



2021-2022 FACULTY SENATE

FULL MINUTES OF DECEMBER 7, 2021

[WebEx Meeting Recording](#)

The fourth regular meeting of the 2021-2022 Faculty Senate was held on **Tuesday, December 7, 2021**, at 2:10 as a WebEx meeting.

Agenda Item I. Call to Order

Purificación Martínez, Chair of the Faculty, called the meeting to order at 2:10 p.m.

Agenda Item II. Approval of Minutes

The [November 2, 2021](#) meeting minutes were approved as presented.

Agenda Item III. Special Order of the Day

A. Roll Call

Senators absent were: Professor Alexander (Interior Design and Merchandising), Millea (Economics), Treadwell (Medicine), and Vogelsong (Recreation Sciences).

Alternates present were: Professors Thompson (Biology), Inman (Health Sciences Library), Stage (Allied Health Sciences), and Tracy (Art and Design)

B. [Announcements](#)

Chair Martínez highlighted the following from the linked announcements: the Faculty Senate and its Committee on Committees are soliciting volunteers for service on university committees for the next academic year. ECU Human Resources has a new Wellness Initiative. The Faculty Officers reviewed several PRRs that are listed within the announcements and agreed they would not need formal faculty advice from standing Faculty Senate academic committees. The Graduate School recently released a call for the Outstanding Thesis Award, the Outstanding Dissertation Award, and the Distinguished Graduate Faculty Mentor awards. Chair Martínez congratulates the recipients of the 2021-22 Research and Creative Activity Project Expense Grants and Dual Summer Stipends. She also highlighted the Chancellor's recent call for nominations for membership in the Servire Society.

Speaking privileges have been granted to Vice Chancellor Stephanie Coleman, Dean Allison Danell, Vice Chancellor Virginia Hardy, Acting Director Phil Lewis, Assistant Vice Chancellor Sara Lilley, Director Marti Van Scott, Director of Student Health LaNika Wright, University Counsel Paul Zigas, and all standing academic committee members reporting today.

C. Philip Rogers, Chancellor

Chancellor Rogers said he had been asked by the Agenda Committee to speak about the proposal to reorganize ECU's current divisional model under a single chief academic officer ("strong provost model"), the newly proposed employee code of conduct, and monthly UNC System reporting requirements surrounding flexible work arrangements and remote work.

The chancellor continues due diligence work and has not yet made a final decision on what was recommended by a campus-wide process in terms of restructuring the university's academic programs and related functions to report to a single chief academic officer. His plan is to announce his decision within the next month or so. If we do proceed with reorganization in this area, it would be

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his hope to operationalize any associated changes to begin in the next full academic year in the fall of 2022. As he has reflected on this decision, it is a decision that must be approached through a lens of how best to position the university over the next decade, which would include achieving efficiencies when possible, aligning funding sources with appropriate functions, ensuring the ecosystem to execute the university's strategic plan and priorities, and to ensure the right structure for ECU to be nimble enough to respond to new opportunities that may emerge in the higher education landscape. As he makes his determination, he returns to his emphasis on ECU's need to be a deeply mission-aligned institution that focuses on preparation for the future while embracing and promoting a culture of innovation. Regardless of organizational structure, it is important to Chancellor Rogers that ECU operates as one ECU: a mature, connected, coordinated institution that works together to meet the mission and to empower all to better serve the region of Eastern North Carolina.

ECU will work to ensure that all operate within an environment that promotes the highest level of professional and ethical standards through an employee code of conduct. Prior to Chancellor Rogers' arrival at ECU, there were recommendations through various internal and external audit engagements for an employee code of conduct. Work on this document began, but it was delayed for various reasons including changes in leadership. The recommendation was brought to Chancellor Rogers' attention by ECU's Chief Audit Officer, Wayne Poole. Chancellor Rogers said a university-wide code of conduct or code of ethics is considered to be a best practice under the U.S. Department of Justice guidance on Compliance Programs. This tool aids determining how much responsibility an organization may have for misconduct that may arise from individual employees. Documents like this can protect the institution. The codes are meant to be inclusive in terms of covering all classifications of employees. It should be designed in a way that does not preclude other professional statements on ethical conduct. The document is intended to communicate under one umbrella basic expectations that already exist among the university community. The Faculty Senate will have the opportunity to review and provide formal faculty advice and any suggested revisions on this draft document. For anyone interested to engage more deeply on this recommendation, Chancellor Rogers recommends a dialogue with Wayne Poole.

Recently, there have been new reporting requirements related to remote work for the Office of State Human Resources (OSHR). These reports are used to make recommendations for releasing state agency property. The UNC System Office anticipated similar reports would be needed from System employees in the future, so the System Office has modified a monthly Covid reporting template in November for the month of October. This template will be used moving forward to track the evolution of the workforce in remote, hybrid, and onsite workstations. The System HR Data Mart will be enhanced to allow for work location data to be sent monthly from all institutions. Full implementation is anticipated to be by July 1. Campuses send data related to work locations, which includes fully onsite, hybrid, and fully remote. Worksite data, including duty stations, remote worksites, and where the employee is specifically located in a county or a state are included in this reporting mechanism. Chancellor Rogers recommends continued engagement on this topic between the Faculty Senate and ECU's Human Resources team. Human Resources can funnel any related questions through to the System Office to aid in any additional clarity on this particular topic.

The chancellor also shared the following activities that recently occurred at ECU: the ribbon cutting at the life sciences and biotechnology building, the passing of the state Appropriations Act, the beginning of ECU's fundraising campaign, the agreement associated with ECU Health, and the naming of the new Provost. The System had six major funding priorities for the budget bill; at the top for ECU was salary increases for faculty and staff, which will be 2.5 percent increase each year of the

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biennium, a \$1,000 bonus for employees, and an additional \$500 bonus for employees who make less than \$75,000. System guidance said the mandatory legislative increase must be implemented by the January payroll and will be retroactive to July 1. ECU is trying to have the two bonuses distributed in December payroll. System campuses will now be able to use existing funds, when available, for discretionary salary adjustments. Any discretionary increases must be included in March payroll. The System Office is still working on those processes and have not made the decisions just yet on campus authority in this area, so more information on this will be forthcoming. The Vice Chancellor is working with ECU's HR on the campus raises.

The state budget also included over one billion dollars for renovation and rehabilitation of university facilities. New capital projects were also included in the state budget, with an additional one billion dollars authorized for those projects in future years. Over the next two years, ECU will receive more than \$70 million for capital and infrastructure funds for the development and construction of a new medical education building, with \$215 million allocated for this purpose, \$82 million for over 45 proposed projects for repair and renovations of specific campus facilities, almost \$3 million for Brody School of Medicine's rural residency program, and \$1.5 million in one-time funds for the NC-STeP program for telepsychiatry.

At the most recent Board of Trustees meeting, the launch of the public phase of ECU's comprehensive fundraising program was announced. \$300 million of the original \$500 million goal has already been raised. A number of active conversations are in play focused on eight figure gifts to support students, scholarships, academic programs, research initiatives, and additional facilities. Chancellor Rogers will work with Vice Chancellor Dyba on going on the road for gifts for the university's strategic priorities.

Additionally, there will be continued collaboration with the Brody School of Medicine and Vidant Health through the ECU Health joint operating agreement, which launches in January. Both entities retain legal independence, but they will have a shared leadership model. The Brody School of Medicine will retain its name. Vidant entities and employees and ECU Physicians employees will operate under the new brand of ECU Health. The institutions share a mission. No employment status, benefits, or assets will change. Rather, this agreement is a legal framework for rebranding and clinical and research integration.

