

# EAST CAROLINA UNIVERSITY

## 2010-2011 FACULTY SENATE

The third regular meeting of the 2010-2011 Faculty Senate will be held on **Tuesday, November 2, 2010**, at 2:10 in the Mendenhall Student Center Great Room.

### FULL AGENDA

- I. Call to Order
- II. Approval of Minutes  
[October 5, 2010](#)
- III. Special Order of the Day
  - A. Roll Call
  - B. Announcements
  - C. Steve Ballard, Chancellor
  - D. Deirdre Mageean, Vice Chancellor for Research and Graduate Studies
  - E. Marianna Walker, Chair of the Faculty
  - F. Lynn Roeder, Dean of Students  
Discussion on University's [Involuntary Protective Withdrawal Policy](#) and [Faculty Guide](#) when assisting with disruptive or distressed students
  - G. Approval of the Fall 2010 Graduation Roster, including honors program graduates.
  - H. Question
- IV. Unfinished Business  
Continued discussion on the [Faculty Assembly Resolution on Academic Freedom](#) and proposed resolution (attachment 1).
- V. Report of Committees
  - A. University Curriculum Committee, Carolyn Willis  
Curriculum matters contained in the [October 14, 2010](#), meeting minutes.
  - B. Academic Standards Committee, Mike Brown
    - 1. Proposed New Section to the *ECU Faculty Manual*, Part V. Academic Information, entitled Section IV. Distance Education Policies (attachment 2).
    - 2. Proposed New Subsection to the *ECU Faculty Manual*, Part V. Academic Information, entitled Final Examinations (attachment 3).
    - 3. Faculty Advice on Proposed Policy on Consequences for Faculty Who Fail to Submit Grades (attachment 4).
  - C. Educational Policies and Planning Committee, Scott Gordon
    - 1. Request for Approval of a [Residential Construction Management Concentration](#) (RCM) in the Bachelor of Science in Construction Management program, within

the Department of Construction Management, College of Technology and Computer Science.

2. Request for Approval of a [Commercial Construction Management Concentration \(CCM\)](#) in the Bachelor of Sciences in Construction Management program, within the Department of Construction Management, College of Technology and Computer Science.

D. Faculty Governance Committee, Puri Martinez

1. Proposed Revisions to the *ECU Faculty Manual*, Part XIII. Promotion and Tenure Timeline (attachment 5).
2. Proposed Revisions to the *ECU Faculty Manual*, Appendix C. Personnel Policies and Procedures for the Faculty (attachment 6).

E. Faculty Welfare Committee, John Reisch

1. Proposed revisions to the *ECU Faculty Manual*, Part VI. General Personnel Policies, Section I. Employment Policies, Subsection B. Collection of Money (attachment 7).
2. Proposed revisions to the *ECU Faculty Manual*, Part VI. General Personnel Policies, Section I. Employment Policies, Subsection C. Employee Involvement in Political Candidacy and Office Holding (attachment 8).
3. Proposed revisions to the *ECU Faculty Manual*, Part VI. Section VI. Equal Employment Opportunity/Affirmative Action Policy (attachment 9).

F. Libraries Committee, Robert Campbell

Discussion on library resources and faculty needs in relation to SACS reaffirmation.

VI. New Business

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**Faculty Senate Agenda**  
**November 2, 2010**  
**Attachment 1.**

**Resolution in Support of the UNC Faculty Assembly [Resolution on Academic Freedom](#)**

Whereas, academic freedom is fundamental to the successful fulfillment of the teaching, research, and service missions of East Carolina University; and

Whereas, there is concern that the constitutional protections of faculty are being abridged so there is now a need for more institutional protection of the academic freedom of the university; now therefore

Be it Resolved that, East Carolina University Faculty Senate fully endorses the *Resolution on Academic Freedom* that passed by the UNC Faculty Assembly on September 17, 2010; and

Be it Further Resolved that the East Carolina Faculty Senate requests that the Chancellors and Chief Academic Officers of the constituent institutions, together with the UNC Board of Governors, the General Administration, legal counsel, and Faculty Assembly delegates, convene a review committee to make recommendations for changes to the UNC Code that reflect an understanding of the "Statement on Academic Freedom" contained in the Faculty Assembly *Resolution on Academic Freedom*.

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**ACADEMIC STANDARDS COMMITTEE REPORT  
Proposed New Section to the *ECU Faculty Manual*, Part V. Academic Information,  
Section IV. Distance Education Policies**

**IV. Distance Education Policies**

Distance education is a formal educational process in which the majority (i.e. more than 50%) of instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not co-located. Instruction may be synchronous or asynchronous. The course may use Internet, closed circuit, cable, fiber optics, DVDs, CD-ROM or other electronic means to communicate. (The Southern Association of Colleges and Schools definition of "distance education.")

**A. Distance Education Courses and Programs**

Programs offered via distance education shall be consistent with the mission of East Carolina University and the academic unit offering the courses or programs. There shall be no distinctions in academic rigor or content between programs offered through distance education and those offered on campus. Development of new online programs and courses will follow the same development and approval procedures as for face-to-face programs and courses (Part V, Section III). Selection of courses and programs to be offered via distance education is the purview of the offering academic unit. The academic units shall provide oversight of programs and courses delivered via distance education to ensure that each is coherent and complete and has learning outcomes appropriate to the level and rigor of the course or program.

**B. Oversight of Distance Education**

The Office of the Provost shall ensure that academic units adhere to the distance education policies described in this section. The faculty assumes primary responsibility for ensuring the rigor of programs and the quality of instruction offered through distance education.

**C. Courses Delivered by Distance Education**

The faculty member teaching a distance education course shall have the same control of content and instruction as in face-to-face courses, consistent with university policies on instruction and academic freedom. Proposals for distance education courses shall be evaluated at the department or school, college and university level. The faculty member, unit curriculum committees, and the unit administrator play a significant role in guiding the development and implementation of distance education courses. Only those proposals demonstrating suitable content and sufficient quality and rigor shall be approved.

Faculty members develop syllabi for distance education courses consistent with the ECU Standards for Online Learning. These standards address learning objectives and other things necessary for student success in distance education courses. The structure of distance education courses and programs reflects consideration of the challenges of time management and the risk of attrition for students in these courses. Course design takes into consideration the need for and importance of interaction between faculty and students and among students.

**D. Faculty Preparation**

All courses offered via distance education shall be taught by a qualified, credentialed faculty member approved and assigned by the unit administrator. Faculty who teach distance education courses and programs shall have the same academic qualifications as faculty who teach face-to-face courses. Each faculty member who teaches one or more distance education course must complete a university training program. Academic units that wish to develop their own training program must use the university training program until their own training program is approved by the appropriate vice chancellor.

Unit administrators are responsible for ensuring that each faculty member teaching distance education courses has the appropriate distance education training. All faculty teaching distance education courses will engage in at least one training activity each academic year that addresses advances in the methodologies and technologies used in distance education. Training is documented in the faculty annual report of each faculty member teaching one or more distance education course. The unit administrator will provide a complete list of faculty members teaching distance education courses and documentation that each faculty member has met the training requirements annually to the Provost's office.

Faculty members teaching a distance education course have access to consultation, implementation, and evaluation support from appropriate supporting units (i.e. Office of Faculty Excellence, IPAR, college Instructional Support Consultants, library services, etc). The University shall provide appropriate equipment, software, and communications access to faculty necessary to provide effective distance education. The University will ensure the availability of continuing faculty education and training to enhance proficiencies in the methodology and the technologies used in distance education.

#### E. Quality Standards

Distance education courses shall comply with the ECU Standards for Online Learning.

#### F. Evaluation of Distance Education

DE Courses and faculty members teaching through distance education are subject to periodic review in addition to the faculty annual evaluation (at a minimum, once every three years). Faculty teaching multiple DE courses will submit only one course for review. Instruction in distance education courses shall be evaluated according to the instruction evaluation procedures in effect for face-to-face courses with appropriate additions consistent with the delivery method, including use of the University Peer Review Instrument for Online Learning or an approved Peer Review Instrument developed by the academic unit. Units that wish to develop their own Peer Review Instrument must use the university instrument until their own instrument is approved by the appropriate vice chancellor. Peer reviewers will be selected based on criteria determined by the faculty of the college, school or department.

