

**EAST CAROLINA UNIVERSITY  
2011-2012 FACULTY SENATE**

The fourth regular meeting of the 2011/2012 Faculty Senate will be held on  
**Tuesday, December 6, 2011, at 2:10 p.m.**  
in the East Carolina Heart Institute, Banquet Room A  
(located at 115 Heart Drive, #248 on map linked [here](#)).

(Enter front entrance of building, go through doors, past the information desk, and go to the right to Banquet Room A.)

**PLEASE NOTE CHANGE IN MEETING LOCATION.**

**AGENDA**

- I. Call to Order**
- II. Approval of Minutes**  
[November 1, 2011](#)
- III. Special Order of the Day**
  - A. Roll Call
  - B. Announcements
  - C. Steve Ballard, Chancellor
  - D. Marilyn Sheerer, Provost and Vice Chancellor for Academic Affairs
  - E. Marianna Walker, Chair of the Faculty
  - F. Mark Sprague, Faculty Assembly Delegate  
Report on the [November 4, 2011](#), Faculty Assembly Meeting.
  - G. Question Period
- IV. Unfinished Business**
- V. Report of Committees and Graduate Council**
  - A. Graduate Council, Terry West  
Curriculum and academic matters contained in the Graduate Curriculum Committee meeting minutes of [October 5, 2011](#), which include curricular actions within the College of Allied Health Sciences, Department of Economics, and College of Nursing.
  - B. Agenda Committee, Kimberly Heidal  
Proposed 2012-2013 Faculty Senate and Agenda Committee meeting dates (attachment 1).

- C. University Curriculum Committee, Donna Kain  
Curriculum matters contained in the [October 27, 2011](#) and [November 10, 2011](#) University Curriculum Committee minutes, which include:
  - 1. Curricular actions within College of Health and Human Performance, Department of Biology, and College of Allied Health Sciences.
  - 2. Approval of UCC Curricular Action Table (modeled on GCC table) and changes to *University Curriculum Committee Curriculum Package Submission Helpful Hints and Checklist*, *Undergraduate Curriculum and Program Development Manual*, and *Undergraduate University Curriculum Committee Course Banking Form*.
  
- D. Committee on Committees, Nelson Cooper
  - 1. Second Reading of proposed new Standing University Academic Committee entitled Service Learning Committee (attachment 2).
  - 2. Additional revisions to the Educational Policies and Planning Committee charge (attachment 3).
  
- E. Faculty Governance Committee, George Bailey
  - 1. Proposed Revisions to the *ECU Faculty Manual*, Part II. University Organization, Subsection II. Vision, Mission, and Strategic Plan of East Carolina University (attachment 4).
  - 2. Formal Faculty Advice on Conflicts of Interest and Conflicts of Commitment Policy (attachment 5).
  
- F. Educational Policies and Planning Committee, Scott Gordon  
Curriculum and Academic Program matters included in the [November 11, 2011](#) meeting minutes, including a Request to establish a [Master of Science](#) in Health Informatics and Information Management (Distance Education Format) within the Department of Health Services and Information Management in the College of Allied Health Sciences.
  
- G. Research/Creative Activity Grants Committee, Britton Theurer  
Formal Faculty Advice on Proposed Allocation of Research Space Regulation (attachment 6).
  
- H. Admission and Retention Policies Committee, Joseph Thomas  
The following reports are being provided for information only:
  - 1. Key Improvements in the New Academic Integrity Policy (attachment 7).
  - 2. Online Form to Report an Academic Integrity Violation (attachment 8).
  - 3. Syllabus Inserts Reflecting the Academic Integrity Policy (attachment 9).
  
- I. University Budget Committee, Todd Fraley  
Report on current budget situation.

## **VI. New Business**

**Faculty Senate Agenda  
December 6, 2011  
Attachment 1.**

**AGENDA COMMITTEE REPORT**

Proposed 2012-2013 Faculty Senate and Agenda Committee Meeting Dates

<b>2012/2013 University Academic Calendar</b>			
August 21	Classes Begin	January 14	Classes Begin
September 3	State Holiday	January 21	State Holiday
September 4	Holiday Make up Day	March 10-17	Spring Break
October 6-9	Fall Break	March 25-28	Early Registration
October 22-26	Early Registration	March 29	State Holiday
November 21-25	Thanksgiving Break	April 30	Holiday Make up Day
December 4	Classes End	April 30	Classes End
December 5	Reading Day	May 1	Reading Day
December 6-13	Exams	May 2-9	Exams

<b>Agenda Committee will meet:</b>	<b>Faculty Senate will meet:</b>
August 28, 2012	September 11, 2012
September 25, 2012	October 2, 2012
October 16, 2012	November 6, 2012
November 13, 2012	December 4, 2012
January 15, 2013	January 29, 2013
February 12, 2013	February 26, 2013
March 5, 2013	March 19, 2013
April 2, 2013	April 16, 2013
	April 23, 2013 (2013/14 organizational mtg.)

**COMMITTEE ON COMMITTEES REPORT**  
Second Reading of Proposed New Standing University Academic  
Service Learning Committee Charge  
(First reading held April 19, 2011)

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

1. Name: Service Learning Committee
2. Membership:

**The committee membership, including ex-officio members, should encompass a wide variety of disciplinary expertise.**

~~78~~ 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 or an appointed representative, **the Vice Chancellor for Research & Graduate Studies or an appointed representative**, the Chair of the Faculty or an appointed representative, one Faculty Senator selected by the Chair of the Faculty, ~~the~~ **and** 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 Volunteer and Service Learning Center 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 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 University Curriculum Committee and the Graduate Curriculum Committee.**
  - B. The committee serves as a liaison between the **Volunteer and Service Learning Center** ~~office of Service Learning~~ and the Faculty Senate, reviews the activities of **the Volunteer and Service Learning Center** ~~that program~~, and advises the administrative leadership of **that center about service learning** ~~in the Service Learning Program.~~

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 sponsors and coordinates the annual ECU Service-Learning Conference and promotes and advocates for service learning across the curriculum, including learning outcomes and development of service learning courses.**

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 **Volunteer and Service Learning Center** ~~office of the Service Learning Program~~ as described in 4.B. above.

8. Standard Meeting Time:

The committee meeting time is scheduled for the second Tuesday of each month.

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**Faculty Senate Agenda  
December 6, 2011  
Attachment 3.**

**COMMITTEE ON COMMITTEES REPORT**

Additional Proposed Revisions to Educational Policies and Planning Committee Charge

The Faculty Senate approved the proposed revisions to this committee charge in April 2011 (#11-62). Following a review, the Chancellor requested additional revisions as noted in this report.

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

1. Name: Educational Policies and Planning 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 or an appointed representative, the Vice Chancellor for Research and Graduate Studies 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 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** ~~the University Academic Standards and Resources~~ as the basis for its reviews.
  - 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** ~~the 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*, Appendix D. Tenure and Promotion Policies and Procedures).
  - F. 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.
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.

## FACULTY GOVERNANCE COMMITTEE REPORT

Proposed Revisions to the *ECU Faculty Manual*, Part II. University Organization,  
Subsection II. Vision, Mission, and Strategic Plan of East Carolina University

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

### **Revise and keep in the Faculty Manual.**

#### II. Vision, Mission Statement, and Strategic Directions of East Carolina University

The effective formulation of East Carolina University's vision and mission demands the broadest possible exchange of information and opinion among the Board of Trustees, the Chancellor, Administration, and the Faculty. Each should have a voice in the determination of ECU's vision and mission. Therefore, because of their educational, research, service, clinical, and other functions, the faculty should participate in the creation of ECU's vision, mission, and other strategic planning documents.