After a competitive national search, and with significant input from the faculty and the university community, the Board of Trustees unanimously approved the appointment of Dr. Robin Coger as Provost and Senior Vice Chancellor for Academic Affairs. She comes to ECU from NC A&T where she has been serving as Dean for their College of Engineering and as a professor of mechanical engineering. Prior to that she was a faculty member and chair at UNC Charlotte. She also has extensive national service appointments. Chancellor Rogers thanks the faculty, Chair Martínez, and Dr. Chris Buddo, and all who participated in the search process.

Questions

Professor Bailey (UNC Faculty Assembly Delegate) said in a prior meeting it was mentioned that students with D's and F's would count toward student credit hours. Do students who withdraw from a course count toward student credit hour generation?

Provost Hayes said students who withdraw from school do count on the funding model, but the impact is so small to the budget that it has not been a concern.

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Vice Chancellor Coleman agreed that students who receive a W instead of a grade are included within the funding model.

Chancellor Rogers agreed this is the case across the UNC System.

Professor Altman (Kinesiology) mentioned the recent contract extension of ECU's football coach and then asked about the continued and additional investment of state funding toward athletic programs. Are there increased applications at ECU, is this being tracked, as a result of investment in this area of the university?

Chancellor Rogers said the success of the football team brings energy to the institution, it brings various stakeholders together, and it is a solid investment. It drives revenue higher than it has been in years. It generates economic development, regional transformation, fundraising, and alumni engagement. For many students, athletics makes a difference in where students select a college. It can strengthen community bonds. ECU Athletics does not receive state funds. Philanthropy, licensing agreements, and concessions bring in additional revenue to support the athletics programs.

Professor Wolf (Physics) asked about the university's COVID-19 response in terms of successes and lessons learned during the Delta variant. He asked if we would continue the same measures related to Omicron variant and other variants.

Chancellor Rogers said the past semester has been successful due to the work of all on this call in adhering to community expectations and increasing vaccination rates. The university will make pivots if needed, but the plan for now is to stay the course with masks and vaccinations. Vidant currently has three times fewer the number of patients in the hospital than they did at this time last year.

Professor Scott (UNC Faculty Assembly Delegate) asked how self-reporting by students is working and may change in this semester.

Director Wright said that students currently complete a self-report that goes to the faculty member. The Dean of Students then reaches out to the faculty to confirm the student is positive for COVID-19 and then asks they work with the student. The process will soon change to mirror the flu self-reporting system. Soon, the students will complete the self-report which includes if they are quarantining or isolating for COVID-19. They then would need a doctor's note that has a date of when the student may return to class. This new process removes the Dean of Students from the process. It is the responsibility of the student to complete and submit their self-report form and to submit their doctor's note that indicates they may return to class.

Professor Doty (Engineering & Technology) asked if discretionary funds would be used to address compression identified in the past fixed-term salary study.

Chancellor Rogers said the university is still looking at if and how discretionary salary increases may be applied at ECU. They recently received information and will review any studies that may be advantageous in terms of guidelines and expectations.

Professor Chambers (Education) asked about the status of Project Kitty Hawk and how we can ensure that adult students are able to successfully complete degrees online in terms of program readiness.

Chancellor Rogers said the General Assembly recently appropriated 97 million dollars to the UNC System to complete an affiliated entity of the UNC System called Kitty Hawk. Kitty Hawk is similar to UNC Chapel Hill's program through 2U, which expands their business program. UNC Wilmington has an OPM (Online Program Management) through Academic Partnerships. UNC Pembroke also has an OPM agreement. Many companies, including Noodle Partners, as another example, offer OPMs.

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Faculty lead the charge with curriculum design and engagement. Kitty Hawk, however, would provide services at the UNC System level—this is the first of its kind in the nation. Instead of a for-profit OPM taking 55 percent of the profit margin, the legislature funded this initiative, so it will be much lower cost for individual institutions to participate. Kitty Hawk is still finalizing their business model. The Chancellor has high hopes for this program. More to learn on this topic.

Professor Bauer (English) asked how the Code of Conduct for faculty is not redundant of the Faculty Manual and was curious of its inspiration.

Chancellor Rogers said this would be a best practice recommendation that would apply to all ECU employees, including faculty members. The Faculty Manual has a statement of professional ethics. Division of Health Sciences has a Code of Conduct already, but this agreement would be broader. The university Code of Conduct comes from a recommendation of the Audit office.

Chair Martínez said the chairs of all the Faculty Senate committees have received the draft document. The Faculty Governance committee will read the draft document to provide formal faculty advice on it.

Professor Moss (Dental Medicine) asked about how the incoming Provost position would relate to the health sciences division.

Chancellor Rogers is still considering the restructuring of academic programs to report to a single academic officer. His plan is to make an announcement on this topic within the next couple of weeks.

Professor Scott (UNC Faculty Assembly Delegate) said the Board of Governors has a Promotion and Tenure Committee. He has noticed they frequently review requests from UNC System institutions for salary supplements for distinguished and outstanding faculty. He has rarely noticed ECU faculty on this list. Has ECU considered requesting additional funds to retain outstanding faculty members? Chancellor Rogers will take a closer look at this.

Provost Hayes said that ECU has applied for these funds, and ECU faculty members have benefited from these funds in the past.

D. Michael Van Scott, Interim Vice Chancellor for Research, Economic Development and Engagement

Interim Vice Chancellor Van Scott was asked by the Agenda Committee to speak about the White Paper for sharing facilities, advancement goals, and start-up packages.

Earlier this year, Interim Vice Chancellor Van Scott began work on analyzing how ECU could better support shared facilities with a sustainable revenue stream. Typically, these facilities costs are covered by recurring and nonrecurring state funds, both of those sources have decreased. They are also funded by F&A recovery. Forty-five percent of F&A has gone back to the units. Last year, 4.7 million dollars was returned to the units. F&A funds are important for the units. Taking a portion of that to fund facilities would not be a wise thing to do. The fourth revenue stream that supports shared facilities is state funds that are recovered for salary, when salaries have been funded by grants. All of these funds have been returned to the colleges. The proposal in the White Paper was to adopt a revenue sharing model for those funds. Instead of the colleges retaining one hundred percent of salary buyout funds, seventy percent of the funds would go back to the department, ten percent would go to the dean's office, ten percent to the respective division, and then ten percent would go to REDE. Each of those different levels could use those funds to support infrastructure. There is a general acknowledgement that infrastructure must be supported, not just shared facilities, but the facilities of the PI's units. Updating equipment for core facilities covers annual costs, but there is no mechanism to purchase new equipment. There are pre and post award needs as faculty need aid in

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preparing and managing grants. There is also need for seed funding. Salary buyout funds have been used to allow for faculty to put time into their grant work (course buyout), some units use the funds to pay for other qualified expenses to then use some of the offset funds for salary incentives (usually, this is done in clinical units). Typically, grants generate more salary offset than what is needed for those two things. Some areas have been using these funds for additional fixed-term contracts and to make up gaps. Some units use these funds to create a pool for future startup packages. Funds are also used for faculty development, such as travel support. In recent years, there have been increased reliance on these funds, some of which is due to how summer school has been funded; also, due to the lack of lapsed salary dollar availability. The consensus of feedback received to date was that the decision for use of these funds should be determined at a local level instead of a centralized level. There should be a discussion for enterprise-wide budgeting for ECU's mission priorities, such as if research is a priority, it should be considered. Revenues from summer school will return, and this will relieve some pressures. There will be a revised policy allowing for the use of salary offset dollars to include research and any activity or area that supports sponsored programs. He supports a recommendation that a portion of salary offset funds stay at the dean's level to support facilities, but all colleges are using these funds differently.