Student opinion of instruction will be evaluated through an online evaluation specific for distance education courses approved by the Faculty Senate and the chancellor and administered through the Office of Institutional Planning, Assessment and Research.

Each distance education academic degree program shall be assessed in the same manner and the same frequency as the unit's assessment of academic programs offered on campus. The unit administrator shall review assessment results with assigned faculty and the departmental faculty to facilitate the continual enhancement of the unit's distance education program.

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**Faculty Senate Agenda  
November 2, 2010  
Attachment 3.**

**ACADEMIC STANDARDS COMMITTEE REPORT**  
Proposed New Subsection to the *ECU Faculty Manual*,  
Part V. Academic Information entitled Final Examinations

New additions to the proposed text are noted in **bold** print and deletions in ~~striketrough~~.

Proposed text was first presented to the Faculty Senate in April 2010 (Resolution #10-52) and later rejected by the Chancellor.

Part V. Final Examinations

The normal expectation is that the completion of both face to face and online courses will include a final examination **or an alternate method of evaluating student progress**. Final examinations are required at the discretion of the faculty member and must be scheduled in the course syllabus made available to students. If a final examination is not given during the final examination period, the faculty member must meet with the class during the scheduled examination time and use the allotted time for an appropriate instructional activity.

~~Final examinations are held at the close of each term and a final examination schedule is determined each semester by the Calendar Committee.~~ **The University establishes a final examination schedule each semester to reduce conflicts in course final examination and to meet the UNC established course hour requirements.** There will be no departure from the printed schedule of examinations. Changes for individual student emergencies of a serious nature will be made only with the approval of the instructor. A student who is absent from an examination without excuse will be given a grade of F for the examination. An incomplete (I) for the course will only be given in the case of a student absent from the final examination who has presented a satisfactory excuse to the instructor.

No test intended to substitute for the final exam may be given during the week preceding the final examination period. Faculty may not give an examination or an assignment in lieu of an examination on Reading Day.

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## Faculty Senate Agenda

November 2, 2010

### Attachment 4.

#### ACADEMIC STANDARDS COMMITTEE REPORT

##### Faculty Advice on Proposed Policy on Consequences for Faculty Who Fail to Submit Grades

#### 1. Purpose

With the implementation of the Banner system, effective Fall 2007, faculty no longer have a 48-hour deadline (after the exam is given) to submit grades. The Office of the Registrar provides the deadline in the memo sent to ECU Official, and available on their website, by which all grades must be submitted.

Grades must be submitted electronically not later than the deadline established by the Office of the Registrar. This regulation outlines the consequences for faculty who fail to submit grades prior to the submission deadline.

#### 2. Consequences

2.1 Upon notification from the Office of the Registrar, the unit administrator will determine why the grades were not submitted by the approved deadline.

2.1.1. If the unit administrator determines that the faculty member whose grades were not submitted by the approved deadline did not get his or her grades recorded due to circumstances outside his or her control, then no further action will be taken by the unit administrator.

2.1.2 If the unit administrator determines that the faculty member whose grades were not submitted by the approved deadline is at fault, the unit administrator will initiate the consequences as specified in this regulation.

2.2 First Offense - The Department Chair or Director will initiate a meeting with the faculty member within 30 days after the grade submission deadline, and a written summary of that meeting will be provided to the faculty member and placed in his/her personnel file. Emphasis will be placed on contractual obligations of faculty relative to submission of grades and professional neglect of duty or misconduct, as well as detailed information regarding the faculty member's failure to comply with such contractual obligations and professional standards.

2.3 Second Offense - The Dean will initiate a meeting with the faculty member within 30 days after the grade submission deadline, and a written reprimand from the Dean and appropriate Vice Chancellor will be provided to the faculty member and placed in his/her personnel file. This reprimand will be reflected in the faculty member's annual evaluation and consideration for merit adjustments.

2.4 Third Offense - The faculty member will no longer be eligible to earn additional compensation, including summer teaching, overload, etc., as well as the benefit of university sponsored travel for a period of two years.

2.5 Fourth and Subsequent Offenses - A faculty member who fails on four or more occasions to submit grades prior to the submission deadlines may be subject to imposition of serious sanctions in a manner consistent with Section 603 of The Code of the Board of Governors of The University of North Carolina and Appendix D, Part VI of the ECU Faculty Manual.

2.6 If the faculty member appropriately submits grades as per established university policies and procedures for a period of three consecutive years, the consequences noted above will reset for any subsequent offense.

2.7 At the end of the academic year, the dean is responsible for generating a report which shall include the names of violators for the academic year and the consequence as defined in this regulation.

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**Faculty Senate Agenda  
November 2, 2010  
Attachment 5.**

**FACULTY GOVERNANCE COMMITTEE REPORT**

Proposed Revisions to the *ECU Faculty Manual*, Part XIII. Promotion and Tenure Timeline

Proposed text was first presented to the Faculty Senate in April 2010 (Resolution #10-65) and later returned by the Chancellor to the Committee for additional review.

Proposed additions are noted in **bold** print and deletions in ~~strike~~through.

**The timelines designated in this schedule are the normal review cycle for the stated personnel actions. The Chancellor may approve an adjustment to these timelines when compelling circumstances, as determined by the Chancellor, justify a temporary revision.**

Promotion and Tenure Timeline – Spring before Decision Year\*

Action	Due Date 9 and 12 Month Faculty <b>Deadline</b>	Time Allotted for Decision
<b>Faculty</b> Request to the Committee for promotion or early conferral of permanent tenure <del>(this step not necessary for normal tenure timeline)</del>	1 <sup>st</sup> Friday in <b>February</b> March	
Faculty member submits list of potential external reviewers to committee	1 <sup>st</sup> <del>3<sup>rd</sup></del> Friday in February	
Committee submission of a list of external reviewers to the unit administrator <b>and Selection of</b> <del>(Materials should to be sent to reviewers. in a timely manner with sufficient time for completion.)</del>	Last <b>2<sup>nd</sup></b> Friday in March	
Unit Administrator sends formal request letter and materials to <b>confirmed</b> external reviewers	3 <sup>rd</sup> Last Friday in April	<b>3 6 weeks</b>

Promotion and Tenure Timeline – Fall of Decision Year\*

Action	Due Date 9 and 12 Month Faculty <b>Deadline</b>	Time Allotted for Decision	Health Sciences Division <b>Deadline</b>	Time Allotted for Decision
Unit Administrator informs committee of upcoming need for a meeting	1 <sup>st</sup> Tuesday in September		1 <sup>st</sup> Tuesday in September	
External reviewers' reports due	1 <sup>st</sup> Tuesday in September		1 <sup>st</sup> Tuesday in September	
Faculty turns in PAD to Committee	2 <sup>nd</sup> Tuesday in September		2 <sup>nd</sup> Tuesday in September	
Committee <del>decision</del> <b>recommendation</b> /PAD to unit administrator	2 <sup>nd</sup> Tuesday in October	4 weeks	2 <sup>nd</sup> Tuesday in October	4 weeks
Unit administrator <del>decision</del> <b>recommendation</b> /PAD to Dean (if applicable) (note: Brody School of Medicine P&T Committee reviews & makes Recommendation to BSOM Dean)	4 <sup>th</sup> 2 <sup>nd</sup> Tuesday in November	3 4 weeks	1 <sup>st</sup> Tuesday in November	3 weeks
Dean <del>decision</del> <b>recommendation</b> /PAD to VCAA or VCHS	2 <sup>nd</sup> 3 <sup>rd</sup> Tuesday in December	5 weeks	2 <sup>nd</sup> 1 <sup>st</sup> Tuesday in <b>January</b> <del>December</del>	5 6 weeks
VC decision/PAD to Chancellor	2 <sup>nd</sup> 4 <sup>th</sup> Tuesday in January	4 weeks	3 <sup>rd</sup> Tuesday in <del>January</del> <b>February</b>	6 weeks
Chancellor decision	4 <sup>th</sup> 3 <sup>rd</sup> Tuesday in February	3 4 weeks	3 <sup>rd</sup> Tuesday in <del>February</del> <b>March</b>	4 weeks
BOT decision (Tenure Only)	Spring BOT meeting	Date varies from year to each year	Spring BOT meeting	Date varies from year to each year