##### A. ~~Vision~~

~~East Carolina University is a public, doctoral institution distinguished by excellence in teaching and research and is committed to serving the people of North Carolina and beyond.~~

##### B. ~~Mission~~

~~The university mission statements express the purpose and character of the university. The statements are the basis for all university strategic planning. They guide the actions of the university and direct the development of evaluation criteria.~~

~~East Carolina University, a constituent institution of the University of North Carolina, is a public, doctoral university committed to meeting the educational needs of North Carolina. It offers baccalaureate, masters, specialist, and doctoral degrees in the liberal arts, sciences, and professional fields, including medicine. East Carolina University is dedicated to educational excellence, responsible stewardship of the public trust, and academic freedom. The university values the contributions of a diverse community, supports shared governance, and guarantees equality of opportunity. East Carolina University's motto is "Servire," meaning "To Serve," and it seeks to meet that obligation through the following interrelated components of its mission.~~

##### ~~*To Serve Through Education*~~

~~The educational mission of East Carolina University is to provide students with a rich, distinctive undergraduate and graduate educational experience. The university is committed to developing each learner's ability to discover, evaluate, and communicate knowledge; to make informed decisions; and to recognize a decision's ethical dimensions. The university also is committed to imparting a sense of citizenship and personal responsibility, fostering lifelong learning, and nurturing an understanding of the interdependencies of people and their environments.~~

##### ~~*To Serve Through Research and Creative Activity*~~

~~The research mission of East Carolina University is to advance knowledge, to encourage creative activity, to solve significant human problems, and to provide the foundation for professional practice through the support of basic and applied research. The university is committed to integrating~~

research and creative activities in the educational experiences of students. It also is committed to enriching culture and being a leader in innovative research applications.

*To Serve Through Leadership and Partnership*

The service mission of East Carolina University, as an institution with a tradition of strong regional ties and public outreach, is to provide leadership and to engage in partnerships supporting public education, health care and human services, cultural activities, and regional development.

C. Strategic Planning Goals for 2000-2005

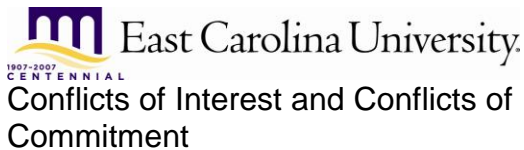
- Expand the educational opportunities provided on and off campus by 20 percent.
- Enrich the learning environment for students.
- Increase the productivity of faculty, staff, and students in research and creative activity.
- Extend external leadership and partnership roles in eastern North Carolina.
- Be a leader in the development and application of information technology in higher education.
- Improve the quality and efficiency of its services and operations.

Faculty are encouraged to review the University's long range goals and objectives by reading *Strategies for Distinction, University Directions 2000-2005*, available through the office of Planning and Institutional Research.

**Faculty Senate Agenda  
December 6, 2011  
Attachment 5.**

**FACULTY GOVERNANCE COMMITTEE REPORT**

Formal Faculty Advice on Conflicts of Interest and Commitment Policy



History: First Issued: January 2, 2010  
Last Revised: January 2, 2010

Related Policies:

- [UNC Manual 300.2.2 Conflicts of Interest and Commitment Affecting Faculty and Nonfaculty EPA Employees](#)
- [UNC Policy Manual 300.2.2.1\[R\] Regulations on External Professional Activities for Pay by Faculty and Nonfaculty EPA Employees](#)

Authority	<b>Chancellor</b>
Title	<b>CONFLICTS OF INTEREST AND COMMITMENT AND EXTERNAL ACTIVITIES OF FACULTY AND OTHER PROFESSIONAL STAFF</b>
Classification	<b>Insert PRR # here</b>
PRR Subject	<b>Conflicts of Interest Institutional Conflicts of Interest Conflicts of Commitment External Professional Activities for Pay</b>
Contact Information	<b>Office of Research Compliance</b>



[UNC Policy Manual 300.2.2.2\[R\] Regulations for Senior Administrative Officers on External Professional Activities for Pay and Honoraria](#)

[UNC Policy Manual 500.1 University Research Relations with Private Enterprise and Publication of Research Findings](#)

[UNC Policy Manual 500.2 Patent and Copyright Policies](#)

[UNC Policy Manual 500.6 University Acquisitions Policy](#)

Additional References: [\(links to forms will be provided\)](#)

Conflicts of Interest Reporting Forms

Notice of Intent for External Professional Activity for Pay Form

## I. Introduction, Applicability, and Responsibility for Compliance

All EPA faculty members and Non faculty EPA staff of East Carolina University are subject to revised Regulations concerning conflicts of interest and conflicts of commitment affecting University employment and external professional activities. This Regulation covers full-time faculty and EPA non-faculty employees, part-time faculty and EPA non-faculty employees, (those UNC employees who are not subject to the State Personnel Act – hereinafter referred to as ‘EPA employees’). This Regulation is based on policies and guidelines adopted by the UNC system Board of Governors, federal and state laws, and federal agency sponsor requirements. Any questions regarding these procedures or the Board of Governors' policies upon which they are based should be directed to the ECU Office of Research Compliance Administration.

## II. Definitions

A. *Business* means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company (a company having features of a corporation and a partnership), receivership, business or real estate trust, or any other legal entity organized for profit, not-for-profit, or charitable purposes. "Business" excludes University-related entities, which is inclusive of the University, and any private medical practice or any other entity controlled by, controlling, or under common control with the University or with which the University has a contractual relationship for the purpose of providing patient care.

B. *Conflict of commitment* relates to an individual's distribution of effort between obligations to his or her University employment and participation in activities outside of University employment. The latter may include such generally encouraged extensions of professional expertise as professional consulting. A conflict of commitment occurs when the pursuit of such outside activities involves an inordinate investment of time that interferes with the EPA employee's obligations to students, to colleagues, and/or to missions of the University

C. *Conflict of interest* relates to situations in which financial or other personal considerations may compromise, may involve the potential for compromising, or may have the appearance of compromising an EPA employee's objectivity in fulfilling University duties or responsibilities, including research activities.

D. *Executive Position* refers to any position that includes responsibilities for a material segment of the operation or management of a business, including Board membership.

E. *External professional activities for pay* means any activity that 1) is not included within one's University employment responsibilities; 2) is performed for any entity, public or private, other than the University employer; 3) is undertaken for compensation; and 4) is based upon the professional knowledge, experience and abilities of the EPA employee. Activities for pay not involving such professional knowledge, experience and abilities are not subject to advance disclosure and approval requirements of this Regulation, although they are subject to the basic requirement that outside

activities of any type not result in neglect of primary University duties, conflicts of interest, inappropriate uses of the University name or resources, or claims of University responsibility for the activity.

F. *Department* means an academic department, a professional school without formally established departments, or any other administrative unit designated by the chancellor of an institution or by the president for the office of General Administration, for the purposes of implementing this Regulation.

G. The *Immediate Family* of a faculty or EPA non-faculty employee includes his or her spouse, dependent children and/or other dependent(s) as defined in the Internal Revenue Code.

