diversity (GD) credit for GRBK 3601 after co/prerequisite revision
• General Education Humanities (GE:HU) and Domestic Diversity (DD) credit for RELI 3400 History of the Devil in the Judeo-Christian Traditions
• Domestic Diversity (DD) credit for ANTH 3026

And curriculum and academic matters acted on and recorded during the April 18, 2022 meeting, including:
  • Continuation of of (GE:SO) and Global Diversity credit for ANTH 3200, Women’s Roles in Cross-Cultural Perspective, after the removal of all the prerequisites (ANTH 1000, ANTH 2010, and ANTH 2200).

• Recommendation to revise the General Education Fine Arts Learning Outcomes based on information obtained during the assessment process. The request is to revise the current Fine Arts outcomes, which read:
  “The following program learning outcomes define the fine arts competency. Students who have completed the general education fine arts requirements can:
  1. Apply knowledge of an area in the fine arts to describe specific artists, works, movements and creative processes and their significance to the human condition.
  2. Analyze diverse genres, styles, and techniques in their appropriate cultural and historical context.
  3. Apply discipline-specific knowledge in the fine arts to evaluate the relevance of the fine arts to cultural and personal growth.”

As follows:
  “The following program learning outcomes define the fine arts competency. Students who have completed the general education fine arts requirements can:
  1. Apply knowledge of the human condition in an area in the fine arts to convey meaning through creating, performing, producing, or responding within an artistic form.
  2. Analyze diverse genres, styles, and techniques in their appropriate cultural and historical context.
  3. Synthesize and relate discipline-specific knowledge in the fine arts through the artistic processes of creating, performing, producing, presenting or responding as applicable to cultural and personal growth.”
Adoption of General Education Learning Outcomes Enhancement Procedure, as follows:

Procedure for the faculty in the departments and schools that deliver courses in a specific General Education Competency area (Fine Arts, Humanities, Natural Sciences, Social Sciences, Health Related Physical Activity, Mathematics or Written Communication) to recommend to the General Education and Instructional Effectiveness committee revisions to one or more of the General Education Program Learning Outcomes in their area. The revisions recommended will be based on information gained during the delivery or assessment of the area’s General Education courses. The revisions aim to improve the implementation of the area’s goals that are contained in the Competency Area Rationale and the General Education Vision Statement.

1) **Committee formation** - The full-time faculty in the departments and schools with courses in a General Education area may initiate a request for revisions to their area outcomes by identifying faculty members to serve on a “General Education Outcomes Enhancement Committee” (“the committee”). The procedure for appointment to the committee is at the discretion of each department or school.

   The committee shall contain at least one full-time faculty member from each department or school, and may contain a faculty member to represent each significant sub-area of the department or school (for example, the faculty in Theater and Dance may choose to have a representative from each). Determining which sub-areas will have members on the committee is at the discretion of the department or school.

   *Whether any changes to outcomes are recommended after the committee reviews the information obtained during the delivery or assessment of General Education courses is determined on a case-by-case basis. The existence of this procedure does not assume that when a committee is formed, changes must be made to learning outcomes."

2) **Committee votes to recommend or not recommend changes** - If the committee, by majority vote of its members, recommends revisions to learning outcomes, these recommendations will be forwarded to the faculty of each department and school represented on the committee (each department and school offering General Education courses in the area), through the department’s or school’s chair or director.

3) **Review of the committee’s recommendations** - Upon meeting to review the committee’s recommendation, faculty of each department and school involved may vote to recommend to the committee that it amend its recommendation.

   a. If the committee does not vote to accept the suggested amendment, its original recommendation is returned to the department or school for reconsideration.

   b. If the committee amends its original recommendation, the amended recommendation is forwarded to all involved departments and schools for consideration. The process may be repeated until a majority of the faculty in each involved department and school votes in favor of the recommendation, or terminates due to lack of support for the recommendation by a majority of the voting faculty in all involved departments and schools.
4) **Recommendations returned to GEIEC** - If a recommendation for changes to the area learning outcomes is accepted by a majority vote of the full-time faculty members in each department and school, the committee chair will forward the committee’s recommendation to the GEIEC, along with a document signed by each chair or director of each department or school involved, verifying the vote on the recommendation.

a. In addition, the committee will forward to the GEIEC a document providing a justification of the recommended changes that provides support for the changes by citing information gained from the delivery or assessment of its General Education courses.

b. If a majority of the members of the GEIEC vote in favor of the recommendation, the recommendation will be forwarded to the Faculty Senate for its approval. If approved by the Faculty Senate, the recommendation will be forwarded to the chancellor for approval.