Reappointment of Probationary-Term Faculty Members Timeline\*

Action	Due-Date 9 Month Faculty <b>Deadline</b>	Time Allotted for Decision	Due-Date 12 Month Faculty <b>Deadline</b>
PADs due to tenure committee for reappointment decision	<del>1<sup>st</sup></del> <b>3<sup>rd</sup></b> Tuesday in <del>January</del> <b>February</b>		<del>1<sup>st</sup></del> <b>4<sup>th</sup></b> Tuesday in February
<del>Committee decision</del> <b>recommendation</b> reappointment to unit administrator	<del>1<sup>st</sup></del> <b>2<sup>nd</sup></b> Tuesday in <del>February</del> <b>March</b>	<del>3</del> 3 weeks	<del>1<sup>st</sup></del> <b>3<sup>rd</sup></b> Tuesday in <del>March</del> <b>May</b>
<del>Unit administrator decision</del> <b>recommendation</b> to Dean (if applicable)	<del>4<sup>th</sup></del> <b>1<sup>st</sup></b> Tuesday in March	3 weeks	<del>4<sup>th</sup></del> <b>2<sup>nd</sup></b> Tuesday in <del>April</del> <b>May</b>
<del>Dean decision</del> <b>recommendation</b> to VCAA or VCHS	<del>3<sup>rd</sup></del> <b>Last</b> Tuesday in March	3 weeks	<del>3<sup>rd</sup></del> <b>1<sup>st</sup></b> Tuesday in <del>May</del> <b>June</b>
VCAA or VCHS decision	<del>2<sup>nd</sup></del> <b>Last</b> Tuesday in <del>April</del> <b>May</b>	4 weeks	<del>2<sup>nd</sup></del> <b>1<sup>st</sup></b> Tuesday in <del>June</del> <b>July</b>

Reappointment of Probationary-Term Faculty Members in 2<sup>nd</sup> Year of Employment With Credit for Prior Academic Service Timeline\*

Action	Due-Date 9 Month Faculty <b>Deadline</b>	Time Allotted for Decision	Due-Date 12 Month Faculty <b>Deadline</b>
<del>PADs due to tenure committee for</del> reappointment <del>decision</del>	<del>1<sup>st</sup></del> Tuesday in September		<del>1<sup>st</sup></del> Tuesday in April
<del>Committee decision on reappointment</del> <b>recommendation</b> to unit administrator	<del>1<sup>st</sup></del> Tuesday in October	4 weeks	<del>1<sup>st</sup></del> Tuesday in May
<del>Unit administrator decision</del> <b>recommendation</b> to Dean (if applicable)	<del>3<sup>rd</sup></del> Tuesday in October	2 weeks	<del>3<sup>rd</sup></del> Tuesday in May
<del>Dean decision</del> <b>recommendation</b> to VCAA or VCHS	<del>1<sup>st</sup></del> Tuesday in November	2 weeks	<del>2<sup>nd</sup></del> Tuesday in June
VCAA or VCHS decision	<del>3<sup>rd</sup></del> Tuesday in November	2 weeks	<del>3<sup>rd</sup></del> Tuesday in June

Subsequent Appointment of Fixed-Term Faculty Members Timeline – Spring of Decision Year\*

Action	Due-Date 9 Month Faculty Deadline	Time Allotted for Decision	Due-Date 12 Month Faculty Deadline
Fixed-term faculty members request <del>reappointment</del> <b>consideration of a subsequent appointment and submit portfolio required by unit code</b>	No earlier than 180 calendar days before term expires and no later than 90 calendar days before term expires-		No earlier than 180 calendar days before term expires and no later than 90 calendar days before term expires
Committee and unit administrator notify fixed-term faculty member in writing of subsequent appointment recommendation	within 30 days of the request	30 days	within 30 days of the request

\*Faculty candidate will be notified **of the recommendation or decision, as appropriate**, in writing within one week at each decision point.

Approved:  
Faculty Senate Resolution #06-09, March 1, 2006  
East Carolina University Chancellor

Revised:  
Faculty Senate Resolution #07-07, March 13, 2007  
East Carolina University Chancellor

Editorially revised 5-3-07

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**Faculty Senate Agenda  
November 2, 2010  
Attachment 6.**

**FACULTY GOVERNANCE COMMITTEE REPORT**  
Proposed Revisions to the *ECU Faculty Manual*,  
Appendix C. Personnel Policies and Procedures for the Faculty

Proposed additions are noted in **bold** print and deletions in ~~striketrough~~.

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**Appendix C**  
**PERSONNEL POLICIES AND PROCEDURES**  
**FOR THE FACULTY OF EAST CAROLINA UNIVERSITY<sup>1</sup>**

I. Selection and Appointment of New Faculty

A. Determination of Number and Nature of Positions

~~Needed Allocation of faculty positions is the prerogative of the Academic Council. vice chancellor for academic affairs, the vice chancellor for health sciences and the vice chancellor for student life, as appropriate.~~

~~The unit administrator is responsible for recommending through administrative channels to the academic council vice chancellor for academic affairs, the vice chancellor for health sciences, or the vice chancellor for student life the number and nature of faculty positions needed to carry on the functions of the unit.~~

**Acting in accord with the policies and procedures set forth in the Unit Code, the unit administrator shall recommend to the next higher administrator (for conveyance to the Academic Council) the number and nature of faculty positions needed to carry out the unit's mission and achieve the university, division, college and unit planning goals. Such recommendations shall be developed with input from the unit's fixed-term, probationary term, and tenured faculty, and shall contain justifications addressing the unit staffing plan and appropriate planning goals of the university, division, college and unit.**

**The Academic Council and deans shall not require that a faculty position be fixed-term rather than probationary term unless sound reasons exist. Such reasons include, but are not limited to, (a) the position is not permanently assigned to the unit, (b) the position is addressing temporary needs, (c) the position cannot be filled by a faculty member with a terminal degree, (d) the duties of the position are primarily clinical, (e) the position is by its nature term-limited (term-limited endowed professorships, for example), or (f) this reflects the preference of the faculty member taking the position.**

~~The unit administrator, in keeping with the mission of the unit and the institutional context, shall follow the provisions of the unit code in making recommendations concerning the number and nature of positions needed.~~

B. Selection Procedure

The unit administrator shall notify the unit personnel committee of the number and nature of positions allocated to the unit. The selection process **of candidates** must then proceed in accordance with *Appendix D, Tenure and Promotion Policies and Procedures* and *Part VI, General Personnel Information*, the most recently revised Affirmative Action Plan, and applicable unit code provisions. **The type of search (i.e. local, regional, national) required is governed by [University EEO policies](#).**

C. General Criteria<sup>2</sup>

~~For appointment, as well as reappointment and promotion, a faculty member who is tenured or probationary the faculty member is evaluated on past achievements and potential for future contributions in: potential and achievements in:~~

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<sup>1</sup>For other policies and procedures dealing with faculty appointments, see *ECU Faculty Manual*, Appendix D.

<sup>2</sup>These criteria are not designed to be used for persons with administrative rank to evaluate their administrative service. Criteria for that purpose shall be developed by proper administrative authority.

- Teaching
- **Scholarship (Research, Creative Activity/Innovation, Engagement and/or Outreach).** ~~Creative Activity/Research.~~
- Service to the university, the profession, and the community.

1. Teaching

East Carolina University recognizes the primary importance of teaching. East Carolina University expects each member of the faculty to have knowledge of subject matter commensurate with one's teaching assignment, to maintain awareness of developments in one's discipline, and to communicate to students one's knowledge of and interest in the discipline. The faculty member will encourage students in responsible and careful inquiry, in appreciation of the interrelation of various disciplines, and in recognition of the uses of learning and the value of the educated mind. Teaching includes activities and responsibilities beyond the classroom setting, e.g., advisement; mentoring; laboratory supervision; clinical rounds by a physician/professor accompanied by students; the direction of research projects and papers, dissertations, and theses; and other contacts and relationships outside the classroom.