H. *Inappropriate use or exploitation of University resources* means using any services, facilities, equipment, supplies, or personnel that members of the general public may not freely use. A person engaged in professional activities for pay may use, in that connection, his or her office and publicly accessible facilities such as University libraries; however, an office shall not be used as the site for compensated appointments with clients, e.g., for counseling or instruction. Under no circumstances may a supervisory employee use the services of a supervised employee during University employment time to advance the supervisor's external professional activities for pay.

I. *Participate* means to be part of the described activity in any capacity, including but not limited to serving as the principal investigator, co-investigator, research collaborator or provider of direct patient care. The term is not intended to apply to individuals who provide primarily technical support or who are purely advisory, with no direct access to the data (e.g., control over its collection or analysis) or, in the case of clinical research, to the trial participants, unless they are in a position to influence the study's results or have privileged information as to the outcome.

J. *Significant Financial Interest* has the same meaning as in 42 C.F.R. 50.603 as it currently exists and as it may later be amended. This provision of the Code of Federal Regulations defines a Significant Financial Interest to mean: anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term does not include:

1. Salary, royalties, or other remuneration from the applicant institution;
2. Any ownership interests in the institution, if the institution is an applicant under the Small Business Innovation Research Program (SBIR);
3. Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
4. Income from service on advisory committees or review panels for public or nonprofit entities;
5. An equity interest that when aggregated for the Investigator and the Investigator's spouse and dependent children, meets both of the following tests: Does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity; or
6. Salary, royalties or other payments that when aggregated for the Investigator and the Investigator's spouse and dependent children over the next twelve months, are not expected to exceed \$10,000.

K. *Sponsored Programs* means research, public service, training and instructional projects involving funds, materials, or other compensation from outside sources under grants, contracts, or cooperative agreements.

L. *Technology* means any process, method, product, compound, drug, device, or any diagnostic, medical, or surgical procedure developed using University time, facilities, equipment, or funds

whether intended for commercial use or not.

M. *University employment responsibilities* include both “primary duties” and “secondary duties.” Primary duties consist of assigned teaching, scholarship, research, institutional service requirements, and other assigned EPA employment duties. Secondary duties consist of professional affiliations and activities undertaken by EPA employees outside of the immediate University employment context that redound to the benefit of the profession and to higher education in general. Such endeavors, which may or may not entail the receipt of honoraria (See also UNC Policy Manual 300.2.2.2[R]) or the reimbursement of expenses, include membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, appears, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies. Such integral manifestations of one’s membership in a profession are encouraged, as extensions of University employment, so long as they do not interfere with the timely and effective performance of the individual’s primary University duties.

The goal of this Regulation is to ensure that all conflicts of interest or commitment are disclosed so that appropriate administrative interventions may eliminate, avoid, or manage them. These Regulations, however, are not intended to limit responsible external activities.

### III. Regulations

#### A. Conflict of Interest

It is a Regulation at the University that EPA Employees shall avoid conflicts of interest that compromise, may involve the potential for compromising, or may have the appearance of compromising the EPA employee’s objectivity in fulfilling University responsibilities, including research activities. Accordingly, outside activities and financial interests must be disclosed by EPA employees on an annual basis. This notwithstanding, EPA employees have a continuing obligation to timely update these disclosures as new external interests develop. Outside activities and financial interests should be arranged to avoid such conflicts.

#### B. Conflict of Commitment

Employees shall devote their primary professional loyalty, time, and energy to their University employment responsibilities, including research activities. Accordingly, EPA Employees shall not engage in activities outside of their employment that involves an inordinate investment of time that interferes with the EPA employee’s obligations to students, to colleagues, and/or to missions of the University. Such activities are unacceptable outside activities. Conflicts of commitment may also arise in connection with non-compensated activities and a conflict of commitment may exist notwithstanding that an EPA employee received no economic benefit from the outside activity. The issue, in each case, is whether the employee is meeting the requirements of the job (as such responsibilities and requirements may be defined by applicable University Policy, Regulation or Rule and as may be further described in an individual’s job description or appointment letter). The Policy on External Professional Activities of Faculty and Other Professional Staff should be used for these potential conflicts of commitment situations.

Although full-time faculty and other EPA employment is not amenable to precise, time-clock analysis and monitoring, administrators at the department and school levels are charged with the evaluation of the work of employees under their supervision. The formal occasions for determining whether an individual is devoting sufficient time and energy to University employment include regular reviews in connection with annual salary decisions and scheduled reviews incident to promotion, reappointment or tenure decisions and reviews of Notices of Intent to Engage in External Professional Activities for Pay.

#### IV. Categories and Examples of Potential Conflicts

Activities that may involve conflicts of interest can be categorized under four general headings:

Category I: consists of activities that appear to involve a conflict of interest but in fact, do not.

Category II: consist of activities that present potential conflict of interest and must be reported, but that may be allowable with administrative approval.

Category III: consists of relationships that are generally not allowable because they involve potential conflicts of interest or they present obvious opportunities or inducements to favor personal interests over institutional interests. Before proceeding with such an endeavor, the EPA Employee must demonstrate that *in fact* his or her objectivity would not be affected and University interests otherwise would not be damaged. An approved conflict of interest management plan must be in place before any activities involving this category are initiated.

Category IV: consists of activities that have the potential for creating conflicts of interest that are prohibited by North Carolina and/or federal law and, therefore, may not be undertaken.

Provided below are representative, but not all-inclusive, examples of activities in each of these four categories. Please refer to Section II above for important definitions.

##### Category I

Activities allowable with no reporting required. The examples cited below involve activities external to University employment, and thus may present the appearance of a technical conflict, but they in fact do not have the potential for affecting the objectivity of the EPA employee's performance of University responsibilities; at most, some such situations could prompt questions about conflicts of commitment.

- a) An EPA Employee receiving royalties from the publication of scholarly works and other writings or for the licensure of patented inventions pursuant to the University's Patent and Copyright Policies (Faculty Manual, Part VII, Research Information).
- b) An EPA employee receiving nominal compensation, in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on review panels, presentation of scholarly works, and participation in accreditation reviews. Senior Academic and Administrative Officers may also be subject to special regulations regarding honoraria which require leave to be taken when external activities for pay will take place during the regular work week (UNC Policy Manual, 300.2.2.2[R]).
- c) An EPA Employee having an equity interest in a corporation used solely for the individual's consulting activities provided such consulting activities are appropriately reported and approved in accordance with this Regulation on, External Professional Activities of Faculty and Other Professional Staff and the corporation is not directly or indirectly conducting any business or sponsoring any projects with the University.

##### Category II

Activities requiring disclosure for administrative review.

###### *1. Research Activities*

- a) An EPA employee accepting support for University research under conditions that require research results to be held confidential, unpublished, or inordinately delayed in publication. Research conducted by faculty or students under any form of sponsorship must maintain the University's open teaching and research philosophy and must adhere to the Policy, Regulation, or Rule that prohibits secrecy in research. Such conditions on publication must be in compliance with UNC Policy Manual, 500.1 and 500.2.
- b) Related persons working on the same funded or unfunded project.

###### *2. External Activities*

- a) An EPA Employee serving on the board of directors or scientific advisory board of an enterprise or business that provides financial support for University research, and the employee or a member of his or her immediate family may receive such financial support.