Resolution #22-42
Approved by the Faculty Senate: April 26, 2022
Approved by the Chancellor: May 31, 2022

Revision to the charges of 14 University Standing Academic Committees, as follows:

Additions in **bold** and deletions in *strikethrough*.

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**East Carolina University Faculty Senate**
**ACADEMIC AWARDS COMMITTEE CHARGE**
*Faculty Senate Resolution #11-71, October 2011*

1. **Name:** Academic Awards Committee

2. **Membership:**
   - 8 elected faculty members.
   - Ex-officio members (with vote): The Chancellor or an appointed representative; the 3 Provost or an appointed representatives, 1 with academic or administrative expertise in, the Vice Chancellor for Health Sciences disciplines and 1 with academic or administrative expertise in Research, Engagement and Economic Development; or an appointed representative, the Vice Chancellor for Research, Economic Development and Engagement or an appointed representative, the Chair of the Faculty; one faculty senator selected by the Chair of the Faculty; and one student member from the Student Government Association.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. **Quorum:** 4 elected members exclusive of ex-officio.

4. **Committee Responsibilities:**
   - A. The committee recommends, when required, policies and procedures governing the granting of awards for meritorious teaching and advising, research, and service.
   - B. The committee recommends candidates for receipt of awards in the various categories
including, but not limited to, the University Alumni Association Awards for Outstanding Teaching, Lifetime and Five-year Achievement University Research/Creative Activity Awards, Board of Governors Award for Excellence in Teaching, Board of Governors Distinguished Professor for Teaching Award, Max Ray Joyner Award for Excellence in Teaching Through Distance Education, and Scholarship of Engagement Award.

5. To Whom The Committee Reports:
The committee recommends to the Faculty Senate policies and procedures governing awards in the various categories. The committee recommends candidates for awards to the appropriate issuing body.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to recommend candidates for awards. The committee should consider the diversity of nominees and should seek and recommend qualified women and minority faculty.

8. Standard Meeting Time:
The committee meeting time is scheduled for the first Thursday of each month.

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East Carolina University Faculty Senate

DISTANCE EDUCATION AND LEARNING TECHNOLOGY

COMMITTEE CHARGE

Faculty Senate Resolution #20-80, January 2021

1. Name: Distance Education and Learning Technology Committee

2. Membership:
   9 elected faculty members.

   Ex-officio members (with vote): The Chancellor or an appointed representative; the Provost or an appointed representative, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines or an appointed representative; the Chair of the Faculty; one Faculty Senator selected by the Chair of the Faculty; one member of the Graduate Council selected by the Dean of the Graduate School; the Director of Digital Learning or an appointed representative; and one student member from the Student Government Association.

   Ex-officio members (without vote): The Chief Information Officer or an appointed representative.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint subcommittees as needed.

3. Quorum: 5 elected members exclusive of ex-officio.
Committee Responsibilities:
A. The committee reviews and recommends policies and procedures to enhance faculty teaching and student learning in distance education. The committee provides faculty advice on instructional methods and best practices to enhance teaching and student learning in distance education and the use of learning technologies.
B. The committee reviews policies from the Office of Continuing Studies relevant to the effectiveness of the University’s distance education policies and procedures and recommends changes as necessary.
C. The committee ensures timely, informed faculty opinion on any technology action in any area that may affect significantly the University’s academic mission. The committee recommends policy related to the academic use of technology. All information technology actions that affect more than one academic unit or that are initiated above the academic College or School department levels are recognized as actions that may affect significantly the University’s academic mission.
D. The committee initiates, reviews, and makes recommendations on proposals to plan, implement, revise or eliminate technology initiatives, goals, standards, policies, procedures or actions that significantly impact the University’s academic mission.
E. The committee prepares and makes available a format for proposals requesting permission to plan, implement, revise or eliminate an information technology initiative, goal, standards, policy, procedure or action.
F. The Committee reviews at least annually those sections within the University Undergraduate Catalog and University Graduate Catalog that corresponds to the Committee’s charge and recommends changes as necessary.
G. The Committee reviews at least annually those policies within Part VI, Section III of the ECU Faculty Manual that corresponds to the Committee’s charge and recommends changes as necessary.
H. The Committee reviews at least annually the Distance Education Modules and the Instructional Continuity and Contingency website.
I. Two appointed representatives serve as ex-officio members on the administrative Information Resources Coordinating Council (IRCC), one appointed representative serves on the administrative Copyright Committee and one appointed representative serves on the administrative IT Accessibility Committee. The Committee should have representation on any advisory or governance committee that evaluates or makes decisions regarding information technology that impacts the academic mission of more than one unit.
J. The chair serves as a liaison between the Faculty Senate and Chief Information Officer and/or other university leadership (e.g., college leadership, Provost) involved with planning or implementing technology that could impact the academic mission of more than one departmental unit.