2. **Scholarship (Research, Creative Activity/Innovation, Engagement and/or Outreach)**

**Scholarship refers to the scholarship of research, the scholarship of creative activity/innovation, and the scholarship of engagement and/or outreach. The relative importance of each factor and the type of activity to be considered under each factor must be clearly defined in the unit code. The procedures by which relative weights are established for each individual faculty member for annual evaluation, tenure and promotion must also be clearly described in the unit code. East Carolina University encourages and supports the continuing efforts of faculty to develop a deeper appreciation of the importance of professional competency acquired through scholarship that is appropriate to one's discipline. A faculty member's scholarship shall reflect the high professional standards incumbent upon those who enjoy full academic freedom; such activities must be measured by standards of quality, not merely by quantity. Evaluation of scholarship must be based primarily on peer-reviewed materials as defined in the unit code.**

~~Creative Activity/Research~~

~~East Carolina University encourages and supports the continuing efforts of faculty to develop a deeper appreciation of the importance of professional competency acquired through scholarship, research, and other creative activities appropriate to one's discipline. A faculty member's research and creative activities shall reflect the high professional standards incumbent upon those who enjoy full academic freedom; such activities must be measured by standards of quality, not merely by quantity.~~

3. Service

East Carolina University considers service to the university, the academic profession, and the community as an important aspect of academic performance. (See Sections III.4).

**For appointment, the fixed-term faculty member is evaluated on past achievements and potential for future contributions in the areas of responsibility stated in the contract and established in the unit code.**

D. Requirements for ranks and titles

1. General Provisions

Appointments are made at the academic ranks of instructor, assistant professor, associate professor, and professor. These are the only ranks which may involve a permanent tenure commitment. Appointments to all other titles are for a definite term and do not involve a permanent tenure commitment.

The following are the minimum required qualifications which may be considered when making appointments.

## 2. Ranks of Probationary Term Appointments

### Instructor

- has evidence of a sound educational background for the specific position, or has equivalent professional experience
- has completed most or all the requirements for the appropriate terminal degree
- has demonstrable proof that the degree will be obtained within a short period of time as agreed upon by the academic unit and the appointing officer
- has demonstrated potential for effective teaching
- has demonstrated potential for effective clinical practice in disciplines where appropriate

### Assistant Professor

- has qualifications of the previous rank
- holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- **exhibits** evidence of potential for continued professional growth in teaching effectiveness, and **scholarship**. ~~creative activity/or research~~
- has ability and willingness to participate in departmental, college, and university affairs
- has membership in professional organizations
- has demonstrated expertise in clinical practice in disciplines where appropriate

### Associate Professor

- has qualifications of the previous rank
- has demonstrated teaching effectiveness has a record of **scholarship** ~~creative or research activity~~ resulting in publication or comparable productivity
- has demonstrated ability and willingness to participate in department, college, and university affairs
- has a record of effective service to the profession
- has a record of effective clinical practice in disciplines where appropriate

### Professor

- has qualifications of the previous rank
- has an established record of excellence in teaching
- has a significant record of **scholarship** ~~creative or research activity~~ resulting in publication or comparable productivity
- has demonstrated excellent ability and willingness to participate in department, college, and university affairs
- has a record of significant service to the profession
- has a record of effective clinical practice in disciplines where appropriate

## 3. Titles of Fixed-Term Appointments

### a. Faculty with duties primarily in instruction

#### Teaching Instructor

- holds, at a minimum, a master's degree appropriate to the area of instruction, or has equivalent professional experience
- has demonstrated potential for effective teaching

#### Teaching Assistant Professor

- has qualifications of the previous title
- holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- has demonstrated effectiveness in teaching

#### Teaching Associate Professor

- has qualifications of the previous title
- has demonstrated superior teaching ability

- engages in professional development activities

#### Teaching Professor

- has qualifications of the previous title
- has demonstrated excellence in teaching
- engages in professional development activities
- has demonstrated a degree of proficiency sufficient to establish an excellent reputation among colleagues
- is qualified and competent in mentoring others (such as graduate students, teaching instructors, etc.)

#### b. Faculty with duties primarily in research

Research faculty are typically externally funded. Research faculty are encouraged to give seminars and teach occasional courses in their specialty. Teaching is at the discretion of the unit and the availability of funds.

##### Research Instructor

- holds a minimum of a master's degree appropriate for the specific position or has equivalent professional experience
- has demonstrated potential for effective research
- should be capable of carrying out individual research or should be trained in research procedures
- should have had the experience and specialized training necessary to develop and interpret data required for success in such research projects as may be undertaken

##### Research Assistant Professor

- has qualifications of the previous title
- holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- has demonstrated effectiveness in research
- is qualified and competent to direct the work of others (such as technicians, graduate students, etc)

##### Research Associate Professor

- has qualifications of the previous title
- has extensive successful experience in scholarly or creative endeavors
- has the ability to propose, develop, and manage major research projects

##### Research Professor.

- has qualifications of the previous title
- has demonstrated a degree of proficiency sufficient to establish an excellent reputation among colleagues
- has demonstrated scholarly production in research, publications, professional achievements or other distinguished and creative activity.

#### c. Faculty with duties primarily in clinical teaching

##### Clinical Instructor

- holds, at a minimum, a graduate degree appropriate for the specific position or has equivalent professional experience
- has demonstrated potential in clinical practice and teaching in the field

##### Clinical Assistant Professor

- has qualifications of the previous title
- holds the appropriate professional degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- has training and experience in an area of specialization
- has demonstrated expertise in clinical practice and teaching in the field

##### Clinical Associate Professor

- has qualifications of the previous title

- has extensive successful experience in clinical or professional practice in a field of specializations, or in a subdivision of the field, and in working with and/or directing others (such as professionals, faculty members, graduate students, etc) in clinical activities in the field

- has demonstrated superior teaching ability

#### Clinical Professor

- has qualifications of the previous title
- has demonstrated a degree of sustained excellence in clinical practice and teaching sufficient to establish an outstanding reputation among colleagues

#### d. Additional faculty titles

Artist-in-Residence; Writer-in-Residence. These titles may be used to designate temporary appointments, at any salary and experience level, of persons who are serving for a limited time or part-time, and who are not intended to be considered for professorial appointment.

Adjunct Instructor; Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor. These titles are used to appoint outstanding persons who have a primary employment responsibility outside the university or in a different department in the university, and who bring some specific professional expertise to the academic program. These positions are typically unfunded.

Affiliate Instructor; Affiliate Assistant Professor; Affiliate Associate Professor; Affiliate Professor. These titles are used in the School of Medicine to appoint outstanding persons who have a primary employment responsibility outside the university and who bring some specific professional expertise to the academic program. These positions are typically unfunded.

Visiting Instructor; Visiting Assistant Professor; Visiting Associate Professor; Visiting Professor. The prefix “visiting” before an academic title is used to designate a short-term full or part time appointment without tenure. Therefore the visiting title shall not be used for periods of time beyond the initial contract period. It shall be used only for those fixed-term faculty members who are visitors, temporary replacements, or for whose disciplines the institution in good faith expects to have only a short-term need. Use of the visiting title for an individual for more than 3 years is a misuse of this title.

#### 4. Emeritus status

**Based on criteria specified in the unit code and upon recommendation by the unit personnel committee and appropriate administrators, the Chancellor may confer the titles “emeritus” or “emerita”** ~~will be conferred~~ upon a retired or **permanently disabled** faculty member, including a Phased Retirement participant, who has made a significant contribution to the university through a long and distinguished record of scholarship, teaching, and/or service.

#### E. Initial Appointment

[For additional provisions related to initial faculty appointments, see *ECU Faculty Manual*, Appendix D.II.]

**Appointment to the faculty is made by the chancellor or his/her designee.<sup>3</sup> Upon receiving recommendations by appropriate unit committees and administrators, the chancellor or his/her designee shall issue a contract for initial appointment to the faculty that becomes binding upon being executed by the faculty appointee.**

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<sup>3</sup> Reference to the chancellor’s designee ~~shall include and be~~ is limited to the **Academic Council** ~~vice-chancellor of academic affairs, vice chancellor for student life, or the vice chancellor for health sciences.~~

The contract shall specify, at minimum: rank or title; salary rate; length of appointment, tenure status [either fixed term, probationary term, or appointment with permanent tenure as defined in the *Faculty Manual, Appendix D*]; initial assignments and/or responsibilities; and reference to the criteria for evaluation of faculty performance, as provided in Appendix D, unit codes, and other appropriate documents; and any specific terms and conditions of employment.

Any action conferring permanent tenure with the initial faculty appointment requires approval of the Board of Trustees.