- b) An EPA Employee serving in an executive position in a for-profit or not-for-profit business, which conducts research, or other activities in an area related to the University duties of the employee.

### 3. *Ownership*

- a) An EPA Employee having a financial interest or a significant financial interest in a business that competes with the services provided by the University.
- b) An EPA Employee having significant equity or a Significant Financial Interest in a for-profit business that conducts research or other activities in an area related to the employee's University duties. An EPA Employee requiring students to purchase the textbook or related instructional materials of the employee or members of his or her immediate family, which produces compensation for the employee or family member.

### 4. *Other*

- a) An EPA employee receiving compensation or gratuities (other than occasional meals, gifts or desk copies of textbooks, and the like) from any individual or entity doing business with the University. This notwithstanding, see Category IV example (f).
- b) Engaging in any other activity that has the potential for creating a conflict of interest or commitment as defined herein.

## Category III

Activities or relationships that are generally not allowable.

### 1. *Research Activities*

- a) An EPA Employee participating in University research involving a technology owned by or contractually obligated (by license, option, or otherwise) to a business in which the individual or an immediate family member has a consulting relationship, has an ownership interest, or holds an executive position.
- b) An EPA Employee participating in University research which is funded by a grant or contract from a business in which the individual or member of his or her immediate family has an ownership interest and/or significant financial interest;
- c) An EPA Employee assigning students, postdoctoral fellows or other trainees to University research projects sponsored by a business in which the individual or a member of his or her immediate family has an ownership interest and/or significant financial interest.

### 2. *External Activities*

- a) Assuming an executive position in a not-for-profit business with which the University has a contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities.
- b) An EPA Employee making referrals of University business to an external business or company in which the individual or a member of his or her immediate family has a financial interest, including a consulting relationship.
- c) An EPA Employee associating his or her own name with the University in such way as to profit financially by trading on the reputation or goodwill of the University. An example of a context in which such an association might occur is external professional activity for pay. Mere identification of the University as the employer of the individual and of the individual's position at the University is permitted by this section, provided that such identification is not used in a manner that implies sponsorship or endorsement by the University.
- d) An EPA Employee serving as an expert witness for pay in litigation which requires the disclosure of research data in a manner that will compromise the University's or a student's ability to publish.

### 3. *Public Disclosure*

- a) An EPA Employee publishing or formally presenting University sponsored research results, or providing expert commentary on a subject, without simultaneously disclosing any significant financial interest relating to such results or such subject.

- b) An EPA Employee making unauthorized use of privileged information acquired in connection with one's University responsibilities. See also Category IV activities.

#### 4. *Administrative Responsibilities*

- a) An EPA Employee taking administrative action in the course and scope of University responsibilities that is beneficial to a business in which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship. See also Category IV activities.
- b) An EPA Employee influencing the negotiation of contracts between the University and an outside organization with which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship. See also Category IV activities.

#### 5. *Committee Participation*

- a) An EPA Employee serving on a committee of a governmental agency or private entity during the consideration by such a committee of the regulation or application of a technology that is owned by or contractually obligated to a business in which that individual or immediate family has a significant financial interest, including a significant consulting relationship.

### Category IV

Activities that have the potential for creating conflicts of interest that are prohibited by North Carolina and federal law (including N.C. Gen. Stat. 14-234 and 14-234.1 as they currently exist and as may later be amended) and, therefore, may not be undertaken.

- (a) N.C.G.S. (a1)(4) defines "direct benefit from a contract" to mean where a state officer or employee or his or her spouse: (i) has more than a ten percent (10%) ownership or other interest in an entity that is a party to contract with a state agency; (ii) derives any income or commission directly from the contract with a state agency; (iii) acquires any property under the contract with a state agency.
- (b) N.C.G.S. 14-234 (a1)((2) states that a public officer or employee is involved in administering a contract if he or she oversees the performance of the contract or has authority to make decisions regarding the contract or to interpret the contract.
- (c) N.C.G.S. 14-234 (a1)((3) states in part that a public officer or employee is involved in making a contract if he or she participates in the development of specifications or terms or in the preparation or award of the contract.
- (d) North Carolina law prohibits a state officer or employee who is involved in making or administering a contract on behalf of a state agency from deriving a direct benefit from the contract (N.C.G.S. 14-234 (a)(1)).
- (e) North Carolina law prohibits a state officer or employee who receives a direct benefit from a contract with the state agency he or she serves, but who is not involved in making or administering the contract, from attempting to influence any other person who is involved in making or administering the contract. (N.C.G.S. 14-234 (a)(2))
- (f) North Carolina law prohibits a state officer or employee from soliciting or receiving any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the state agency he or she serves. (N.C.G.S. 14-234 (a)(3))
- (g) Contracts made in violation of N.C.G.S. 14-234 are void as a matter of law and anyone violating this statute may be prosecuted criminally.
- (h) N.C.G.S. 14-234.1 prohibits a State officer or employee from benefiting financially, or helping someone else benefit, from non-public information gained by the employee in his or her official capacity. Anyone violating this statute may be prosecuted criminally.
- (i) Note that the North Carolina Ethics Act (Ethics Act) also regulates Conflicts of Interest for "Covered Persons". Questions regarding the Ethics Act should be directed to the University Attorney.

- (j) Medicare Anti-Kickback Law. The Medicare Anti-Kickback law (42 U.S.C. 1320a-7b(b)) prohibits compensation from research sponsors that provide or supply healthcare services or products to researcher-physicians or hospitals for their participation in clinical research if such compensation is intended to induce physicians or hospitals to purchase drugs or services of the research sponsor that will be paid by Medicare or Medicaid.
- (k) False Claims Act. Researchers must certify in their grant applications that they are in compliance with statutory and regulatory requirements, including applicable statutes and regulations prohibiting conflicts of interest. Falsely certifying compliance could result in criminal prosecution and civil penalties under the False Claims Act (31 U.S.C. 3729, *et seq.*),

#### V. COI Disclosure Procedures

EPA Employees will be required to disclose annually relationships and circumstances that may raise questions about conflicts of interest and conflicts of commitment relating to University employment responsibilities, including, all potential Category II, III, and IV relationships or financial holdings regardless of the dollar amounts involved. Category I activities and relationships are not required to be disclosed under this Regulation; however, other university reporting requirements may apply to these activities (see Section IV). Where there is some question whether an activity should be considered a Category I or II activity as described above, the EPA Employee should include the activity in the disclosure for consideration by his/her supervisor.

Revisions or updates of the yearly disclosures are required between yearly disclosures whenever there is a significant change in the EPA employee's or his/her immediate family's affairs that may lead to or may be perceived to lead to a conflict with the EPA employee's university activities, e.g., the faculty member's spouse begins to receive consultant fees from a company that currently contracts with university for research services from the faculty member's laboratory.

To facilitate disclosure and to ensure appropriate uniformity across the University, each individual will complete the "Annual Faculty/Professional Staff Disclosure Form." Each unit administrator will distribute this form annually to all faculty and professional staff (EPA non faculty) under his or her supervision and assure that completed forms are returned. Unit Administrators shall summarize the disclosure completed by EPA employees to the Office of Research Compliance Administration. The purpose of this form is to identify employees' activities that may lead to actual or potential conflicts of commitment or interest so that appropriate administrative intervention may address the problems. The employee and the administrative supervisor are to complete and sign the annual disclosure form, which implies that the administrative supervisor has reviewed the form. No further action will be required if all questions are answered "no".