To Whom The Committee Reports:
The committee reports to the Faculty Senate its recommendations of policies, procedures, and criteria cited in 4. above.

How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to advise the appropriate personnel as described in 4. above.
8. **Standard Meeting Time:**
The committee meeting time is scheduled for the fourth Wednesday of each month.

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**East Carolina University Faculty Senate**

**EDUCATIONAL POLICIES AND PLANNING COMMITTEE CHARGE**

*Faculty Senate Resolution #15-34, March 2015*

1. **Name:** Educational Policies and Planning Committee

2. **Membership:**
   - 8 elected tenured faculty members.
   - Ex-officio members (with vote): The Chancellor or an appointed representative; the Provost or an appointed representative; the **Associate Provost for Institutional Planning, Assessment and Research;** the **Vice Chancellor for Health Sciences;** or an appointed representative; the **Dean of the Graduate School;** Vice Chancellor for Research, Economic Development and Engagement or an appointed representative; the Chair of the Faculty or an appointed representative; one faculty senator selected by the Chair of the Faculty; and one student member from the Student Government Association. **The Chair of the Faculty Should, to the extent possible, ensure faculty representation from both the east and west campuses.**

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. **Quorum:** 4 elected members exclusive of ex-officio.

4. **Committee Responsibilities:**
   - **A.** The committee considers the adequacy, balance, and excellence of all of the University’s undergraduate and graduate programs relative to accepted academic standards. This consideration shall cover the undergraduate and graduate programs as problems or concerns arise.
   - **B.** The committee advises the Chancellor on the educational policies and organizations, goals, standards, and procedures of the University following such consideration, as outlined in Section 4.A., or as requested otherwise by the Chancellor or the Faculty Senate.
   - **C.** The committee reviews information concerning proposals for all new curricula, programs, and academic policies, or for revisions in all existing policies, prior to the implementation of such proposals in the long-range planning of academic programs in the College of Arts and Sciences, the various professional schools, the Graduate School, and the Division of Continuing Studies. The Committee uses information regarding university academic standards and resources as the basis for its reviews. **The committee reviews Seven Year Unit Program Evaluations (ECU Faculty Manual,**
Part IV, Section III) and unit responses to same, and provides written reports to the unit reviewed and Office of Academic Programs.

D. The committee acts upon requests for permission to plan and establish all new degree programs and requests for permission to establish new minors. The committee shall use information regarding university academic standards and resources as the basis for its review.

E. The committee advises the Chancellor of action to be taken if the University experiences financial exigency, or in the event that a major curtailment of an existing teaching, research, or public service program is considered (ECU Faculty Manual, Part IX, Section I. Tenure and Promotion Policies and Procedures).

F. The Committee reviews at least annually those sections within the University Undergraduate Catalog and University Graduate Catalog that correspond to the Committee’s charge and recommends changes as necessary.

G. The chair or appointed representative serves as ex-officio member on the University Online Quality Council.

5. To Whom The Committee Reports:
The committee advises the Chancellor through their report to the Faculty Senate as described in 4.B. above. The committee reports to the Faculty Senate concerning requests it has received from the Chancellor. The committee reports to the Faculty Senate the action it has taken on requests for permission to plan and establish new degree programs and requests for permission to establish new minors.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to advise the Chancellor as described in 4.B above.

8. Standard Meeting Time:
The committee meeting time is scheduled for the second Friday of each month.

East Carolina University Faculty Senate

FACULTY GOVERNANCE COMMITTEE CHARGE

Faculty Senate Resolution #12-25, February 2012
Editorially revised November 2012 to correlate with ECU Faculty Manual

1. Name: Faculty Governance Committee

2. Membership:
8 elected tenured faculty members.

Ex-officio members (with vote): The Chancellor or an appointed representative; the Provost or an appointed representative; 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines, 1 with academic or administrative expertise in Research, Engagement, and Economic Development;
or an appointed representative, the Vice Chancellor for Research and Graduate Studies, or an appointed representative, the Chair of the Faculty, and one faculty senator selected by the Chair of the Faculty.