~~Appointment to the faculty is made by the chancellor or his/her designee.<sup>131</sup> Criteria for evaluation of faculty performance shall be provided in writing and discussed before initial employment. A record of this discussion shall be placed in the faculty member's personnel file. Any action conferring permanent tenure with the initial appointment requires approval of the board of trustees. The initial contract shall be signed by the chancellor, or his designee, and the appointee. This contract shall be accompanied by and elaborated on by a letter signed by the chancellor, or his designee, and a letter signed by the unit administrator.~~

~~The chancellor's letter shall specify rank or title; salary; length of appointment; and tenure status, whether fixed term, probationary term appointment, or appointment with permanent tenure (*ECU Faculty Manual, Appendix D*). The unit administrator's letter shall establish the specific conditions of employment.~~

## II. Assignments of Faculty Workload

Faculty workload is governed by the [Faculty Workloads Administrative Regulation](#).

By the end of the Spring semester for 9 month faculty, and by the end of the summer session for 12 month faculty, and prior to making final faculty workload assignments and after soliciting faculty preferences, *the unit administrator shall apprise each unit faculty member, in writing*, of the duties and responsibilities for the coming academic year.

### A. Assignment of Teaching Responsibilities

The unit administrator assigns teaching responsibilities. If changes in a faculty member's assignment become necessary, the faculty member shall be notified, when possible, at least two weeks prior to the beginning of each semester of such changes prior to the effective date of the amended assignment.

### B. Teaching Load

Full-time faculty members whose primary responsibilities are teaching should not be required to teach more than 12 credit hours per semester or 6 credit hours per summer session, with the exception of faculty members who voluntarily teach directed readings and similar courses. If exceptional circumstances require that a faculty member be assigned more than 12 credit hours in a semester, he or she should be appropriately compensated for the excess teaching load during that term or be given the equivalent reduced teaching load the following semester.

### C. Assignment of Released Time

Assignments of released time are governed by [Faculty Scholarly Reassignment Administrative Regulation](#). Faculty members who are to be granted released time shall be informed in writing of the purpose of the reduced assignment.

#### ~~A. Assignment of Teaching Responsibilities~~

~~Prior to making final faculty assignments and at least two weeks prior to the beginning of each semester, the unit administrator shall apprise each unit faculty member, in writing, of the duties and responsibilities in teaching, after soliciting faculty teaching preferences. If changes in a faculty member's assignment become necessary, the faculty member shall be notified of such changes prior to the effective date of the amended assignment.~~

#### ~~B. Assignment of Released Time~~

~~Faculty members who are to be granted released time from teaching shall be informed in writing of the purpose of the reduced teaching assignment.~~

### III. Annual Evaluation

Each faculty member with **either a fixed-term, probationary term, or permanently tenured appointment** shall receive annually an evaluation of his/her performance from the unit administrator which shall be based upon current academic year data. **The annual performance evaluation of faculty members shall employ the criteria contained in the unit code approved by the chancellor.** (except that data from the previous year's spring semester survey of student opinion of teaching may be utilized when current spring semester survey data are unavailable<sup>41</sup>). This annual evaluation shall:

- be in writing;
- ~~state the percentage of variable salary increment available to the unit to be recommended by the unit administrator for the faculty being evaluated;~~
- be discussed with the faculty member prior to being sent to any other administrator or placed in the faculty member's personnel file; in the case of faculty members with probationary **term** period appointments, a record of this discussion shall be placed in the faculty member's personnel file;
- be signed and dated by the unit administrator and the faculty member, who may attach to the evaluation a concise comment regarding the evaluation. **The faculty member has 4 calendar days after receiving the evaluation to attach the statement.** The signature of the faculty member signifies that the faculty member has read, but does not necessarily concur in, the evaluation.

The unit administrator shall forward to each faculty member a copy of that member's annual evaluation within ten **calendar** days ~~of after~~ completing the evaluations of unit members.

~~The unit administrator's annual performance evaluation of faculty members shall employ the criteria contained in the unit code approved by the chancellor (*ECU Faculty Manual, Appendix L*).~~ **The evaluation of probationary term and permanently tenured faculty** shall be based upon that year's assigned duties and **responsibilities (except data from the previous year's Spring semester survey of student opinion)** and shall consider:

#### 1. Teaching

The quality of teaching must be evaluated by means of

- a. data from surveys of student opinion, when such data have been gathered in accordance with established procedures of the department or the university which guarantee the integrity and completeness of said data. As part of the effort to evaluate the teaching of faculty members, each unit shall either: develop and use its own instrument(s) as approved by the chancellor to determine student opinion of teaching or utilize the instrument developed by the ~~Teaching Effectiveness~~ Committee to determine student opinion of teaching.
- b. formal methods of peer review of new and probationary term faculty, including direct observation of teaching, Methods to be used for this peer review are detailed in [Faculty Senate resolution #93-44](#). The peer review instrument is provided in [Faculty Senate resolution #05-03](#).
- c. procedures provided for in unit codes;

#### 2. **scholarship** ~~research and creative activities;~~

3. patient care;
4. services rendered on department, school, college, and university committees, councils, and senates; service to professional organizations; service to local, state and national governments; contributions to the development of public forums, institutes, continuing education projects, patient services and consulting in the private and public sectors; and
5. other responsibilities as may be appropriate to the assignment.

The relative weight given to teaching, **scholarship** and ~~research/creative activity~~, and service in personnel decisions shall be determined by each unit code. In no case, however, shall service be weighed more heavily than either teaching or **scholarship** ~~research/creative activity~~.

**The evaluation of fixed-term faculty members shall be based on their performance of duties as stated in their contracts.**

#### **IV. Reappointment of Probationary Term Faculty Members** Refer to Appendix D of the *ECU Faculty Manual*.

#### **V. Subsequent new appointments of Fixed-Term Faculty Members**

**Faculty positions that are occupied by faculty members holding fixed-term contracts shall periodically be evaluated to determine if it is feasible to convert the position to one that is tenure-eligible. When it is recommended that a position that is occupied by a fixed-term faculty member be made tenure-eligible, the personnel committee and unit administrator shall determine collaboratively the appropriate kind of search recommended (search waiver, internal search, or external search), with the final approval authority for the type of search (i.e. local, regional, national) governed by [University EEO policies](#).**

**The repeated re-employment in full-time, fixed-term positions of faculty members whose qualifications are on a par with those who are probationary term faculty members in the unit is justifiable only when special conditions apply such as: (a) the position is not permanently assigned to the unit, (b) the position is addressing temporary needs, (c) the position cannot be filled by a faculty member with a terminal degree, (d) the duties of the position are primarily clinical, (e) the position is by its nature term-limited (term-limited endowed professorships, for example), or (f) reflects the preference of the faculty member taking the position. Qualified full-time, fixed-term faculty members should be encouraged to apply for tenure-eligible positions.**

**Repeated re-employment of part-time fixed-term faculty members should be subject to the same conditions listed in a-f in the above paragraph. The continuous re-employment of faculty in part-time or temporary positions should be avoided, unless mutually beneficial for the candidate and the unit.**

#### **VI. ~~IV.~~ Professional Advancement**

**Advancement in title for fixed-term faculty and pPromotion for tenured and probationary term faculty are** is a means through which professional achievement is encouraged, recognized, and rewarded by the university. Evaluation of faculty for purposes of promotion **or advancement in title** shall accord with the regulations established in accordance with the unit code and shall employ the criteria contained in the unit code approved by the chancellor (*ECU Faculty Manual*, Appendix L).

~~Departments in professional schools may also establish guidelines for evaluation of faculty for promotion or advancement in title consistent with the criteria in their school's unit code. Specific regulations and criteria governing evaluation of faculty for purposes of promotion or advancement in title may vary from unit to unit. For evaluations pertaining to fixed-term subsequent new appointment at a higher title, the criteria shall be stated in the unit code.~~

As a minimum each unit shall:

- apply published criteria in teaching, **scholarship** ~~creative activity~~ and service for evaluating faculty for promotion **or advancement in title**;
- make available procedures which will permit each faculty member to report achievements annually or on a more frequent basis;
- assure each faculty member the right to discuss one's candidacy with the unit administrator and/or the **appropriate unit** ~~personnel~~-committee at any time; and
- notify each faculty member within four days of receipt of the administration's call for promotion **or advancement in title** recommendations.