In terms of REDE's advancement goals, they have a goal of annual gifts of \$8.5 million with \$500,000 of it coming from corporate scholarships. REDE does not solicit independent donors for gifts. Rather, anyone who solicits funds from foundations and not-for-profits has those funds go through Advancement, which are then managed by REDE due to financial reporting. These received Advancement funds are considered part of fundraising goals, but they are not really gifts. In FY 17, REDE received \$4 million in foundation and non-profit giving. In this past FY, the amount was \$15.6 million dollars. All of the credit goes back to the PI who generated that grant.

Startup packages began at ECU in 2005 to accelerate faculty careers and to enable faculty to get to a point where they could eventually generate their own funds for their units. Startup funds are for three years. For the last eight years, ECU has worked to ensure the faculty had good mentoring teams to aid the faculty on the startup funds. Since 2015, \$35 million has been allocated to startup funds. 60 percent of that amount (\$21 million) came from REDE. 50 percent of the \$21 million came from recurring state funds. 40 percent came from nonrecurring state funds, and ten percent came from the central F&A fund. 86 percent of the funds went to STEM disciplines; 14 percent went to non-STEM disciplines. Non-STEM discipline awards are smaller. In FY 23, there are \$1.3 million in prior commitments. There are enough state recurring funds to make those commitments. \$4.6 million has been estimated in new anticipated requests. About fifty percent of this anticipated request is from the Division of Health Sciences, and the other half from Academic Affairs. REDE's share would be 2.7 million the rest would come from departments, the Graduate School, and other revenue sources. These funds would come from non-recurring and F&A fund. The first startup fund was awarded to a Coastal Studies faculty member who works in the area of social sciences.

Questions

There were no questions asked at this time.

**E. LaKeshia Alston Forbes, Associate Provost for Equity and Diversity and Title IX Coordinator
Dr. Maggie Nanney, Equal Opportunity and Diversity Data Analyst**

Associate Provost Forbes and Dr. Nanney presented [faculty diversity data](#). Chair Martínez said they will speak on the programming associated with this data in the spring. Much of the data presented can also be found on the [OED](#) website and on the [IPAR](#) website.

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Questions

Professor Su (Geography, Planning and Environment) asked how this data will be used at ECU. Chair Martínez said the use of this data will be addressed this spring. Currently, the reports are shared at two different Faculty Senate meetings.

Associate Provost Forbes agreed efforts addressing the reported data will be presented in the spring.

Professor Roper (Medicine) sought clarity on how reports are presented.

Associate Provost Forbes said in past years the reports were quite long, so they began presenting the data in two reports.

Chair Martínez is considering best practices on how this information will be presented for the future.

Professor Su (Geography, Planning and Environment) said the data is meaningless if not used.

Professor Altman (Kinesiology) asked what faculty will be doing with the information that was presented by OED.

Chair Martínez said there will be an update from the DEI Commission later in this meeting.

F. Jeff Popke, Faculty Assembly Delegate

Faculty Assembly Delegate Popke presented a report on the December 3, 2021 UNC Faculty Assembly meeting. President Hans was happy that all UNC System priorities were funded in the recent Appropriations Act. Fayetteville State University is being added to the NC Promise list. President Hans said the Project Kitty Hawk would be a nonprofit version of the current for-profit OPMs. He specifically mentioned ECU as a successful institution that provides distance education. There is a requirement to conduct an ROI study that had been included in the Appropriations Act. President Hans said he could see value in this sort of study. There is not a lot of clarity on the outcomes of this study; however, this concerns Professor Popke and is something we should watch. There was discussion of a possible merger of the UNC System and the community colleges; however this would just put them together physically in the same building, not to merger administrative structures. Professor Popke said President Hans agreed on challenges with employee compensation. One measure would be for the Board of Governors to not weigh in on salaries; however, there could be a measure of salary bands to ensure reasonable salaries. There is interest in additional information on salary bands. There was also a detailed discussion on campus ombuds programs.

Questions

Professor Schmidt (Education) mentioned the two salary studies that had recently been done at ECU. He is curious if there had been any discussion of unfreezing salary raises so employees could be brought up to where they should be.

Professor Popke said there was no discussion on this as it is campus-specific. But this type of issue was brought up as a general concern. There is a dashboard the system has that can be of aid for compression and market salary studies.

Chair Martínez said the possibly of campuses addressing these inequities had been frozen, but the campuses were just recently given the authority to address salary issues if the campuses can come up with the funds to do so.

Professor Vermiglio (Allied Health Sciences) asked for a bit more clarity on salary bands.

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Professor Popke said these bands would be ranges, such as Carnegie classifications with minimum and maximum salaries. These are already used by campuses when making offers to new faculty hires.

Provost Hayes agreed that ECU has already used salary ranges, such as CUPA data and the Oklahoma State model. If campuses already had a model, they would not need to subscribe to a model prescribed at the system level (some UNC institutions did not have models existing like ECU did). Provost Hayes would have to look at the salary ranges proposed by the UNC System.

Chair Martínez said the CUPA data used for those ranges is on a dashboard on the IPAR website.

G. Purificación Martínez, Chair of the Faculty

Chair Martínez provided her full remarks, below:

“Good afternoon. Today is the last meeting of the Faculty Senate for 2021. I know how 9-month faculty members are feeling right now: relieved because you finished teaching and overwhelmed with all the papers you still need to grade. The work life of those of you on 12-month contracts, particularly if your main duties are clinical, might not change the way it does for us in 9 months. Regardless, I hope that all of us will have time to raise a glass to welcome 2022. In my case, the glass will be filled with cava and wishes for peace and health for those I care about, including all of you.

The Agenda Committee asked me to talk to you about ECU’s budgetary challenges. If you recall, Vice Chancellor Coleman informed the Senate last month that each division is planning scenarios for a 3 percent budget cut. All colleges, except Dental and Brody, and both libraries, are planning for such a scenario. The total amount of the cut will not be known until later this month or early January. I know that many of you and your colleagues are involved in college budget committees. If the cut finally comes at the 3 percent, using vacant positions, retirements, operational dollars, and similar measures, a lot of colleges will be able to “make” the cut. Our current planning scenario is quite different from last year’s 10%, when most of us feared losing colleagues. Other UNC campuses have experienced enrollment shortages this academic year as well. UNC Asheville, UNC Greensboro, North Carolina Central and Western Carolina have also seen declines which are now, as we all know, a national trend.

Even in those sister institutions in the system, the planning has been a little different, based on their own particular circumstances. For example, I know that Greensboro has gone through a process quite similar to ours; but at Western, faculty have been told that all cuts will be absorbed centrally, and the academic core will not be touched. Here at ECU, our academic core has been touched so often that, in my opinion, we are at the brink of irreparable damage. It does not matter if I am talking to Deans or faculty. It does not matter if I am talking to people in Health Sciences or Academic Affairs. The concern is always the same: we are understaffed, we have many ambitious projects that will take ECU to the next level in terms of attracting students, external partnerships and research dollars, but we do not have the resources to support these projects. In some disciplines, the faculty-student ratio is much higher than at other peer institutions, but we are paid much less. Some of us have incredibly high teaching loads or teach 100+ students with no teaching assistant support.