Further disclosure and review are required if questions elicit any "yes" responses on the Annual Faculty/Professional Staff Disclosure Form or on any midyear revisions or updates of the annual form. The employee must then complete and sign the appropriate additional forms. Suggested provisions or plans for eliminating or managing conflicts should be included in these additional forms where indicated. Examples of some (but not all) possible provisions for conflict management plans are:

1. Public disclosure of the significant financial interests or external activities;
2. Monitoring of activities by disinterested university officials to assure that conflicts do not arise;
3. Cessation of the pertinent outside activities;
4. Divestiture of the pertinent financial interests; and
5. Severance of the relationships that create actual or potential conflicts.

Since these forms have direct bearing on the employment of individuals with the University, all disclosure forms (the annual form and accompanying forms) and associated documents will be maintained in the administrative office of the employee's unit in his/her personnel folder for a period

of at least three years following termination of the pertinent activities.

#### VI. Review and Approval of Activities and Plans for Eliminating or Managing Conflicts.

The unit administrator (chair, dean, or the employee's supervisor in the case of a senior administrator) has the initial responsibility to review and approve or disapprove the disclosure forms filed with him or her by the EPA employees within that unit. The review shall follow the provisions of this Regulation. The Unit administrator should be familiar with the definition of 'Significant Financial Interest' to differentiate between Category II and Category III activities and relationships. Category III activities are presumptively considered to be non-allowable.

The unit administrator may refer any question regarding an annual disclosure form to the next higher administrative level for review and decision and must refer to the next higher level for review and approval of all annual disclosures (and updates/revisions) which require additional forms (as described in the annual disclosure form) for EPA employees involvement in possible Category II and III activities as described above.

If a potential conflict is determined to exist, written plans for eliminating or managing the conflict will be developed in consultations between the employee, the Office of Research Compliance Administration, and his/her supervisors (up to and including deans of academic units as appropriate) and presented to the Vice Chancellor of Research and Graduate Studies. For Category III and IV Conflicts of Interest, the plan will also be submitted to the appropriate division's Vice Chancellor for informational review. It will then be presented to the ECU Research Ethics Oversight Committee for final approval. An adverse decision of the Committee to a proposed management plan may be appealed to the Chancellor. The supervisor of the EPA employee will be responsible for assuring the implementation and/or monitoring of the conflict management plan.

Documentation of all decisions on activities and associated conflict management plans will be maintained in the employee's personnel folder.

In order to fulfill the certification requirements of grant and contract funding agencies (e.g., the NIH and NSF), each unit administrator shall also provide annually to the Vice Chancellor for Research and Graduate Studies a list of all faculty members and EPA staff in the administrator's unit who have submitted approved current annual disclosure forms and, where needed, an indication when such approval required development of an acceptable conflict management plan. This list may be amended as needed during the year. The Vice Chancellor for Research or his designee will use this information to report any perceived or potential COI to the sponsor or to certify to potential funding agencies that this Institution has conflict of interest requirements consistent with NIH and NSF guidelines and that to the best of our knowledge all provisions of the Regulation have been followed with respect to proposals submitted to the agencies by ECU faculty and staff.

If after initial review of any disclosure by the department head, dean, and vice chancellor, questions remain regarding ethical issues or if disagreement exists between the EPA employee and the administration regarding the permissibility of activities, or if the COI management involves more than disclosure and minor oversight, the situation may be referred to a faculty/administrative advisory committee for review of conflicts of interest and commitment. This committee, the Research Ethics Oversight Committee, will be chaired by the Vice Chancellor for Research & Graduate Studies. Appropriate individuals will be appointed members to the committee by the Vice Chancellor for Research and Graduate Studies. When the committee reviews conflict of interest management plans, a representative of university attorney's office shall be present. Decisions by this committee will be presented to the Chancellor for his or her concurrence and, if approved, will become the University's final position.



If the activity at issue involves external support (grant, contract or cooperative agreement), the Director of Sponsored Programs shall inform the sponsor in accordance to Sponsor policy and guidelines of the COI.

Whenever human subjects are involved in an activity presented to the Office of Research Compliance Administration (including approvals of conflict management plans), the University & Medical Center Institutional Review Board (UMCIRB) will be confidentially notified of the issue and the Committee's actions.

## VII. Institutional Conflict of Interest

East Carolina University, from time to time, forms relationships with profit-making entities (including the holding of equity interests) for mutual benefit. However, such relationships may put the University into actual or apparent conflict of interest situations when accepting grants or contracts from the profit making entities for research or other activities. (See exclusion at the end of this section for certain types of relationships.) To assure that these grants and contracts are performed with the highest level of integrity by University employees and to assure that the public maintains its trust in University activities, the following procedures shall be followed:

1. At the beginning of each calendar year, the Director, Office of Technology Transfer shall prepare a disclosure listing all profit-making entities in which the University has a significant financial interest. This disclosure shall be updated during the year as new relations develop and old ones terminate. This disclosure and its updates will be submitted to the Vice Chancellor for Research and Graduate Studies who shall distribute the disclosure to the Chancellor, the other Vice Chancellors and Deans, and the Research Ethics Oversight Committee. Copies of the disclosure and updates shall also be distributed to those university administrative offices charged with approving and administering grants and contracts and other regulatory committees (for example, Office of Sponsored Programs, Office of Grants and Contracts Administration and the UMCIRB).
2. Units submitting proposals for external funding to commercial entities may not be aware of possible institutional conflict of interest issues. Thus, the Office of Sponsored Programs shall have the primary responsibility of notifying the Office of Research Compliance Administration, Vice Chancellor for Research and Graduate Studies and the submitting unit of the University's conflict of interest as part of its regular procedures for the review and approval of such applications. The Office of Research Compliance Administration or the Vice Chancellor or his designee shall then develop a plan to manage the institutional conflict of interest after consultation with the submitting unit and other relevant university offices. The conflict management plan shall be submitted to the Research Ethics Oversight Committee for review. The Committee may approve the plan (with or without mandatory changes) or disapprove the plan. University acceptance of grants and contracts related to a management plan is contingent upon approval of the management plan by the Committee. A negative decision of the Committee may be appealed to the Chancellor. An institutional conflict management plan may range from a simple disclosure of the University's interest in publications and reports emanating from the grant or contract to complete University divestiture of the financial interest. The institutional conflict of management plan shall be separate from and in addition to any conflict management plans for conflicts of interests of individuals (e.g., the principal investigator) involved in the grant or contract.
3. When considering an institutional conflict of interest management plan, the Research Ethics Oversight Committee shall a) include as voting members, one or more individuals from the general public who have no direct or indirect relationship with the University, i.e., the individuals and their spouses or other dependents must not be current employees or students of the University; and b) recuse from the deliberations of the Committee any ECU member of the Committee who has been involved in the negotiation, approval, or implementation of the relationship that is the basis of the actual or perceived conflict of interest. The general public members of the Committee should be individuals that have sufficient education or experience to

understand both the issues before the Committee and the possible impacts of the Committee's decisions on the general public.