Upon request by the faculty member, the unit administrator and the unit **promotion** ~~personnel~~ committee shall evaluate the faculty member for promotion; **the unit administrator and the personnel committee shall evaluate the faculty member for advancement in title.** Following such evaluation, the unit administrator and **appropriate unit** committee shall inform the faculty member of their respective recommendations. Promotion **or advancement in title** shall be based primarily upon the faculty member's total demonstrated professional competence and achievement. Procedures to be followed for promotion are found in *ECU Faculty Manual*, Appendix D. **Procedures to be followed for advancement in title should be specified in each code unit in accordance with *ECU Faculty Manual*, Appendix D.II.B.3., III. and IV.; and Appendix C. section I.D.3.**

Among the many qualifications which may be considered when making recommendations for promotion, the **requirements in section I.D.2. above** following: **are essential.**

#### Assistant Professor

- ~~has qualifications of the previous rank~~
- ~~holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned~~
- ~~shows evidence of potential for continued professional growth in teaching effectiveness, creative activity, or research~~
- ~~has ability and willingness to participate in departmental, college, and university affairs~~
- ~~has membership in professional organizations~~
- ~~has demonstrated expertise in clinical practice in disciplines where appropriate~~

#### Associate Professor

- ~~has qualifications of the previous rank~~
- ~~has demonstrated teaching effectiveness~~
- ~~has a record of creative or research activity resulting in publication or comparable productivity~~
- ~~has demonstrated ability and willingness to participate in department, college, and university affairs~~
- ~~has a record of effective service to the profession~~
- ~~has a record of effective clinical practice in disciplines where appropriate~~

#### Professor

- ~~has qualifications of the previous rank~~
- ~~has an established record of excellence in teaching~~
- ~~has a significant record of creative or research activity resulting in publication or comparable productivity~~
- ~~has demonstrated excellent ability and willingness to participate in department, college, and university affairs~~
- ~~has a record of significant service to the profession~~
- ~~has a record of effective clinical practice in disciplines where appropriate~~

Promotion ~~usually~~ **in academic rank** should be accompanied by a salary increment which shall be separate from any and all other increments to which the individual may be entitled.

Notwithstanding any previous statement that has appeared herein, competence for promotion to a

specific rank may be attested to by advanced study, culminating in appropriate graduate degrees, or by extensive work experience in the teaching fields or in a professional practice which is demonstrably of highest quality.

**Advancement in title for fixed-term faculty members should be accompanied by a salary increment which shall be separate from any and all other increments to which the individual may be entitled. Notwithstanding any previous statement that has appeared herein, competence for advancement in title may be attested to by demonstrated excellence in the performance of duties specified in the contract of the fixed-term faculty member and supported by the faculty member's annual performance evaluation.**

## VII. ~~V~~ Salary

### A. Initial Salary

Initial salary shall be based on degree attainment, pertinent experience, professional activity, scholarly publication or its equivalent, and level of responsibility, consideration being given to the salaries of personnel presently in the unit and salaries within the discipline in comparable institutions.

### B. Determination of Annual Salary Increments

The unit administrator shall recommend annual salary increments to appropriate administrative officials in accordance with requirements imposed by the North Carolina General Assembly, The University of North Carolina Board of Governors, **the ECU Board of Trustees**, and the university administration, and shall employ any additional criteria that have been established in this appendix, in units codes, or in policies required by unit codes. Basic criteria for assessing merit shall include the degree of teaching excellence; **scholarship** ~~creative activity and research~~; service to local, state, and national governments; as well as contributions to the development of public forums, institutes, continuing education projects, and patients' services. The unit administrator shall report annually to the unit, in dollar amounts and percentages, the total increment allotted, mean salary increment, and range in salary increments for the unit. Each faculty member shall be informed by the unit administrator of any salary increment recommendations made on behalf of the faculty member by the unit administrator.

### C. **Benefits and Salary Increases for Fixed-Term Faculty**

**Equitability of salary and benefits for fixed-term faculty members should be reviewed annually. When salary increments are provided by the Board of Governors, full-time fixed-term faculty who have completed one year of employment and have received a subsequent new appointment should be considered for a salary increase based upon their annual evaluation and criteria established by the Board of Governors, ECU Board of Trustees, and the unit code.**

**Full-time, fixed-term faculty are entitled to the same benefits as all other full-time employees of ECU.**

## VIII. Faculty Personnel Files

### A. State Laws

**[Article 7 of Chapter 126](#) of the General Statutes of North Carolina shall govern matters relating to personnel files, contents and permissible access. The General Statutes are located in Joyner Library and in the University Attorney's Office. Access to the statutes on the Internet are available at:**

**[www.ncga.state.nc.us/Statutes/Statutes.html](http://www.ncga.state.nc.us/Statutes/Statutes.html) or  
[www.allaw.com/state\\_law\\_search/north\\_carolina/](http://www.allaw.com/state_law_search/north_carolina/)**

**PLEASE NOTE THAT THE STATUTES REPORTED ON THE INTERNET MAY NOT BE ACCURATE AND MAY NOT BE UPDATED IN A TIMELY MANNER TO REFLECT THE LATEST SUPPLEMENTS.**

**For questions regarding personnel files, contact the Faculty Senate Office or the University Attorney's Office.**

#### **B. Definition**

**North Carolina law defines a personnel file as any information gathered by East Carolina University that relates to an individual's employment, which includes information relating to the application, selection, promotion, demotion, transfer, leave, salary, suspension, performance evaluation, disciplinary action, or termination of employment, wherever located and in whatever form. Records related to grievances and appeals of non-reappointment and non-conferral of tenure are personnel records. The Personnel Action Dossier ("PAD") is an evaluative document, is a personnel record, and is part of the faculty member's personnel file. The personnel file is University property and is retained by the University.**

**Personnel records 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.**

#### **C. Location**

**All records used in the formal evaluation of faculty must be in the primary personnel file. A faculty member's primary personnel file shall reside in the code unit office under the supervision of the code unit administrator. In addition, there may be other files containing personnel records that are located in approved University offices. The location and custodian of other files containing personnel records will be listed in the Personnel File Checklist attached to the inside cover of the primary personnel file.**

**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 age, race, religion, or disability, or a violation of the amorous relations policy; and records relating to any disciplinary action against a faculty member may be included in an appeal hearing file or in an investigative file prepared by the EEO Office or by the University Attorney's Office.**

**Personnel records retained in the EEO Office or the University Attorney's Office will remain confidential, but the documents collected and/or created in those offices are considered part of an investigative/preparation file and are not considered part of the primary 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 filed against a faculty member and will follow the procedures prescribed for due process. In most cases, personnel documents maintained in those files will be duplicates of documents in the primary personnel file. In all cases, the documents in those files will be available for review by the faculty member.**

#### **D. Content**

**State law requires that the University permit the public to have access to the following employment related information about: 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, 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 properly authorized agent, who may examine his 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) Members of the General Assembly who may inspect and examine personnel records under the authority of G.S. 120-19;
- (4) 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
- (5) 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 such information shall not be divulged for purposes of assisting in a criminal prosecution, nor for purposes of assisting in a tax investigation; and
- (6) Any person or corporation to which the Chancellor determines release of such information is essential as allowed by [General Statute §126-24](#).

All evaluative documents will be contained in the primary personnel file. Evaluative materials or summaries thereof prepared by peer committees as part of a regular evaluation system are placed in the primary personnel file when signed by a representative of the committee. In particular, official copies of Personnel Action Dossiers, as outlined in [Part XII. of the ECU Faculty Manual](#), including documentation submitted by faculty for consideration in the tenure, reappointment and promotion processes, shall reside in the primary personnel file.

No material obtained from an anonymous source shall be placed in the primary 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 primary personnel file or other personnel records 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 primary personnel file because it is inaccurate or misleading may seek the removal of such material from the primary

personnel file in accordance with Appendix Y of the Faculty Manual, including appeal to the State Personnel Commission.

#### **E. Access**

The unit administrator is responsible for providing faculty member's access to their personnel file during regular business hours with advance notice to the unit administrator. Advance notice of at least 4 calendar days is required so that the file can be gathered from other offices, if necessary, and so that confidential documents, as specified in D.1 (above), can be removed. 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.