I was 23 years old when I spoke for the first time in a student assembly about working conditions in higher education. Students at my alma mater, the Universidad Autónoma de Madrid were debating whether to go on a strike to raise awareness of the job insecurity of postdoctoral

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students and fixed term faculty. I defended the strike in very vehement terms. 35 years later, the Spanish Ministry of Universities is negotiating a new law trying to deal with a university system plagued by lack of resources and academic endogamy. Others less stubborn than myself will hear 35 years and think that I have wasted my life as a faculty advocate. I don't know whether that is true or not. I know that I have gone from the local or micro, talking in departmental meetings, to the national or macro, being vice president of AAUP Assembly of State Conferences, secure in my believe that higher education is not just a solution, but THE solution to a just and equitable society.

It is quite obvious to me than when thinking about our state and higher education, one of the big problems we have is the reduction of state support to the UNC system. Indeed, the decrease in support for higher education from all states is also a national trend. President Hans celebrated last Friday the fact that all the system initiatives were included in the state budget. Yes, this is cause for celebration, but, in my opinion, and regardless of the predominant political color in the General Assembly, we probably will never go back to 1990's levels. I would like very much to be mistaken about this. I will resign myself to never going back to the 90's, flared jeans were never my thing (joke), but I cannot resign myself to what I perceive as a lack of political will to negotiate a new funding formula. Every Thursday before Faculty Assembly, the Chairs of Faculty of all UNC institutions meet from 6 to 8 pm. We talk about issues that are of mutual concern: budget transparency, faculty voice, meaningful engagement with Boards of Trustees, and the funding formula. A couple of years ago, we saw in action its perverse effects: here at ECU, we did not meet enrollment goals, but also, because we graduated more students in 4 years, our cuts were more profound. Another pernicious effect: in order to alleviate their own budget pressures, UNC Chapel Hill and NC State University can admit more students than usual; we cannot compete with their brand. Instead of fulfilling the UNC's mission of serving different communities and having distinct regional needs, sometimes I feel we are in the middle of King Lear. What would it take to change the funding formula? That is a question for which I have no answer.

In my 18 months as Chair of the Faculty, I have learned a lot about our budget, thanks in part to Vice Chancellor Coleman, who answers all my questions with extraordinary patience and detail. I am supposed to understand that Athletics funding is a different animal, and that salaries for coaches and Athletics Directors are higher in order to be competitive. In a recent article, Jackie Sherrill, a retired Texas A&M University football coach and athletic director said, 'If you equate it to college education, it's insane; if you equate it to business, it makes sense.' The article further elaborates: 'Coaches defend their contracts as market-driven and argue that football programs can broaden the profiles of their universities, strengthen campus culture and underwrite other athletic teams.' In another recent article in the Chronicle of Higher Education, a question worth answering is posed: 'how many libraries could be fixed up with those coaches' salaries.' ECU's Athletics Director Gilbert in his most recent presentation to this body highlighted the big financial challenges ECU's Athletic Program continues to experience. How would the salary increase to Coach Houston benefit the Athletic Program or for that matter the institution? In the recent State budget, Senate Bill 105 Section 8.17.(a) mandates a study conducted by an independent research organization to evaluate operational costs, student outcomes, and return on investment (ROI) of each program. Could a similar study be conducted for Athletics Programs in the system? Or just concentrating on ECU, what is the Return on Investment that we expect from our football program? More applications from students? More donations to support students in need? More money for research infrastructure? We faculty, in our annual evaluations, and in our yearly assessment of programs are constantly engaged in assessment and improvement. This year, you

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published a book, but what are your research goals for next academic year? This year, your program exceeded expectations, but how are you going to continue improving next year?

Is ECU having financial difficulties? If we have to cut academics, or if we don't address equity salary issues now that the UNC System has told given us the green light, then the answer is yes. But if we look at other areas of the university, perhaps the answer is, no? How can we truly find out? By ensuring every unit of the university constantly engages in the same cycle of assessment and improvement that is part of faculty life.

I do not forget that this academic year I have ended all my remarks by giving you tasks. This time I have two. The first one, I mentioned at the very beginning: rest as much as you are able. The second is not too onerous: in order to make sure that the cycle I propose above takes place for other areas of the institution besides our part of it, don't forget to talk to your colleagues about volunteering for service in Faculty Senate Committees. Remember that you have all the necessary details in today's Announcements. And don't think about this as a matter of personal preference. Strategize with others what Faculty Senate committees are key to advance the interests of your disciplines. And volunteer, volunteer, volunteer. The faculty's voice must be heard loud and clear.

Felices Fiestas y Próspero Año Nuevo, compañeros."

Questions

Professor Su (Geography, Planning and Environment) asked approximately what percentage of situations Chair Martínez feels her voice has not been heard in the past eighteen months.

Chair Martínez hopes for a university-wide budget committee. Vice Chancellor Coleman had said in January that her office would present on budget cut plans in January to the University Council. She does not know what will happen as a result of those plans being presented, and she does not know if faculty will have meaningful input to give. Chair Martínez hopes with continued advocacy, that faculty input would be able to be given. The Faculty Senate University Budget Committee is supposed to be present, but Chair Martínez hopes for more. This committee is also currently working to hear from other system institutions on what is happening in terms of budget at other system institutions in efforts to present a white paper to the Chancellor. Chair Martínez believes shared governance in budgeting is an area of improvement and believes like the chancellor does that this is an area that we should align with others as best practices.

Chair Martínez believes the voice of faculty did have impact in Provost Search. The faculty officers have had impact in our university's COVID-19 response. She also believes we have had impact in positive initiatives to support fixed term faculty, including in offering more multiyear contracts. She believes the faculty officers have made a significant difference in how the institution is working.

H. Question Period

Chair Martínez asked Dean Danell to give an update on the DEI Commission and its work.

Dean Danell said the DEI commission has begun a two-year process that will take three phases. Currently, the steering committee is learning and engaging with each other as they work on the next steps. The commission is working with co-chair and trustee Vince Smith to draft the charge for the first subcommittee. The commission has about twenty to twenty-five members. The first subcommittee focuses on student access and success. They are working on the membership of this subcommittee. They are looking to have a fair number of students to serve on this subcommittee,

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which would also have around twenty members. The commission is also working with Dr. Nanney on support with literature and data briefings. [EAB](#) also recently gave an overview on DEI. Now, the commission looks more at the data at ECU with Dr. Nanney. They are looking at inclusive excellence in DEI in higher education and looking at what others have done to build successful and useful DEI frameworks. The commission looks at ECU's DEI data in a lens of access and success. They will also be looking at campus climate and community experiences. They will form a plan on engagement with students and employees on the work of the commission, such as town halls and surveys.

Professor Roper (Medicine) asked the following: "I have a question about the corporate structure of the hospital and the medical and education mission of BSOM. Last week, Dean Waldrum and Dean Higginson held an open meeting about the joint operating agreement, clinically integrated academic health system. Dr. Waldrum spoke of his experience working in a similar type of joining in Arizona, I understand they moved the faculty to hospital, and he said they then sold the hospital there. What are the chances that the Brody School of Medicine joint operating agreement with Vidant in ECU Health will result in the hospital being sold?"

Chancellor Rogers said the joint agreement is a legal framework. A reason for past lack of success in the integration was because of changing staffing. ECU Health will retain employees being in their separate institutions.