The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee considers matters relating to Part II, Section II. Faculty Constitution and By-Laws, where there is no conflict with the functions of the Committee on Committees.
   B. The committee considers matters relating to Part VIII, Section I. Personnel Policies and Procedures for the Faculty of ECU, Part IV Academic Units, Codes, and Seven Year Unit Program Evaluation, and other governance documents not specified in other committee charges.
   C. The committee considers policies and procedures related to initial faculty appointment, tenure, promotion in rank, merit, (see Part IX, Section I. Tenure Policies and Regulations of ECU), and other such matters as may pertain to the general well-being of the faculty, e.g. sexual harassment policy.
   D. The committee advises the Chair of the Faculty regarding the contents of the Faculty Manual.
   E. The committee sets guidelines for, and considers matters relating to, unit organization and the development of unit codes.
   F. The committee shall review personnel policies and procedures (Part VIII, Section I. and Part IX, Section I.). This process shall occur every five years.

5. To Whom The Committee Reports:
The committee recommends to the Faculty Senate revisions to Part II, Section II. Faculty Constitution and By-Laws, Part VIII, Section I. Personnel Policies and Procedures for the Faculty of ECU, Part IX, Section I. Tenure Policies and Regulations of ECU, and Part IV Academic Units, Codes, and Seven Year Unit Program Evaluation. The committee makes recommendations concerning unit organization to the Faculty Senate. The committee makes its recommendations on policies concerning initial faculty appointment, tenure, promotion, and merit to the Faculty Senate.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to advise the Chair of the Faculty regarding the contents of the ECU Faculty Manual.

8. Standard Meeting Time:
The committee meeting time is scheduled for the 2nd Wednesday of each month.
Faculty Senate Resolution #18-40, May 2018

1. Name: Faculty Welfare Committee

2. Membership:
   8 elected faculty members.
   Ex-officio members (with vote): The Chancellor or an appointed representative;, the Provost or an appointed representative, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines or an appointed representative;, the Chair of the Faculty;, one faculty senator selected by the Chair of the Faculty;, and one student member from the Student Government Association.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee considers programs and policies relating to insurance, annuities, leaves of absence, and all other programs and policies that affect the general welfare of the faculty or of specific faculty members.
   B. The committee reviews policies related to faculty salaries and fringe benefits and reports annually to the Faculty Senate on these topics.
   C. The committee recommends new programs and policies related to faculty welfare and revisions to existing ones.

5. To Whom The Committee Reports:
   The committee recommends new programs and policies related to faculty welfare, or revisions to existing ones, to the Faculty Senate.

6. How Often The Committee Reports:
   The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
   None

8. Standard Meeting Time:
   The committee meeting time is scheduled for the second Thursday of each month.

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East Carolina University Faculty Senate

GENERAL EDUCATION AND INSTRUCTIONAL EFFECTIVENESS

COMMITTEE CHARGE

Faculty Senate Resolution #20-60, November 2020

1. Name: General Education and Instructional Effectiveness

2. Membership: 8 elected faculty members. Ex-officio members (with vote): The Chancellor or an appointed representative;, the Provost or an appointed representative, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines or an appointed representative;, the Chair of the Faculty;, one faculty senator selected by the Chair of the Faculty;, and one student member from the Student Government Association.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee considers programs and policies relating to insurance, annuities, leaves of absence, and all other programs and policies that affect the general welfare of the faculty or of specific faculty members.
   B. The committee reviews policies related to faculty salaries and fringe benefits and reports annually to the Faculty Senate on these topics.
   C. The committee recommends new programs and policies related to faculty welfare and revisions to existing ones.

5. To Whom The Committee Reports:
   The committee recommends new programs and policies related to faculty welfare, or revisions to existing ones, to the Faculty Senate.