Faculty members are encouraged to examine their primary personnel file often, subject to certain restrictions of state law. Faculty members may examine other files containing personnel records subject to the same restrictions. A faculty member may obtain copies of any materials that are not restricted by State law in the personnel.

#### **F. 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 person, who knows of these violations but does not act, has neglected his or her duties and may also be disciplined in accordance with University regulations.

#### **IX. VII. Amendment Procedure**

~~Amendments to *ECU Faculty Manual, Appendix C. Personnel Policies and Procedures* may be proposed by any full-time member of the faculty, by any faculty committee, or by any member of the administration of East Carolina University. The proposed amendment(s) shall be submitted to the Faculty Senate for consideration and shall be handled as any other item of legislation which comes before the senate. Such proposed amendments, if approved by the senate, shall be submitted to the chancellor, and then to the board of trustees for its approval.~~

Amendment procedures are subject to the University's Regulation on Policies, Rules, and Regulations. The Faculty Senate will consider amendments to *ECU Faculty Manual, Appendix C. Personnel Policies and Procedures* that are proposed by any full-time member of the faculty, by any faculty committee, or by any member of the administration of East Carolina University. Amendment(s) submitted to the Faculty Senate for consideration shall be handled as any other item of legislation which comes before the senate. If the senate approves such a proposed amendment, the senate shall submit the proposed amendment to the chancellor and, if approved by the chancellor, the amendment will be forwarded to the board of trustees for its approval. Consideration by the board of trustees is not required if the chancellor has final authority to enact the amendment.

#### **X. Effective Date**

All provisions of these policies and procedures shall become effective on the date they are approved by the East Carolina University Board of Trustees or its designee.

#### **APPENDIX: Faculty Personnel File Checklists**

FACULTY PERSONNEL FILE CHECKLIST  
(Division of Academic Affairs)

Your primary personnel file is located in the office of your Code Unit Administrator and may be reviewed at any time during regular business hours with advance notice to the custodian of records or his/her designee. Advance notice is required so that your files can be gathered from other offices, if necessary, and so that confidential documents, like references for initial employment or certain medical information, as described in the General Statutes of North Carolina, can be removed. The custodian of records will need to 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, if you request same. While reasonable efforts will be made to provide you with quick access to your file, it may take some time to make the necessary arrangements. Multiple copies of the same document may be limited.

Please note that you cannot add to or remove documents from your personnel files at the time you review your files. If you have concerns about documents in your files, please bring them to the attention of the custodian of records. You can object to inaccurate or misleading information in your files by putting your objections in a written statement to your Code Unit Administrator, who will add your statement to the file(s) you are concerned about.

Removal of offensive materials may be sought in accordance with the procedures in Appendix Y of the *ECU Faculty Manual*.

Location of Records Related to Employment:

- Code Unit Administrator's Office
- Dean's Office
- Academic Department Chair's Office in Professional Schools
- Vice Chancellor for Academic **and Student** Affairs' Office
- Department of Human Resources

Other Files Containing Personnel Records May be Located:

- Equal Employment Opportunity/Affirmative Action Office
- University Attorney's Office
- Faculty Senate Office

**Please note that reference letters solicited prior to employment and medical records that a prudent physician would not disclose to his/her patient shall not be disclosed to you and should be kept in a sealed envelope that can be easily removed from your file. Additionally, medical records related to a medical condition or disability should be maintained in a separate envelope. Questions about your personnel records should be directed to the Faculty Senate Office or the University Attorney's Office.**

FACULTY PERSONNEL FILE CHECKLIST  
(Division of Health Sciences)

**Your primary personnel file is located in the office of your Code Unit Administrator and may be reviewed at any time during regular business hours with advance notice to the custodian of records or his/her designee. Advance notice is required so that your files can be gathered from other offices, if necessary, and so that confidential documents, like references for initial employment or certain medical information, as described in the General Statutes of North Carolina, can be removed. The custodian of records will need to 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, if you request them. A reasonable number of copies will be provided at no cost to the faculty member. While reasonable efforts will be made to provide you with quick access to your file, it may take some time to make the necessary arrangements.**

Please note that you cannot add to or remove documents from your personnel files at the time you review your files. If you have concerns about documents in your files, please bring them to the attention of the custodian of records. You can object to inaccurate or misleading information in your files by putting your objections in a written statement to your Code Unit Administrator, who will add your statement to the file(s) which concern(s) you. Removal of inaccurate or misleading materials may be sought in accordance with the procedures in Appendix Y of the *ECU Faculty Manual*.

Location of Records Related to Employment:

- Code Unit Administrator's Office
- Dean's Office
- Academic Department Chair's Office
- Center Administrator's Office (ex. Center for Advancement of Health)
- Department Section Head's Office
- Vice Chancellor for Health Sciences Office
- Department of Human Resources

Other Files Containing Personnel Records May be Located:

- Equal Employment Opportunity/Affirmative Action Office
- University Attorney's Office
- Faculty Senate Office

Additional Records for Physician Faculty - located at Brody SOM and Pitt County Memorial Hospital:

- Medical Faculty Practice Plan Benefits Office
- Managed Care Office
- ECU Physicians Credentialing Office
- PCMH Credentials Verification Office (Medical Staff Support)

**This notifies you that certain the Division of Health Sciences or other ECU offices (including, but not limited to, University Attorney, Equal Employment Opportunity, Compliance, BSOM Risk Management, CME, etc.) may maintain records (including, but not limited to, attendance records for mandatory training sessions, orientation, and CME programs; routine audits of medical records and billing documentation; Quality Assurance; malpractice; etc.) related to your employment and which may constitute personnel records. Should you wish to verify whether such offices maintain records related to your employment, you may contact the specific office for further information regarding your records within the Office of the Vice Chancellor for Health Sciences.**

**Please note that reference letters solicited prior to employment and medical records that a prudent physician would not disclose to his/her patient shall not be disclosed to you and should be kept in a sealed envelope that can be easily removed from your file. Additionally, medical records governed by General Statute, if any, would be maintained in a separate envelope. Questions about your personnel records should be directed to the Faculty Senate Office or to the University Attorney's Office.**

18 March 1994  
ECU Board of Trustees

Amended: Faculty Senate Resolution #94-05, March 1994  
Faculty Senate Resolution #96-4, March 1996  
Faculty Senate Resolution #97-20, April 1997  
Faculty Senate Resolution #97-43, December 1997  
Faculty Senate Resolution #99-7, March 1999  
Faculty Senate Resolution #00-12, March 2000  
Faculty Senate Resolution #05-09, April 2005  
Faculty Senate Resolution #06-11, July 2006

Interpretation: Interpretation made to Section VI. (2-15-90)

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**Faculty Senate Agenda  
November 2, 2010  
Attachment 7.**

**FACULTY WELFARE COMMITTEE REPORT**

Proposed revisions to the *ECU Faculty Manual*, Part VI. General Personnel Policies, Section I. Employment Policies, Subsection B. Collection of Money

**Remove from Faculty Manual and place elsewhere in University Policy Manual.**

~~B. Collection of Money~~

~~No individual or department of the university may collect any money without being authorized to do so by the business office, and reports of all such collections, when authorized, shall be made on forms provided by the business office. All money collected shall be turned in to the business office promptly for deposit. All disbursements are to be made by check drawn by the business office. The foregoing regulation by the board of trustees applies to university funds and does not apply to civic and charitable fund campaigns. Collections of funds for special instructional materials, such as magazines, should be made by a designated student and not a faculty member.~~

**Faculty Senate Agenda  
November 2, 2010  
Attachment 8.**

**FACULTY WELFARE COMMITTEE REPORT**

Proposed revisions to the *ECU Faculty Manual*, Part VI. General Personnel Policies, Section I. Employment Policies, Subsection C. Employee Involvement in Political Candidacy and Office Holding

**Remove from Faculty Manual and place elsewhere in University Policy Manual with a link to the Board of Governors policy (see item 300.5 <http://www.northcarolina.edu/policy/index.php>).**