4. Arrangements for plan implementation and oversight shall explicitly be part of an institutional conflict management plan. Implementation and oversight will usually be the joint responsibility of the submitting unit and the Office of the Vice Chancellor for Research and Graduate Studies. However, other arrangements shall be made for plan implementation and oversight if, in the judgment of the Research Ethics Oversight Committee, such arrangements are necessary for the effective management of the conflict.

**Excluded Relationships:** A relationship with a profit making organization for the purposes of this institutional conflict of interest Regulation shall not include ordinary investments of the university's endowment that are managed by the Board of Trustees of the Endowment Fund or ordinary client-vender relationships where the University contracts for specific goods or services from a profit-making organization.

#### VIII. External Professional Activity for Pay Notification Procedures

1. An EPA Employee who plans to engage in external professional activity for pay shall complete the "Notice of Intent to Engage in External Professional Activity for Pay" Form (hereinafter referred to as "Notice of Intent Form"). The Notice of Intent shall be filed with the head of the department in which the individual is employed. A separate "Notice of Intent" shall be filed for each such activity in which an employee proposes to engage. Unless there are exceptional circumstances, the "Notice of Intent" shall be filed not less than ten (10) calendar days before the date the proposed external professional activity for pay is to begin.
2. The Notice of Intent Format: The format for giving notice of Intent should follow the Notice of Intent Form.
3. Approval of a "Notice of Intent" may be granted for a period not to exceed the balance of either 1) the fiscal year (in the case of twelve-month employees and employees with contract service periods that include the summer session) or 2) the academic year (in the case of nine (9) month employees with no summer session contract period) remaining as of the date of approval; if the approved activity will continue beyond the end of the relevant fiscal or academic year in which it was begun, an additional "Notice of Intent" must be filed at least ten days before engaging in such activity in the succeeding relevant year.
4. Except as set out in paragraph 5 below, the "Notice of Intent" shall be considered as follows: If, after a review of the "Notice of Intent" and consultation with the EPA employee, the unit head determines that the proposed activity is not consistent with the policy statement of the Board of Governors and regulation of East Carolina University, the EPA Employee shall be notified of that determination within ten (10) calendar days of the date the "Notice of Intent" is filed. In the event of such notification by the unit head, the EPA Employee shall not proceed with the proposed activity but may appeal that decision to the next higher administrator and then to the Chancellor or the Chancellor's designee. A decision on any such appeal shall be given to the EPA Employee within ten calendar days of the date on which the appeal is received. The decision of the Chancellor is final. Appeals shall be made in writing on the "Notice of Intent" form.
5. If a COI is noted in the Notice of Intent, the procedure set out in paragraph 4 above shall be modified as follows: The decision of the unit head to approve the activity shall be reviewed promptly and approved or disapproved within ten (10) days of receipt by the next higher administrator, and appeal of a disapproval by that officer shall be to the Chancellor or the Chancellor's designee. In addition, the Vice Chancellor for Research and Graduate Studies must review the external activity for management of any Conflicts of Interest and notify the University and Medical Center Institutional Review Board if the EPA Employee is participating in a protocol involving human subjects at ECU to ensure compliance with applicable IRB laws and regulations.
6. Departmental summaries of all "Notices of Intent" filed and of actions taken in response to such "Notices of Intent" during the preceding fiscal year shall be submitted by unit heads to the

Chancellor each July. As initiated by the UNC General Administration on or before September 1 of each year, the Chancellor will provide an annual summary report to the President.

7. If the external professional activity for pay is wholly performed and completed outside of the academic year by EPA employees serving on academic year contracts, said EPA Employees do not need to file Notices of Intent with their unit head provided that the activity does not conflict with the regulation or policy statements of East Carolina University and of the Board of Governors and is not conducted concurrently with a contract service period for teaching, research, or other services to East Carolina University during a summer session.
8. University employees not complying with these procedures will be subject to disciplinary action. Unit heads are held responsible for proper reporting.

#### IX. Enforcement of the Regulation

EPA Employees are under a clear obligation to adhere to the ECU regulation and procedures to disclose and to remove or appropriately manage conflicts of interest or commitment. Breaches of these regulations/procedures by the persons involved are viewed as serious ethical violations.

Possible breaches of the regulation/procedure include, but are not limited to:

1. Furnishing false, misleading or incomplete information on the disclosure forms;
2. Failure to promptly update disclosure forms before the required annual update when a significant change in a person's financial or fiduciary status places the individual into an immediate potential conflict of interest or commitment situation;
3. Failure to comply with the procedures described above (e.g., refusal to respond to inquiries, responding with incomplete or knowingly inaccurate information, or otherwise);
4. Failure to remedy conflicts as determined by the procedures; and
5. Failure to comply with a prescribed monitoring plan.

If a possible breach in the regulation/procedures occurs, the appropriate dean shall consult with the faculty person and his chair. If no resolution is forthcoming, the dean shall refer the case to the appropriate vice chancellor. The vice chancellor shall consult with the vice chancellor for research and shall initiate an investigation and/or hearing as found in Appendix D of the Faculty Manual and apply sanctions as determined by University policies, regulations, and rules. Such sanctions may range from administrative intervention to dismissal from employment, all in accordance with applicable University policies, regulations, and rules.

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**Faculty Senate Agenda**  
**December 6, 2011**  
**Attachment 6.**

**RESEARCH/CREATIVE ACTIVITY GRANTS COMMITTEE**  
Formal Faculty Advice on Proposed Allocation of Research Space Regulation

Suggested additions are noted in **bold print** and deletions in ~~strikethrough~~.

Title: Allocation of Research Space

PRR REG # (REG # blank. To be done by Legal)

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

Authority: Chancellor

History: Not Applicable

Related Policies:

Space Allocation Committee (Institutional Planning, Assessment and Research): *ECU Space Allocation Procedures and Guidelines* (Adopted Dec 2003; Amended, Apr 2007)

([www.ecu.edu/cs-acad/sacs/upload/Space-Allocation-Policy-Revised-April2007.pdf](http://www.ecu.edu/cs-acad/sacs/upload/Space-Allocation-Policy-Revised-April2007.pdf))

Space Allocation/Reallocation Committee (SPARC) (Unit Code of Operations, Brody School of Medicine, [www.ecu.edu/cs-acad/fsonline/customcf/unitcodes/medicine.htm](http://www.ecu.edu/cs-acad/fsonline/customcf/unitcodes/medicine.htm))

Allocation of University Space. REG07.30.01

[www.ecu.edu/cs-ecu/PRR/customcf/pdf.cfm?policyNumber=07.30.01](http://www.ecu.edu/cs-ecu/PRR/customcf/pdf.cfm?policyNumber=07.30.01)

Additional References:

*A concept for the integration of space and physical planning* (Flye, B. and Duncan, C.S., 2008)

([www.ecu.edu/cs-acad/sacs/upload/A-concept-for-the-Integration-of-Space-and-Physical-Planning-030708.pdf](http://www.ecu.edu/cs-acad/sacs/upload/A-concept-for-the-Integration-of-Space-and-Physical-Planning-030708.pdf))

Campus Space Planning ([www.ecu.edu/cs-admin/ipre/CSP.cfm](http://www.ecu.edu/cs-admin/ipre/CSP.cfm))

Contact for Info:

Marilyn Sheerer, Provost (328-5419) [sheererm@ecu.edu](mailto:sheererm@ecu.edu)

Rick Niswander, VC for Administration and Finance (328-6966) [niswanderf@ecu.edu](mailto:niswanderf@ecu.edu)

Deirdre Mageean, VC for Research and Graduate Studies (328-9471) [mageeand@ecu.edu](mailto:mageeand@ecu.edu)

Fiona Baxter, Director of Institutional Planning, IPAR (328-9481) [baxterf@ecu.edu](mailto:baxterf@ecu.edu)

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1. Introduction

1.1. Research and graduate education are central to the mission of East Carolina University (e.g., *ECU Strategic Action Plan, 2010-13*). These activities require substantial infrastructure, including research space (Code 250 of the *Space Classification Manual*, USDoEd) and research support space (Code 255 of the *Space Classification Manual*, USDoEd). Research space is intended to promote the scholarly activities of faculty members and students in support of ECU's mission.