6. How Often The Committee Reports:
   The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
   None

8. Standard Meeting Time:
   The committee meeting time is scheduled for the second Thursday of each month.
Faculty, one faculty senator selected by the Chair of the Faculty, and one student member from the Student Government Association. The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee recommends policies to improve and advance faculty teaching and student learning.
   B. The committee promotes teaching excellence and recommends means to identify faculty teaching success, including development of peer review instruments for teaching face-to-face and distance education courses. The committee assists units requesting aid in developing teaching evaluation instruments for personnel decisions. The committee recommends policies and programs to improve the physical environment in which teaching occurs. The committee provides a forum for faculty opinion concerning the design of new academic buildings and renovation of existing academic buildings.
   C. The committee makes recommendations regarding proposed changes, including individual courses, in the general education and diversity curriculum. The committee makes recommendations to the Faculty Senate regarding proposed changes in the general education and diversity requirements.*
   D. The committee periodically reviews existing General Education and Diversity course offerings and recommends, as appropriate, changes to course General Education and Diversity status in order to ensure that the Student Learning Outcomes for the General Education and Diversity curriculum are being met.
   E. The committee reviews the annual report of the Director of the Writing Across the Curriculum Program and the Dean of The Honors College.
   F. The committee reviews honors seminar proposals for general education credit, diversity credit, or both.
   G. The chair or appointed representative serves as an ex-officio member of the University Athletics Committee and Honors College Faculty Advisory Committee.
   H. The Committee reviews at least annually those sections within the University Undergraduate Catalog and University Graduate Catalog that correspond to the Committee’s charge and recommends changes as necessary.

5. To Whom The Committee Reports:
The committee reports to the Faculty Senate its recommendations of policies, procedures, and criteria cited above. The committee recommends curricular changes in the general education and diversity curriculum to the Faculty Senate.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
None

8. Standard Meeting Time:
The committee meeting time is scheduled for the third Monday of each month.
Name: Research/Creative Activities Committee

Membership:
14 elected faculty members.
Ex-officio members (with vote): The Chancellor or an appointed representative, the Provost or an appointed representative, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines or an appointed representative, 1 with academic or administrative expertise in Research, Engagement, and Economic Development the Vice Chancellor for Research, Economic Development and Engagement or an appointed representative; the Chair of the Faculty and one faculty senator selected by the Chair of the Faculty.

The membership of the committee shall serve according to their disciplinary expertise. This would include six members from the College of Arts and Sciences, with at least two each from Humanities, Social Sciences, and the Sciences/Math, and eight members from the Professional Schools and other academic units, with no more than two from each professional school. Each member shall have demonstrated accomplishment in research, and/or creative activity.

The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

Quorum: 8 elected members exclusive of ex-officio.

Committee Responsibilities:
A. The committee considers matters related to the scholarly activity of the University, including at least the following:
1. Activities to improve and promote professional scholarly productivity of faculty members;
2. Procedures and policies governing research and/or creative activities;
3. Any proposed changes in existing policies affecting research and creative activities of faculty members of the University.

B. The committee recommends the funding of meritorious internal research/creative activity proposals for the research/creative activity awards program.
1. Provided that funding is expected to be available, the committee shall solicit proposals for research/creative activities from eligible faculty.
2. The committee shall recommend the funding of meritorious internal research/creative activity proposals.
3. Each year, the committee shall collect and review reports of research/creative activity from any award recipients from the previous year.
4. Members of the committee are not permitted to submit proposals.

5. To Whom The Committee Reports:
The committee reports its recommendations from these considerations to either the Faculty Senate or the appropriately charged university standing committee.

The committee reports its recommendations of research/creative activity grant proposals to be funded to the vice chancellor for research and graduate studies and reports the final list of funded proposals to the Faculty Senate. The committee makes recommendations concerning the policies and procedures governing research/creative activity grant proposals to the Faculty Senate.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to make recommendations regarding the funding of research proposals.

8. Standard Meeting Time:
The committee will establish a standard meeting schedule at its first meeting of the academic year.

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East Carolina University Faculty Senate
SERVICE-LEARNING COMMITTEE CHARGE
Faculty Senate Resolution #18-40, May 2018

1. Name: Service-Learning Committee

2. Membership:
The committee membership, including ex-officio members, should encompass a wide variety of disciplinary expertise.

9 elected faculty members

Ex-officio members (with vote): The Chancellor or an appointed representative; the 3 Provost or an appointed representatives, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines, 1 with academic or administrative expertise in Research, Engagement, and Economic Development or an appointed representative, the Vice Chancellor for Research, Economic Development and Engagement or an appointed representative; the Chair of the Faculty or an appointed representative; one Faculty Senator selected by the Chair of the Faculty; the one student member from the Student Government Association; and one member from the Graduate and Professional Student Senate.