~~C. Employee Involvement In Political Candidacy and Officeholding~~

~~Policies adopted by the Board of Governors in 1976 and conforming policies adopted by the Board of Trustees in 1994 establish processes for resolving, in advance, questions about possible conflicts between a University employee's satisfactory performance of employment responsibilities and his involvement in political candidacy and officeholding. All University employees except those subject to the State Personnel Act are covered by the policies. An employee who intends to become a candidate for election or appointment to or to hold any public office is responsible for knowing the terms of and complying with the requirements of these policies. A copy of the full text of the policies along with instructions and forms to be used to comply with the policies may be obtained from the University Attorney. The instructions include deadlines which must be followed. Any petitions required by these instructions should be submitted as early as possible, but no later than the following:~~

<del>For affected academic periods beginning:</del>	<del>Completed petition to be received by Chancellor:</del>	<del>Completed Petition to be received by board:</del>
<del>*January (e.g., for a May primary contest)</del>	<del>October 15 of preceding year</del>	<del>November 1 of preceding year</del>
<del>*May/June (e.g., for fall elections affecting summer employment)</del>	<del>March 15</del>	<del>April 1</del>
<del>*August/September (e.g., for fall general election)</del>	<del>June 15</del>	<del>July 1</del>
<del>*Other periods</del>	<del>90 days prior to beginning of period</del>	<del>60 days prior to beginning of period</del>

~~Failure to comply with the policies is a violation of the terms and conditions of University employment and may result in disciplinary action. The following is a summary of the basic provisions of the board policies. The full text of the policies should be consulted by an affected employee. Advice concerning the interpretation and application of the policies may be obtained from the University Attorney.~~

1. ~~Candidacy for election to public office~~

~~Becoming a candidate for election to a full-time or major part-time office is presumed to create a conflict of time that interferes with the employee's satisfactory performance of University employment obligations. The conflict may be avoided by (1) resigning from University employment, (2) seeking an appropriate unpaid leave of absence from University employment, or (3) rebutting the presumption of conflict by demonstrating that there in fact will be no conflict between campaign activity and University employment. An employee who intends to become a candidate must follow prescribed procedures for resolving questions about conflicts in advance of becoming a candidate.~~

2. ~~Holding public office~~

~~Upon assuming an elective or appointive full-time office, a University employee will be deemed to have resigned his University employment, unless prior to assuming office he requests and is granted a full leave of absence, without pay. Such a leave of absence may not exceed two years. Upon assuming an elective or appointive major part-time office, a University employee will be presumed to have a conflict of time that necessitates his resignation from University employment; the resignation requirement may be avoided if (1) he requests and is granted an appropriate leave of absence or (2) he rebuts the presumption of conflict by demonstrating that there in fact will be no conflict between office holding and University employment. An employee who intends to occupy such an office must follow prescribed procedures for resolving questions about conflicts in advance of assuming the office.~~

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**Faculty Senate Agenda**

**November 2, 2010**

**Attachment 9.**

**FACULTY WELFARE COMMITTEE REPORT**

Proposed revisions to the *ECU Faculty Manual*, Part VI.

Section VI. Equal Employment Opportunity/Affirmative Action Policy

**Revise and maintain in the Faculty Manual.**

Additions are noted in **bold** print and deletions in ~~strikethrough~~.

**VI. Equal Employment Opportunity/ Affirmative Action Policy and University Commitment to Diversity**

**East Carolina University celebrates diversity among its faculty, staff, and students, and is committed to fostering respect for human difference and equal opportunities for all, regardless of membership in a University protected class. To that end, the Office of Equity, Diversity and Community Relations develops and implements equal employment opportunity policies and diversity programs. Information about the Office of Equity, Diversity and Community Relations programs and policies, the University's protected classes and related nondiscrimination policies and procedures may be found by visiting the Office's Web site at [www.ecu.edu/edc](http://www.ecu.edu/edc).**

~~VI. Equal Employment Opportunity/Affirmative Action Policy (Formerly Appendix K)~~

~~East Carolina University is committed to equal opportunity for all members of the university community. In addition, it will take affirmative action to increase recruitment and hiring of black and female faculty and staff. The following is the Equal Employment Opportunity Policy as it appears in the East Carolina University Affirmative Action Plan (1983-1986). East Carolina University is committed to equality of educational opportunity and does not discriminate against applicants, students, or employees based on race, color, national origin, religion, veteran's status, gender, age, sexual orientation, political affiliation, or disability. (Faculty Senate Resolution #03-37, September 2003)~~

~~East Carolina University's policy on nondiscrimination and its affirmative action program are consistent with, and pursuant to, the guidelines set forth in Executive Order 11246 with its implementing regulations. The East Carolina University Affirmative Action Program implements guidelines set forth under Titles VI and VII of the Civil Rights Act; Title IX of the Education Amendments of 1972; Sections 799A and 845 of the Public Health Service Act; the Equal Pay Act; Sections 503 and 504 of the Rehabilitation Act of 1973; the Age Discrimination in Employment Act of 1976; and the Vietnam Veterans Readjustment Assistance Act of 1974 as amended. Appropriate equal opportunity clauses are included in purchase agreements as required.~~

The university's policy is consistent with North Carolina General Statutes 126-16: "All state...agencies...of North Carolina shall give equal opportunity for employment, without regard to race, religion, color, creed, national origin, sex, age, or physical disability to all persons qualified, except where specific age, sex, or physical requirements constitute bona fide occupational qualifications necessary to proper and efficient administration. This section with respect to equal opportunity as to age shall be limited to individuals who are at least 40 years of age but less than 70 years of age." It is also consistent with *The Code of The University of North Carolina*, Section 103: "Admission to, employment by, and promotion in The University of North Carolina and all of its constituent institutions shall be on the basis of merit, and there shall be no discrimination on the basis of race, color, creed, religion, sex or national origin...."

In addition, East Carolina University prohibits sexual harassment of students, faculty, or staff members. Sexual harassment is defined as deliberate, unsolicited, unwelcomed verbal and/or physical conduct of a sexual nature or with sexual implications. The definition does not include personal compliments welcomed by the recipient or relationships which are freely entered into by both parties. East Carolina University is committed to providing and promoting an atmosphere in which employees realize their maximum potential in the workplace and students can engage fully in the learning process. Accordingly, sexual harassment by and of both employees and students is prohibited by this policy.

East Carolina University, as part of its continuing affirmative action efforts, endorses the following:

1. It is illegal and against the policies of East Carolina University for any employee to sexually harass another employee by:
  - a. making unwelcomed sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee's continued employment, or
  - b. making submissions to or rejections of such conduct the basis for employment decisions affecting the employee, or
  - c. creating an intimidating, hostile, or offensive working environment by such conduct.
2. It is against the policies of East Carolina University for any employee to sexually harass a student by:
  - a. making unwelcomed sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of a student's grade, progress, or recommendation or
  - b. creating an intimidating, hostile, or offensive learning environment by such conduct.

Sexual harassment shall hereinafter be deemed a form of discrimination based on sex as prohibited by Section 703 of Title VII of the Civil Rights Act, by North Carolina General Statute 126-16 (employees), and by Title IX of the Education Amendments Act of 1972 (students).

#### A. Responsibilities

Responsibility for implementation of these policies rests with the chancellor. The vice chancellors, the dean of the College of Arts and Sciences, deans of professional schools, department chairpersons, and principal administrative directors are delegated responsibility for implementing these policies. They will assure that decisions involving recruitment, selection, appointment, and promotion of faculty and staff at all levels are made in a nondiscriminatory manner and in accordance with the goals of the Affirmative Action Plan.

The chancellor has also appointed the director of Equal Opportunity Programs to coordinate all aspects of the Affirmative Action Plan, initiate programs to assist in reaching the goals of the Affirmative Action Plan, maintain a record system, identify problem areas, and assist faculty and staff and students to resolve problems. This individual is assisted by the associate director of Equal Opportunity Programs.

#### B. Grievances

Any student of East Carolina University who has a complaint of discrimination should follow the procedure outlined in the *Student Government Association Documents*. Current, former, or prospective faculty or staff who have complaints should follow the procedure outlined in the Affirmative Action Plan and in the grievance procedure set forth in *Appendix J, Informal Faculty Grievance Procedure for Grievances Involving Sex Discrimination and Other Equal Employment Opportunity Complaints*. Copies of the complete Affirmative Action Plan are available in Joyner Library, Health Sciences Library, office of Equal Opportunity Programs, department of Human Resources, and the office of each vice chancellor.

\_\_\_\_\_(Approved: 30 June 1983, East Carolina University Chancellor