1.2. This regulation and its foundation principles explicitly align with ECU's REG 07.30.01, *Allocation of University Space*. The Chancellor has delegated full authority to the University Space Committee (USC) to approve all allocations and reallocations of existing University-

owned and leased research space. In addition, ECU's REG 07.30.01 specifies that issues regarding the use of space in the Brody School of Medicine (BSOM) will first be considered by its Space Allocation and Reallocation Committee (SPARC) with recommendations made to the USC for final approval.

## 2. Guiding Principles

- 2.1. Research Space. Research space (Codes 250 and 255 of the *Space Classification Manual*, USDoEd) is a valuable resource and is the property of the State of North Carolina and is allocated to, and managed by, ECU as noted above. The USC, with administrative support from the Office of Institutional Planning and Research (IPAR), is ultimately responsible for the allocation and/or reallocation of all space (including research space) to colleges, schools, departments, and other units.
- 2.2. Research Portfolio. Research space allocations are not permanent. Research space is allocated to individuals and groups of individuals in order to engage research activities. Thus, research space may be reallocated as the University's portfolio of research activities changes. Since that portfolio is reasonably expected to change over time, research space also is expected to be reallocated in response to the changing environment and institutional priorities.
- 2.3. Research Space Management Levels. While possessing authority to allocate and reallocate all ECU research space, the USC recognizes and appreciates the knowledge of programmatic space needs and disciplinary expertise that is held at the unit level and grants relative autonomy to departments, schools, colleges, and centers/institutes. Departments, schools, colleges, and centers/institutes are expected to manage research space effectively so that it aligns with university priorities (see 2.4) and is used efficiently (see 2.5). Research space management levels are:  
Level I allocations and reallocations occur within departments/units (i.e., between researchers within a department or a unit) and are typically managed by a chair/director; Level II allocations and reallocations occur within colleges/schools (i.e., between departments and units within a college or school) and are typically managed by a dean; Level III allocations and reallocations are less frequent, occur between colleges, schools, and divisions and these are managed by IPAR with direction and approval from the USC. While Level I and Level II allocations and reallocations of research space do not require approvals above their respective levels, all allocations and reallocations must be properly communicated to IPAR so that the University's space inventory is current and accurate. Given its authority, the USC will hear and reconcile any (research space) disputes that are not negotiated successfully at Levels I and II.
- 2.4. Unit Priorities and Strategic Alignment. Research space priorities should be established at the departmental/unit level, college/school level, divisional level, and university level. At all levels (I-III), research space allocations and reallocations are made in accordance with established priorities that align with ECU strategic planning goals and objectives.
- 2.5. Efficiency of Use. In addition to strategic alignment, research space allocations and reallocations are made in accordance with efficiency of use. Thus, research space is subject to biennial inventory and efficiency audits by IPAR (see 4 below), as directed by the USC, with the possibility of subsequent allocation or reallocation occurring at any management level (I-III). The conditions for initiating a reallocation at Levels I (within departments) and II (within colleges or schools) are communicated to and approved by higher levels, including the USC.
- 2.6. Frequency. It is impractical to reallocate space too frequently. Effective space-use practice recognizes that research funding and output fluctuate over time and that considerable costs can accompany reallocation activities. Units should cooperate with the current research space occupant(s) to properly relocate or dispose of equipment/instruments.
- 2.7. New Faculty. Prior to a new faculty member joining ECU, the college and/or department should communicate, in writing to the faculty member and to IPAR, any commitment of

research space (including Categories 250 and 255 of the *Space Classification Manual*, USDoEd) to accommodate the faculty member's research agenda. This written commitment must provide adequate detail: general characteristics, proposed location, plan for renovation including budget, time limits for occupancy, and terms under which the space could be reallocated. If this space commitment to a new faculty member requires additional space beyond that already managed at Levels I or II, then it must be approved by administrators at Levels I, II, and the USC. Given its authority, the USC will hear and reconcile any disputes that are not negotiated successfully at Levels I and II.

2.8. Sponsored Research. Sponsored research involves agreement of the University to provide adequate space. When additional research space is required to engage a sponsored project, that need must be made known by the principal investigators to all units involved and the USC (through IPAR). Negotiation of a solution to the space need should occur well in advance of any submission deadline.

2.9. Emeritus Faculty. Emeritus faculty may be provided with research space at the discretion of the units involved if space is available and the emeritus faculty member remains actively engaged in research that is determined by the unit to be aligned with the programmatic needs and priorities of the University. ~~However, priority for research space will not be given to emeritus faculty.~~

### 3. Considerations for Allocating and Reallocating Research Space

3.1. New allocations or reallocations will bring research space into alignment with long-term University priorities as expressed in units' strategic plans.

3.2. New allocations or reallocations will increase the productivity of individual, departmental/unit, or college research space utilization.

3.3. New allocations or reallocations will make explicit the length of the research space commitment.

3.4. New allocations or reallocations will consider associated one-time and recurring costs. If subsidies are necessary, funding sources will be specified by end-users.

3.5. New allocations or reallocations will consider opportunities to co-locate similar types of research activity in order to share core or common space and equipment.

3.6. New allocations or reallocations will consider the effects of space assignments (including equipment and other infrastructure) on health, fire, environmental, accessibility, and safety compliance.

3.7. New allocations or reallocations will consider the primary reasons for a research space request and any possible secondary issues (indirect effects) that might result.

### 4. Research Space Productivity

To insure that space is efficiently and effectively utilized, IPAR (as directed by the USC and assisted by units) will conduct biennial research space audits. Possessing quantitative and qualitative metrics, along with appropriate benchmarks, assists all management Levels (I-III) to ~~allocate, reallocate, and~~ optimize the use of research space. Productivity measures and benchmarks for research space are expected to vary ~~between~~ **among** disciplines. ~~Factors may be weighted or un-weighted within departments and colleges. However,~~ Financial measures **should be expected to** be one part of the overall assessment of research space productivity. Financial measures may include but are not limited to: total external research award dollars **per** net assignable square foot (NASF), total external research expenditure dollars **per** NASF, and indirect cost recovery dollars **per** NASF. Non-financial measures of research productivity may include but are not limited to: number of refereed publications and books **completed or in process**, number of citations of published research **publications in process**, number of graduate students engaged, number of undergraduate students engaged, and other metrics as deemed relevant. **These and other factors may be weighted or un-weighted within**

**departments and colleges.** Because of expected inter-annual variability in research productivity, a five-year moving average will be employed as the unit of research observation.