Professor Su (Geography, Planning and Environment) said it is important to assess the impact of policies, in terms of what will happen from the data gathered by the DEI Commission.

Professor Bauer (English) said there was a loose attendance policy, especially for freshmen English students. She is curious what messaging is going out to students related to attendance for the spring semester.

Provost Hayes said that he was made aware of attendance concerns. They first make sure the absence is not related to COVID-19. Consequences for absences can be made clear in syllabi. Faculty members can share these strategies with others. COVID-19 and flu-related absences will have notes for their professors. Other absences can be addressed as they had been before COVID-19.

Professor Thomas (English) asked how students receive the note, how they get the note to their professor, and how long they need to be out of class due to COVID-19?

Vice Chancellor Hardy said the students get the note from My Pirate Chart. The self-report note comes to the faculty member by email. The students have a ten-day isolation window. After ten days, the student receives a note in My Pirate Chart that they are then responsible to get to their professor that indicates that they are cleared to return to class.

Professor Walker (Chemistry) had a student who was unable to stand due to post-Covid syndrome. She said there is no diagnosis related to this issue. The student is expected to finish the semester with these continued health concerns, however.

Vice Chancellor Hardy said the student would need to visit a healthcare provider. Without a diagnosis, it would be up to the faculty member and the student as to how the faculty member would work with that student. There may also be some resources with the university's disability services area.

Agenda Item IV. Unfinished Business

There was no unfinished business to come before the body at this time.

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Agenda Item V. Report of Graduate Council

Graduate Council, Ron Preston

Professor Ron Preston (Education), Chair of the Graduate Council provided formal faculty advice on curriculum and academic matters acted on and recorded in the [November 8, 2021](#) Graduate Council meeting minutes, including Graduate Policy action item (GC 21-10) revision to the Faculty Manual, Part II, section B to include the representation of Integrated Coastal Programs in the Graduate Council (see text of the revisions, [here](#)).

There was no discussion, and the Faculty Senate approved as formal faculty advice to the Chancellor, curriculum and academic matters acted on and recorded in the [November 8, 2021](#) Graduate Council meeting minutes, including Graduate Policy action item (GC 21-10) revision to the Faculty Manual, Part II, section B to include the representation of Integrated Coastal Programs in the Graduate Council (see text of the revisions, [here](#)). **RESOLUTION #21-63**

Agenda Item VI. Report of Committees

A. Writing Across the Curriculum Committee, Lisa Ellison

Professor Ellison (Foreign Languages and Literatures), Chair of the Committee, presented curriculum and academic matters acted on and recorded in the [November 8, 2021](#) meeting including writing intensive course designation (WI) for SPED 3004 Managing the Learning Environment.

There was no discussion, and curriculum and academic matters acted on and recorded in the [November 8, 2021](#) meeting, including writing intensive course designation (WI) for SPED 3004 Managing the Learning Environment, were approved as presented. **RESOLUTION #21-64**

B. Undergraduate Curriculum Committee, Stacy Weiss

Professor Weiss (Education), Chair of the Committee, presented curriculum and academic matters acted on and recorded in the meeting of [October 28, 2021](#) including curricular actions in the Department of Health Education and Promotion and the Department of Kinesiology within the College of Health and Human Performance, and in the Department of Management within the College of Business; and in the meeting of [November 11, 2021](#) including curricular actions in the Department of Geography, Planning, and Environment within the Thomas Harriot College of Arts and Sciences, and in the Department of Recreation Sciences within the College of Health and Human Performance.

There was no discussion, and the curriculum and academic matters acted on and recorded in the meeting of [October 28, 2021](#) including curricular actions in the Department of Health Education and Promotion and the Department of Kinesiology within the College of Health and Human Performance, and in the Department of Management within the College of Business; and in the meeting of [November 11, 2021](#) including curricular actions in the Department of Geography, Planning, and Environment within the Thomas Harriot College of Arts and Sciences, and in the Department of Recreation Sciences within the College of Health and Human Performance were approved as presented. **RESOLUTION #21-65**

C. Unit Code Screening Committee, Ken Ferguson

Professor Ferguson (Philosophy and Religious Studies), Chair of the Committee, first presented the revised [College of Fine Arts and Communication Constitution](#).

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There were no questions and the revised [College of Fine Arts and Communication Constitution](#) was approved as submitted. **RESOLUTION #21-66**

Professor Ferguson then presented proposed revisions to the Unit Code format. These changes are meant to provide additional guidance to units regarding unit code requirements, based on questions that most often arise in the revision process.

Professor Doty (Engineering & Technology) asked if her unit's code needs to go by the revised version or the current format.

Professor Ferguson recommends going by the new format because the committee would ask them to change to align with that format anyway.

There were no further questions, and the proposed revisions to the Unit Code format were approved as submitted. **RESOLUTION #21-67**

Professor Ferguson then presented proposed revisions to the Unit Code Guidelines document. These changes bring the document in line with current practices, like not requiring five copies, not requiring a PDF copy of the unit code, and requesting a Word document copy to make it easier for committee members to suggest edits.

Professor Roper (Medicine) said all codes and committee practices should address DEI, but that is not clear here. She asked if this is correct.

Professor Ferguson said the new Unit Code Guidelines does not have this content specified, but the Unit Code format does include this in the first paragraph.

There were no further questions, and the proposed revisions to the Unit Code format were approved as submitted. **RESOLUTION #21-68**

D. Admission and Retention Policies Committee, Eli Hvastkovs

This report was postponed to a future meeting and was not presented.

E. Educational Policies and Planning Committee, John Collins

Professor Collins (Philosophy and Religious Studies), Chair of the Committee, presented curriculum and academic matters acted on and recorded in the meeting of [November 12, 2021](#), including revision of the Computer Game Development Certificate in the Department of Computer Sciences within the College of Engineering and Technology; and Academic Program Review responses for the Department of Engineering and the Department of Psychology.

There was no discussion and the curriculum and academic matters acted on and recorded in the meeting of [November 12, 2021](#), including revision of the Computer Game Development Certificate in the Department of Computer Sciences within the College of Engineering and Technology; and Academic Program Review responses for the Department of Engineering and the Department of Psychology were approved as presented. **RESOLUTION #21-69**

F. Research and Creative Activities Committee, Joi Walker

Professor Walker (Chemistry), Chair of the Committee, presented formal faculty advice on the East Carolina University Patent Interim Policy. The Committee reviewed the policy and are suggesting no changes.

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There was no discussion and the formal faculty advice on the East Carolina University Patent Interim Policy was approved as presented. **RESOLUTION #21-70**

Professor Walker then presented formal faculty advice on the Research Participants Payments Regulation. The Committee reviewed the policy and are suggesting no changes. **RESOLUTION #21-71**

G. Committee on Committees, Melinda Doty

Professor Doty (Engineering and Technology), Chair of the Committee, discussed the call for faculty volunteers, emphasizing the importance of faculty service to the work of the committee and announcing that the deadline to submit the survey that was sent out through email (link [here](#)) is February 4, 2022.

Professor Doty then presented Peng Xiao, Associate Professor from the Department of Mathematics as a nominee to fill a 2024 term seat on the Appellate Committee.

There was no discussion and the Faculty Senate elected Professor Peng Xiao (Mathematics) to the 2024 term on the Appellate Committee.