Ex-officio (without vote): The administrative leader of the Center for Leadership and Civic Engagement or an appointed representative.
The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 5 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee makes recommendations to the Faculty Senate regarding proposed changes in the service-learning requirements and regarding the service-learning designation for individual courses. The committee makes recommendations to the Faculty Senate regarding individual courses carrying service-learning designation and reports those recommendations to the Undergraduate Curriculum Committee and the Graduate Curriculum Committee.
   B. The committee serves as a liaison between the Center for Leadership and Civic Engagement and the Faculty Senate, reviews the activities of the Center for Leadership and Civic Engagement and advises the administrative leadership of that center about service-learning.
   C. The Committee reviews at least annually those sections within the University Undergraduate Catalog and University Graduate Catalog that correspond to the Committee’s charge and recommends changes as necessary.
   D. The committee promotes and advocates for service-learning across the curriculum, including learning outcomes and development of service-learning courses.
   E. The committee reviews honors seminar proposals for service-learning credit.
   F. The chair or appointed representative serves as an ex-officio member of the Honors College Faculty Advisory Committee.

5. To Whom The Committee Reports:
   The committee reports to the Faculty Senate its recommendations of policies, procedures, and criteria cited in 4, above. The committee recommends curricular changes to the university’s service-learning requirement to the Faculty Senate.

6. How Often The Committee Reports:
   The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
   The committee is empowered to advise the Center for Leadership and Civic Engagement as described in 4.B. above.

8. Standard Meeting Time:
   The committee meeting time is scheduled for the second Tuesday of each month.
2. **Membership:**
8 elected faculty members.
Ex-officio members (with vote): The Chancellor or an appointed representative; the 2 Provosts or an appointed representatives, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines; or an appointed representative, the Chair of the Faculty; one faculty senator selected by the Chair of the Faculty; and one student member from the Student Government Association.

The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. **Quorum:** 4 elected members exclusive of ex-officio.

4. **Committee Responsibilities:**
   A. The committee considers undergraduate courses (through 4000-level) and programs and has the responsibility of assuring the quality of course offerings regardless of mode of course delivery.
   B. The committee recommends policies and procedures governing the acceptability of programs and courses.
   C. The committee reviews and acts on proposals for new courses and course revisions. The committee ensures that proposals adhere to best practices in higher education and agreed upon academic standards.
   D. The committee reviews and acts on proposals for new degree programs, certificates, and minors and on revisions to established degree programs, certificates, and minors. The committee ensures that proposals adhere to best practices in higher education and agreed upon standards.
   E. The committee reviews and acts on revisions to the standards and requirements for admission to and retention in degree programs, certificates, and minors.
   F. The committee considers other items that affect the curriculum of undergraduate programs.
   G. The committee acts on recommendations from the Council for Educator Preparation regarding proposed changes in teacher education requirements.
   H. The Committee reviews at least annually those sections within the University Undergraduate Catalog that corresponds to the Committee’s charge and recommends changes as necessary.
   I. The chair or appointed representative serves as a member on the Academic Program Development Collaborative Team, and as appropriate, any university-wide administrative committee that involves undergraduate curriculum.

5. **To Whom The Committee Reports:**
The committee makes its recommendations to the Faculty Senate. The committee reports on its review of requests to establish new degree programs and requests to establish new minors to the Educational Policies and Planning Committee.

6. **How Often The Committee Reports:**
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. **Power Of The Committee To Act Without Faculty Senate Approval:**
The committee is empowered to report on its review of requests to establish new
degree programs and requests to establish new minors to the Educational Policies and Planning Committee.

8. Standard Meeting Time:
The committee meeting time is scheduled for the second and fourth Thursday of each month.

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**East Carolina University Faculty Senate**

**UNIT CODE SCREENING COMMITTEE CHARGE**

*Faculty Senate Resolution #14-78, December 2014*

1. Name: Unit Code Screening Committee

2. Membership:
   8 elected faculty members.

   Ex-officio members (with vote):
   - The Chancellor or an appointed representative
   - the Provost or an appointed representative
   - the Vice Chancellor for Health Sciences
   - 1 with academic or administrative expertise in Research, Engagement, and Economic Development
   - or an appointed representative, the Vice Chancellor for Research, Economic Development and Engagement
   - or an appointment representative, the Chair of the Faculty
   - one faculty Senator selected by the Chair of the Faculty
   - and one student member from the Student Government Association.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:

   A. The committee reviews academic unit codes and changes to existing academic unit codes to insure compliance with Part IV Academic Units, Codes, and Seven Year Unit Program Evaluation and Part III, Section I. UNC Policy Manual and the UNC Code (UNC Board of Governors) of the ECU Faculty Manual and other appropriate documents.