## 5. Allocation/Reallocation Procedure

- 5.1. Initial (and subsequently altered) productivity measurement schemes at Level I (unit/department) must be communicated to and approved by the Level II (college/school) administrator and the USC. Productivity measurement schemes at Level II (college/school) must be approved by the USC. This process is intended to provide effective communication and reasonable alignment of approaches. IPAR will assemble, aggregate, maintain, and communicate all necessary research space/productivity data. A 5-year report of productivity of individual research spaces (for Level I analysis by chairs and directors), departmental/unit research spaces (for Level II analysis by deans), and college research spaces (for Level III analysis by the USC) will be prepared by IPAR with assistance from Levels I and II.
- 5.2. All research space requests for allocation or reallocation are initiated through IPAR's existing Space Allocation Request Portal. These entries can include space requests for new research programming or a change of existing use (to/from research). These requests typically are initiated by Level I or Level II administrators and provide necessary communication of space use in order to keep the inventory current and accurate. The USC must approve Level III (between colleges and/or divisions) requests. The key considerations for space managers at each level are included above (see 3).
- 5.3. Whenever a research space **is deemed unproductive** ~~falls below the 80<sup>th</sup> percentile of productivity among similar facilities~~ at any space management level (I-III, see 2.3) as a result of the 5-year audit, it will **become eligible to** be reviewed for possible reallocation at that level. **Each level must document and communicate expectations and measures for productivity.**
- 5.4. ~~At Level I, this~~ **Reallocation at Level I will** normally involves a chair's reallocation between researchers within a department or unit. At Level II, this normally involves a dean's reallocation of research space between departments. Given its authority, the USC will hear and reconcile any disputes that are not negotiated successfully at Levels I and II. Level III (between colleges/schools/divisions) reallocations by the USC must consider financial and non-financial measures of research productivity. Before any Level III allocation/reallocation is accomplished, a site visit and hearing of affected units will be conducted by the USC. Current research space occupant(s) will be provided with at least a six month notice of intended reallocation.

**ADMISSION AND RETENTION POLICIES COMMITTEE REPORT**

Key Improvements in the New Academic Integrity Policy  
(Implemented Fall 2011)

- ◆ The policy is clearer and more descriptive of the process. Duplicitous meanings were eliminated.
- ◆ Faculty members' duty to report violations is emphasized (as well as the duty of students and staff). However, faculty members have the freedom to use some situations as learning opportunities as long as grade penalties are not assigned.
- ◆ Units and departments can develop additional penalties for academic integrity violations.
- ◆ Definitions of violations have been expanded and more clearly articulated. Examples are cited with each. *Multiple submissions* is identified as a violation.
- ◆ Research misconduct is explicitly mentioned in the policy.
- ◆ There is a mandate that graduate students and graduate faculty will sit on hearings involving graduate students.
- ◆ The Office of Student Rights and Responsibilities will create a new case upon receipt of a second or subsequent violation against a student. The Academic Integrity Board will determine if additional sanctions are warranted.
- ◆ XF was adopted as a sanction. Other sanctions are more clearly defined.
- ◆ Appeals:
  - Permitted under two conditions, initiated by student's filling out an appeal form
  - Review committee determines appropriateness of appeal
  - Once the Academic Integrity Appeals Board has decided status of appeal, no further recourse for student (except in the case of expulsion)



**ADMISSION AND RETENTION POLICIES COMMITTEE REPORT**  
Online Form to Report an Academic Integrity Violation

- Found at this URL: [http://www.ecu.edu/cs-studentaffairs/osrr/faculty\\_staff/ai\\_violation.cfm](http://www.ecu.edu/cs-studentaffairs/osrr/faculty_staff/ai_violation.cfm)
- The form provides faculty members a way to identify who was involved, what happened, what type of violation occurred, what the penalty was, and what the faculty member's rationale was.
- Benefit of form to faculty: everything is reported at once, and OSRR does not have to engage in an email exchange to be sure they have everything they need.

**Report an Academic Integrity Violation**

Please use this online form to report your findings for an academic integrity violation to the Office of Student Rights & Responsibilities. Prior to submitting this form, you must have addressed the academic integrity violation as outlined in the East Carolina Faculty Manual found at <http://www.ecu.edu/cs-acad/fsonline/customcf/facultymanual/newmanual/part4.pdf>. This form must be submitted to OSRR within 10 calendar days of the initial meeting with student.

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**Academic Integrity Violation Form**

**Step 1: Complete the following information**

Date:  mm/dd/yy

This date should be the date you first became aware of a possible violation. For example, if student turned in a paper on 09/12/11 but you did not review the paper until 09/15/11, you would enter 09/15/11 as the date.

Student Name:

Banner ID:

Course Name & Number:

Please include section number (ex: COAD 1000 sec 103)

**Step 2: Identify the academic integrity violation(s) you charged the student with in your initial written notification. Check all that apply:**

- AI Violation(s):  Cheating  Plagiarism  
 Falsification/Fabrication  Multiple submission  
 Violation assistance  Violation attempt

**Step 3: Please provide a description of the incident.**

Incident Description:

**Faculty Senate Agenda**  
**December 6, 2011**  
**Attachment 9.**

**ADMISSION AND RETENTION POLICIES COMMITTEE REPORT**  
Syllabus Inserts Reflecting the Academic Integrity Policy

Per *ECU Faculty Manual*, [Part IV](#) and [Part V](#), Section M, faculty should include a statement regarding this policy in their syllabi because it puts students on notice of the faculty member's policy and it alerts students to the importance of academic integrity to the ECU community.

The Admissions and Retentions Policies Committee strongly suggests that all such statements should link to the policy: <http://www.ecu.edu/cs-acad/fsonline/customcf/facultymanual/newmanual/part4.pdf>.

Faculty members may use any wording they choose for their syllabus statement on academic integrity. Three options below provide sample wording that may be adapted to include additional information related to specific departments, colleges, or courses.

Option 1:

East Carolina University is committed to fostering a vibrant community of scholars. Academic integrity is a fundamental component of achieving this goal. All ECU students are expected to complete their academic work honestly.

I will not tolerate acts of cheating, plagiarism, falsification, multiple submissions, attempting or assisting with an academic integrity violation. If I become aware of a potential academic integrity violation, I will meet with you following the procedures outlined in the [Academic Integrity policy](#). Should I determine that an academic integrity violation has taken place, I reserve the right to assign a grade penalty up to and including an F for the course.

[You may wish to add, when true:] It is important for you to understand that the policy of the School of \_\_\_\_\_ is to remove students from the (*department/school/college*) who commit academic integrity violations.

[You may wish to add the University's definitions of academic integrity violations]

Option 2:

Students have a responsibility to uphold the principle of academic integrity in all of their academic work. The ECU [Academic Integrity policy](#) prohibits cheating, plagiarism, falsification, multiple submissions, and attempting or assisting with an academic integrity violation. This policy is strictly enforced in this class. [*You may wish state what penalties (up to an F in the course) you will assign for a violation.*] Students are expected to report possible academic integrity violations to me.

Option 3:

The East Carolina Creed reflects the University's expectation that students exhibit personal and academic integrity. Cheating, plagiarism, falsification, multiple submissions, and attempting or assisting with an academic integrity violation is a violation of the [Academic Integrity policy](#) and the expectations set forth in the Creed. Students are expected to know and adhere to the Academic Integrity policy. Penalties for violating the Academic Integrity policy can include a grade penalty up to and including an F for the course.