H. University Environment Committee, Susan Pearce

Professor Pearce (Sociology), Chair of the Committee, presented an update on the Brewster Building study and other committee activities. She highlighted this [video](#) on the session about pancreatic cancer. She highlighted the anti-confetti campaign and divestment from fossil fuel companies, and the Earth Day 2022 Grand Opening of the [Otter Creek Natural Area](#).

Discussion

Professor Greer (Medicine) thanked Vice Chancellor Koch and all involved in their work in this effort.

Professor Popke (UNC Faculty Assembly Delegate) said he saw links to report environmental issues. He highlighted this link as well: <https://oehs.ecu.edu/2021/12/brewster-a-wing-updates/> which can also be founded linked at the bottom of the Office of Environmental Health & Safety homepage at the bottom for Brewster A-Wing updates.

There was no further discussion, and the report was received by the Faculty Senate.

I. Agenda Committee, Margaret Bauer

Due to technical issues, Chair Martínez presented on behalf of Professor Bauer (English), Chair of the Committee, the proposed dates for the 2022-2023 Faculty Senate meetings and the Agenda Committee meetings.

There was no discussion and the proposed meeting dates for the 2022-2023 Faculty Senate meetings and the Agenda Committee meetings were approved as presented. **RESOLUTION #21-72**

J. General Education and Instructional Effectiveness Committee, George Bailey

Professor Bailey (Philosophy and Religious Studies), Chair of the Committee, presented curriculum and academic matters acted on and recorded in the meeting of [November 15, 2021](#), including:

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- Maintaining Global Diversity (GD) credit for NURS 4220 Perspectives in International Community Health (after course revision)
- And the following transfer credit approvals:
 - Domestic Diversity (DD) credit for SOCI 1100 Introduction to Sociology from the College of DuPage
 - Global Diversity (DD) credit for ANTHR 1100 Cultural Anthropology from the College of DuPage

There was no discussion and the curriculum and academic matters acted on and recorded in the meeting of [November 15, 2021](#) were approved as presented, which include the following:

- Maintaining Global Diversity (GD) credit for NURS 4220 Perspectives in International Community Health (after course revision)
- And the following transfer credit approvals:
 - Domestic Diversity (DD) credit for SOCI 1100 Introduction to Sociology from the College of DuPage
 - Global Diversity (DD) credit for ANTHR 1100 Cultural Anthropology from the College of DuPage

RESOLUTION #21-73

Agenda Item VII. New Business

There was no new business to come before the body at this time.

There being no further business, the meeting adjourned at 5:07 pm.

Submitted by,

Marlena Rose
Secretary of the Faculty
Health Sciences Library

Rachel Baker
Faculty Senate

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FACULTY SENATE RESOLUTIONS APPROVED AT THE DECEMBER 7, 2021 MEETING

Resolution #21-63

Approved by the Faculty Senate: December 7, 2021

Received by the Chancellor: pending

Formal faculty advice on curriculum and academic matters acted on and recorded in the [November 8, 2021](#) Graduate Council meeting minutes, including Graduate Policy action item (GC 21-10) revision to the Faculty Manual, Part II, section B to include the representation of Integrated Coastal Programs in the Graduate Council (see text of the revisions, [here](#)).

Resolution #21-64

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Curriculum and academic matters acted on and recorded in the [November 8, 2021](#) Writing Across the Curriculum Committee meeting including writing intensive course designation (WI) for SPED 3004 Managing the Learning Environment.

Resolution #21-65

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Curriculum and academic matters acted on and recorded in the Undergraduate Curriculum Committee meeting of [October 28, 2021](#) including curricular actions in the Department of Health Education and Promotion and the Department of Kinesiology within the College of Health and Human Performance, and in the Department of Management within the College of Business; and in the meeting of [November 11, 2021](#) including curricular actions in the Department of Geography, Planning, and Environment within the Thomas Harriot College of Arts and Sciences, and in the Department of Recreation Sciences within the College of Health and Human Performance.

Resolution #21-66

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Revised [College of Fine Arts and Communication Constitution](#)

Resolution #21-67

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Revisions to Unit Code Format, as follows:

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

UNIT CODE FOR XXXXX

Note: In furtherance of [UNC Policy Manual 300.8.5 \(Policy on Diversity and Inclusion within the University of North Carolina\)](#), unit codes should address diversity, equity and inclusion throughout the unit code. Areas to be addressed include, but are not limited to: administrator responsibilities, faculty evaluation (teaching, research, service), voting, graduate faculty status, the composition and processes of search and personnel committees, curriculum oversight and program coordination, student enrollment and faculty respect for diverse students.

- Section I PREAMBLE
This Code allows for faculty participation in and establishes procedures for the XXXXX's internal affairs and is consistent with the East Carolina University (ECU) [Policy Manual](#), the ECU [Faculty Manual](#), and all established university policies.
- Section II FACULTY
- A. Definitions of the unit's faculty
 - B. Criteria for serving as a voting faculty member of the unit (For voting on unit code, refer to ECU *Faculty Manual*, [Part IV](#); for serving on unit personnel-related committees refer to ECU *Faculty Manual*, [Part IX](#))
 - C. Where appropriate, approved criteria for appointment to the graduate faculty (Refer to ECU *Faculty Manual*, [Part II](#))
 - D. Unit Criteria for emeritus status (Refer to ECU *Faculty Manual*, [Part VIII](#))
- Section III ADMINISTRATIVE ORGANIZATION OF THE UNIT
Describe the organizational and administrative structure within the unit; include titles of administrators (ex: Department Chair, Graduate Director, other) and their leadership roles and responsibilities **and selection process and method (ex: appointed or elected)**.
- Section IV CURRICULUM OVERSIGHT AND PROGRAM COORDINATION
- [NOTE: SACS Commission on Colleges Principle of Accreditation 6.2.c requires that persons responsible for overseeing the curricular content aspects of program coordination are qualified in fields appropriate to the curricular content (and degree level) of the program. The importance of ensuring the quality of educational programs is the essence of this standard.]**
- Example of an introductory paragraph for this Section: Qualified faculty are responsible for overseeing and coordinating all educational programs to assure that each degree program and/or concentration contains essential curricular components, has appropriate content and pedagogy, and maintains discipline currency. Curriculum development, review, and revision are the responsibility of discipline-specific qualified faculty for each degree program, concentration, and level (undergraduate, masters, etc.). Final curriculum decisions rest with faculty who possess the required academic qualifications in fields directly related to the program area of study and whose professional experience is relevant to the program discipline. (NOTE: cross-reference to other sections of the unit code that describe roles of program officials and/or curriculum committees.)**

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- A. Appointment of program coordinator/director to oversee and coordinate curricular content for each degree and certificate offered by the Unit (Refer to SASCOC Principle, 6.2.c)
- B. Responsibilities of program coordinator/director
- C. Academic and/or professional qualifications of program coordinator/director

Section V COMMITTEES OF THE UNIT

- A. Standing Committees
Include membership, how members are elected or appointed, length of membership terms, and duties or responsibilities of committee members
- B. Personnel Committee, Tenure Committee, Promotion Committees
(Refer to ECU *Faculty Manual*, [Part IX](#).)

Section VI EVALUATION OF FACULTY

NOTE: **If the unit has guidelines for faculty evaluation, they must follow ECU *Faculty Manual*, [Part IV](#) and must be submitted for review when code is reviewed and posted with the code after approval.**

- A. Tenured and Probationary- term Faculty
Current, updated, and approved guidelines, criteria, and weights governing the evaluation of tenured and probationary-term faculty members annually and otherwise for all personnel actions, including recommendations for raises, merit awards, reappointment, promotion and the conferral of permanent tenure (Refer to ECU *Faculty Manual*, [Part VIII](#), [Part IX](#), [Part X](#)).