   B. The committee revises the "Guidelines for Writing and Revising a Unit Code of Operation" when necessary.

   C. The committee coordinates the review of and recommends related policies and procedures for unit codes with the Faculty Governance Committee and/or other committees as appropriate.

5. To Whom The CommitteeReports:
The committee makes its recommendations to the Faculty Senate.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times
as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
   None

8. Standard Meeting Time:
The committee meeting time is scheduled for the third Wednesday of each month.

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East Carolina University Faculty Senate

UNIVERSITY BUDGET COMMITTEE CHARGE

Faculty Senate Resolution #20-59, November 2020

1. Name: University Budget Committee

2. Membership:
   7 elected faculty members (no more than one of whom may be fixed term).

   Ex-officio members (with vote): The Chancellor or an appointed representative; the Provost or an appointed representative, 1 with academic or administrative expertise in Research, Engagement, and Economic Development; or an appointed representative, the Vice Chancellor for Research, Economic Development and Engagement or an appointed representative; the Vice Chancellor for Administration and Finance or an appointed representative; the Vice Chancellor for Student Affairs or an appointed representative; the Chair of the Faculty; one faculty senator selected by the Chair of the Faculty; and one student member from the Student Government Association.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee serves as a communication link between the Faculty Senate and the Chancellor for budgetary matters. The committee informs the Faculty Senate about changes and proposed changes in the university budget.

   B. The committee receives information and advises the Chancellor regarding budgetary and reallocation decisions.

   C. The committee advises the Chancellor through the Faculty Senate on annual budget priorities and policy, biennial budget requests and priorities, tuition changes, and the relationship of budget decisions to the university’s mission.

   D. One committee representative serves as an ex-officio member on the administrative Tuition and Fees Committee.

5. To Whom The Committee Reports:
The committee advises the Chancellor through their reports to the Faculty Senate concerning its recommendations to the Chancellor.
6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to advise the Chancellor as described in section 4.A.above.

8. Standard Meeting Time:
The committee meets one Thursday each month, with specific days and times to be scheduled so as to avoid conflict with meetings of the ECU Board of Trustees or the UNC Board of Governors.

East Carolina University Faculty Senate
UNIVERSITY ENVIRONMENT COMMITTEE CHARGE
Faculty Senate Resolution #19-33, April 2019

1. Name: University Environment Committee

2. Membership:
7 elected faculty members (no more than one of whom may be fixed term). (5 from the Division of Academic Affairs and 2 from the Division of Health Sciences.)

Ex-officio members (with vote): The Chancellor or appointed representative; the 2 Provost or appointed representatives, 1 with academic or administrative expertise in the Vice Chancellor for Health Sciences disciplines; or appointed representative, the Vice Chancellor for Administration and Finance or appointed representative; the Vice Chancellor for Student Life or appointed representative; the Chair of the Faculty, one faculty senator selected by the Chair of the Faculty; and one student member from the Student Government Association.
The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as deemed necessary by the chair.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
A. The committee recommends policies to preserve and advance the general physical environment of the University, including traffic flow patterns, hardened sidewalk designs, speed limits, and parking facilities.
B. The committee recommends policies for maintenance of culturally historic landscape features and ground covers possessing aesthetic, historic, and/or environmental value and to mitigate the loss of displaced habitat.
C. The committee reviews effects of university projects upon water quality and quantity, runoff, and other physical impacts upon the community and provides recommendations when necessary.
D. The committee advises and works in coordination with the Sustainability Manager to promote sustainability efforts on campus, which include energy and resource conservation, recycling, waste reduction, and integration of sustainability issues into the curriculum.
E. The committee makes recommendations to promote appropriate management and use for education and research of ECU’s major natural areas.
F. The committee requests information as needed from Campus Operations, including Facilities Engineering and Architectural Services, and makes recommendations related to the following areas: University Master Plan, future land use, design and construction of new buildings,
renovations of existing facilities, management and implementation of the utility infrastructure, and management of the University’s repair and renovation program.

G. The Committee serves as a communication link between Campus Operations and the Faculty Senate regarding issues outlined above.

5. To Whom The Committee Reports:
The committee reports to the Faculty Senate its recommended policies, procedures, and other procedural criteria.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to advise the appropriate personnel as described in 4.C. above.

8. Standard Meeting Time:
The committee meeting time is scheduled for the fourth Thursday of each month.

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East Carolina University Faculty Senate

WRITING ACROSS THE CURRICULUM COMMITTEE CHARGE

Faculty Senate Resolution #18-40, May 2018

1. Name: Writing Across the Curriculum Committee

2. Membership:
   8 elected faculty members with a variety of disciplinary areas and colleges/schools.

   Ex-officio members (with vote): The Chancellor or an appointed representative, the Provost or an appointed representative, the Vice Chancellor for Health Sciences disciplines; or an appointed representative, the Chair of the Faculty, one Faculty Senator selected by the Chair of the Faculty, the Director of the University Writing Program, and one student member from the Student Government Association.

   Ex-officio (without vote): The Director of Composition or an appointed representative.

   The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.

3. Quorum: 4 elected members exclusive of ex-officio.

4. Committee Responsibilities:
   A. The committee promotes the University Writing Program and recommends policies and guidelines governing the development and offering of courses and seminars that are officially to be designated as writing-intensive courses.
   B. The committee reviews and approves proposals for writing-intensive courses, makes recommendations to the Faculty Senate regarding proposals carrying the writing
intensive designation, and reports those recommendations to the University Curriculum Committee.

C. The committee periodically reviews existing writing-intensive course offerings and recommends, as appropriate, changes to course writing-intensive status in order to ensure that standards for writing-intensive credit are being met.

D. The committee reviews the activities of the University Writing Program, advises the administrative leadership in that program, and serves as a liaison between the University Writing Program and the Faculty Senate.

E. The committee reviews honors seminar proposals for writing intensive credit.

F. The chair or appointed representative serves as an ex-officio member of the Honors College Faculty Advisory Committee.

5. To Whom The Committee Reports:
The committee reports to the Faculty Senate recommendations of policies, procedures, and criteria governing the development and offering of WI courses. The committee recommends curricular changes to the University’s writing-intensive requirement to the Faculty Senate.

6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.

7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to advise the office of the University Writing Program as described in 4.D. above.

8. Standard Meeting Time:
The committee meeting time is scheduled for the second Monday of each month.

Resolution #22-43
Approved by the Faculty Senate: February 22, 2022
Approved by the Chancellor: May 17, 2022*

*This resolution was approved by the Faculty Senate in February 2022 but was erroneously left out of the list of resolutions sent to the Chancellor for approval. Upon discovery of the error, the resolution was given a new number so it would not require renumbering all resolutions that had followed.

Curriculum and academic matters acted on and recorded in the General Education and Instructional Effectiveness meeting of January 24, 2022, including:

- Domestic Diversity (DD) credit for MUSC 2226 Introduction to Popular Music
- Global Diversity (GD) credit for PHIL 1700 Philosophy of Death and Dying
- General Education Social Sciences (GE:SO) credit for ANTH 1088 The Anthropology of Monsters, Vampires, and Zombies
- Global Diversity (GD) credit for ANTH 1088 The Anthropology of Monsters, Vampire, and Zombies
- General Education Humanities (GE:HU) credit for ENGL 2490 Introduction to Environmental Humanities
- General Education Humanities (GE:HU) credit for HIST 2005 Humans and Nature: Global Environmental History
- Global Diversity (GD) credit for HIST 2005 Humans and Nature: Global Environmental History
• Maintaining General Education Mathematics (GE:MA) credit for MATH 2121 after prerequisite change
• Maintaining Domestic Diversity (DD) credit for HAFS 1103 after course title change
• Maintaining General Education Natural Sciences (GE:SC) credit for GEOL 1600 after credit hour change
• And the following transfer credit approvals:
  o Domestic Diversity (DD) credit for SYG 2000 Introductory Sociology from Valencia Community College
  o Global Diversity (GD) credit for HIS 1301 Introduction to Global History from Winston Salem State University
  o Global Diversity (GD) credit for PHIL 1316 History of Religions from Central Texas College
  o Global Diversity (GD) credit for SCMT Global Terrorism from American Military University
  o Global Diversity (GD) credit for INTL 450 Terrorism and Counter-Terrorism from American Public University System

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