[NOTE--include the following required university statement with general criteria for evaluations of tenured and probationary-term faculty:

ECU is committed to recruiting, retaining, and developing faculty that are highly accomplished in teaching and scholarship, including research and creative activities. Accordingly, research and creative activities that align with the institution's mission, engage students in effective ways, and advance our academic disciplines are an expectation of all tenured and probationary (tenure-track) faculty. Measures of success in these arenas include, but are not limited to, peer-reviewed publications, books, presentations, performances, patents, and national awards, including both honorary awards and competitively awarded external funding as appropriate to the discipline. These measures, and particularly national awards that recognize prominence in the discipline, will be positively reflected in annual evaluations and other personnel action.]

- B. Fixed Term Faculty
Guidelines, criteria, and weights governing the evaluation of fixed-term faculty members annually and otherwise for all personnel actions, including new or subsequent appointments, performance evaluations and advancement in title (Refer to *ECU Faculty Manual* Part VIII and [Part IX](#)).
- C. Performance Review of Permanently Tenured Faculty (Post-Tenure Review)
Current approved standards for performance review of tenured faculty (Refer to ECU *Faculty Manual*, [Part IX](#)); **and include a link to unit's approved standards on the Faculty Senate unit code website.)**

Section VII PROCEDURES FOR MEETINGS WITHIN THE UNIT

Include requirements and procedures for calling meetings, and by whom, agenda requirements and reference to conduct by *Robert's Rules of Order, Newly Revised*.

Section VIII VOTING BY FACULTY MEMBERS

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Procedures for the unit's voting faculty members to indicate in a timely fashion and by vote their approval or disapproval of the unit's major planning documents, assessment documents, Unit Academic Program Review (Refer to ECU *Faculty Manual*, [Part IV](#)), and other major reports prior to their submission in final form to person(s) outside the unit

Section IX BUDGET AND ANNUAL REPORT

Procedures for unit administrator to discuss with faculty members the unit's

- A. Annual budget request and subsequent budget allocation to the unit
- B. Annual report

Section X AMENDMENT PROCEDURES

Include procedures for amending code, definition of quorum, and how much prior notice is required. For faculty voting eligibility and minimum requirements for approval, refer to ECU *Faculty Manual*, [Part IV](#). (NOTE: Eligibility to vote and minimum requirements for approval were revised effective April 2019 (FS Resolution #19-37); approval requires at least a two-thirds affirmative vote by those eligible faculty who vote.) Refer also to *Robert's Rules of Order, Newly Revised* "Bylaws," #55, Article IX.

Rev. ~~4-30-20~~ **11-17-21**

Resolution #21-68

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Revisions to Unit Code Guidelines, as follows:

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

General Guidelines for Writing and Revising A Unit Code of Operation

Unit codes should be developed and revised according to the *ECU Faculty Manual*, Part IV, [Section I](#). Academic Code Units and *newly revised* [Section II](#). Unit Codes. The code revision cycle is 5 years as noted in Part IV, Section II ~~(F)~~. **VI. In accordance with *ECU Faculty Manual*, Part IV, Section II.V., "At the time of the mandatory review of a unit's code, a unit's guidelines, if any, shall also be reviewed by the Unit Code Screening Committee for compliance with university policy (FS Resolution #19-37, April 2019)."**

In an effort to make the process easier, below are links to templates/**formats** for use by academic units. All unit codes submitted must conform to the revised unit code **format**/templates. A unit code that does not conform will be returned to its unit.

Faculty are encouraged to contact the Unit Code Screening Committee (ucc@ecu.edu) or Educational Policies and Planning Committee (epc@ecu.edu) with any questions or concerns as they

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go through the drafting process.

<p>Review and approval of <u>new or revised</u> unit codes involve the <u>Unit Code Screening Committee</u></p> <p><u>Memo</u> requesting approval of a new or revised unit code of operation</p> <p><u>Cover/Signature Page</u> for a new or revised unit code of operation</p>	<p>Review and approval of <u>provisional</u> unit codes involve the <u>Educational Policies and Planning Committee</u></p> <p><u>Memo</u> requesting approval of a provisional unit code of operation</p> <p><u>Cover/Signature Page</u> for a provisional unit code of operation</p>
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Unit codes may include additional relevant sections, **provided that** as long as they conform in the same relative order as the *newly revised* Unit Code of Operation Format. Academic units **should use Microsoft Word for all code documents and** must submit **their code, approved according to the Faculty Manual Part IV requirements, along with the cover/signature page and memorandum, to the Faculty Senate Office for dissemination** ~~clean copies of its code~~ to the appropriate committee. A unit **and** may choose to submit **additional** explanatory documents along with its code (such as a table of changes) but this is not required.

An PDF electronic copy of all **materials noted above (using Microsoft Word)** ~~information~~ should be sent to the appropriate committee via the Faculty Senate office at facultysenate@ecu.edu. **Upon receipt of the electronic copy, the Faculty Senate Office will disseminate the materials to the appropriate committee chairperson. The unit's code committee representative and unit administrator will be notified by the appropriate committee chairperson of the review timeline and placement on an upcoming committee agenda.** ~~Following communication with the appropriate Committee Chair, 5 printed copies of the memo, cover/signature page, and new, revised or provisional unit code should be forwarded to the appropriate committee via the Faculty Senate office (140 Rawl Annex, 109 mail stop).~~

For unit planning purposes, ~~S~~ scheduled committee meeting dates are available on the appropriate committee's webpage (referenced above). **The appropriate committee will conduct its review as soon as possible after receipt of the code materials. It is usually possible to complete an initial review during the semester in which the code materials are submitted, depending on the committee's workload at the time.** ~~Submission of materials must be received at least ONE WEEK prior to the scheduled committee meeting. Upon receipt of the pdf electronic copy, the appropriate committee chairperson will acknowledge placement on an upcoming meeting agenda.~~

(Faculty Senate Resolution #12-108, December 4, 2012; editorially revised 10-16-19, editorially revised 09-09-21, **Faculty Senate Resolution #21-##, January #, 2022**)

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Resolution #21-69

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Curriculum and academic matters acted on and recorded in the meeting of [November 12, 2021](#), including revision of the Computer Game Development Certificate in the Department of Computer Sciences within the College of Engineering and Technology; and Academic Program Review responses for the Department of Engineering and the Department of Psychology.

Resolution #21-70

Approved by the Faculty Senate: December 7, 2021

Received by the Chancellor: pending

Formal faculty advice on the East Carolina University Patent Interim Policy, as follows:

Following the Research and Creative Activity Committee's review, there are no revisions being suggested.

Policy	POL10.40.01
Title	East Carolina University Patent Policy
Category	Research and Graduate Studies
Sub-category	Technology Transfer
Authority	Board of Trustees
History	First issued: March 1984 Revised: August 27, 2012; December 5, 2012 Interim posted: April 16, 2013 BOT final approved: July 18, 2013; Interim policy approved by BOT July 23, 2021.
Contact	Director, Office of Licensing and Commercialization 300 East First Street (Willis Building) Mailstop 163, East Carolina University Greenville, NC 27858-4353 (252) 328-9549 (Office) (252) 328-0799 (Fax) www.ecu.edu/ott UNC Policy 500.2-Patent and Copyright Policies UNC Policy 300.2.2-Conflicts of Interest and Commitment UNC Code: Appendix I
Related Policies	UNC Policy 500.6 University Equity Acquisition Policy REG10.40.02 East Carolina University Copyright Regulation ECU Faculty Manual Part VIII, (II) Policy on Conflicts of Interest and Commitment and External Activities of Faculty and Other Professional Staff
Additional References	U.S. Patent Laws 35 U.S.C. \A7\A7 1-376 ECU Patent Assignment Agreement Invention Management SOPs

1. Introduction

1.1. East Carolina University (the “University”) is dedicated to the pursuit of education, research and public service, including economic development and community engagement in North Carolina. Inventions, discoveries, and other intellectual assets may arise as a result of the conduct of these activities by University personnel and others who use University facilities, equipment, materials, resources or funds administered by the University. The Board of Governors of the University of North Carolina determined that patenting and licensing these intellectual property assets is consistent with the purposes and mission of the University of North Carolina. This Patent Policy is subject to and supplements the patent and copyright policies of the University of North Carolina.

2. Coverage

2.1. University Personnel. This Patent Policy applies to all University personnel and others as a result of use of University facilities, equipment, materials, resources or funds administered by the University. This Patent Policy is a condition of employment of every employee of the University and attendance of every student at the University.

2.2. Non-University Persons. Upon prior written agreement between non-University persons or entities and the University, this policy may be applied to persons not associated with the University who make their Inventions available to the University under circumstances where the further development and refinement of such Inventions are compatible with the mission of the University.

2.3 Implementation. The Office of Licensing and Commercialization (“L&C”) is responsible for implementing this policy, including developing procedures designed to supplement and interpret the ownership aspects of this policy, providing advice regarding ownership of specific works, releasing institutional rights, and accepting an assignment of rights to the University from an Inventor.

2.4 Patent Committee. The Patent Committee, appointed by the Chancellor or designee and consisting of no less than three members, is charged with reviewing and recommending to the Chancellor, or his delegate, the procedures for the implementation of this policy; resolving questions of Invention ownership that may arise between the University, university personnel and other individuals; recommending to the Chancellor the expenditure of the patent royalty fund; and making such recommendations as are deemed appropriate to encourage disclosure and assure prompt and expeditious handling, evaluation, and prosecution of patent opportunities; and to protect the interests of both the University and the public. The Director of L&C shall chair, administer and provide support for the Committee.

3. Definitions

3.1 “Gross Revenue” means all income received by the University as consideration for a license, option, or other transfer of rights to Inventions that are subject to the Patent Policy. Gross Revenue may include option fees, royalties, license issue fees (whether cash or equity when liquidated), milestone payments, and any other related payments, less any amount required to be paid from gross receipts without deduction to another entity pursuant to a sponsored research agreement, inter-institutional agreement or other legally binding agreement.

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3.2 “Invention” means technical information, trade secrets, developments, discoveries, innovations, processes, compositions, life forms, Tangible Research Materials, know-how, methods, formulae, data, processes and/or other proprietary information or matter, whether patentable or not.

3.3 “Invention Management Fund” means a University fund in which license revenue is distributed as required under the Revenue Sharing provision of this policy. The Invention Management Fund shall be used to support research, development, commercialization and education activities, and may include expenses incurred by the University in operating L&C or any successor unit managing the University’s intellectual property.

3.4 “Inventor” means an individual who makes an inventive contribution to an Invention and, for patentable subject matter, meets the criteria for Inventorship under United States patent laws and regulations, which requires a contribution to the conception of ideas claimed in a patent.

3.5 “Net Revenue” means Gross Revenue arising from license activities, minus all direct out-of-pocket costs associated with University’s ownership and/or administration of Inventions. Such costs may include costs of (1) evaluating Invention disclosures, (2) patentability or trademark searches, (3) drafting and prosecuting intellectual property applications, (4) preparing and recording assignments, (5) maintaining patents or other intellectual property, (6) marketing and licensing of Inventions, and (7) litigation for the enforcement or protection of intellectual property, for royalty collection, or for any other claim filed by or against University and related to University’s administration of intellectual property, including prosecution or defense of same, attorneys’ fees, court costs, expert fees, compromise, settlement, and judgment satisfaction. Net Revenue does not include funds received as gifts or for the support of sponsored research.

3.6 “University Employment Responsibilities” means employment responsibilities at the University directly related to research, service, teaching activities and administrative duties.

3.7 “Inappropriate Use or Exploitation of University Resources” means the use of University-administered funds or the use of services, facilities, equipment, supplies, or personnel, which members of the general public may not freely, use for other than the conduct of University responsibilities

3.8 “Tangible Research Material” means unique research products or tools, such as biological materials or chemical compounds, whether or not patentable. Biological materials include organisms, transgenic animals, plants and plant varieties, cells, cell lines, viruses, cell products, cloned DNA, DNA sequences, nucleic acid and protein sequences, transgenic animals, mapping information and crystallographic coordinates.

4. Disclosure and Invention Administration

4.1 Patent and License Management. L&C is charged with administering the University’s patent management and licensing program, including, but not limited to filing, prosecuting, and maintaining the University’s patent portfolio and maintenance of the University’s license portfolio.

4.2 Invention Disclosure. Each Invention must be disclosed promptly upon its creation, conception or discovery to L&C. The form of disclosure shall be determined by L&C, or its designee, and may include such information as name of the Inventor and a description of the Invention. Inventorship

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shall be determined in accordance with U.S. patent law, when applicable, or through procedures of L&C. Failure to disclose an Invention may prevent the Invention from being patented and may subject the University to risks of noncompliance with federal laws and/or contractual obligations. Since publication or public use of an Invention can be an immediate bar to patentability in most foreign countries, it is the duty of the Inventor to report to the L&C any publication, submission of manuscript for publication, sale, public use, or plans for sale or public use, of an Invention sufficiently in advance so that the L&C can consider measures to protect the University's intellectual property interests and compliance requirements.

4.3 Inventor Cooperation. The Inventor, upon L&C's request, shall sign all contracts, assignments, declarations, waivers or other legal documents necessary to vest all Invention rights in the University or its assignees, including complete assignment of any patent, patent applications, trademarks, or copyrights relating to the Invention. In addition, the Inventor shall cooperate with L&C and patent counsel if the University files for intellectual property protection.

4.4 Declined Administration. L&C may decline or cease Invention administration due to lack of resources, uncertainty of patent protection, lack of commercial interest, or other reasons L&C deems appropriate. In such case, L&C may assign the Invention to the Inventor, subject to any rights retained by the United States Government or other sponsor. In addition, the Inventor shall agree (1) that the University reserves a royalty-free, non-exclusive, irrevocable right to use the Invention for research and educational purposes; (2) to allow other academic and non-profit institutions similar use on similar terms; and (3) to indemnify the University against any liability arising from commercialization. All requests by an Inventor related to assignment of Invention rights to the Inventor must be submitted in writing to L&C.

5. University Ownership of Inventions

5.1 University Ownership. All Inventions arising from the following are owned by the University: (1) research conducted with University-administered funds, (2) work within the Inventor's University Employment Responsibilities, or (3) use of University resources available to the Inventor because of Inventor's affiliation with University.

5.2 Sponsored Research/University-Administered Funds. The University is obligated under the Bayh-Dole Act and other statutes to be responsible stewards of Inventions funded with public money. The provisions of this policy are also subject to these and other applicable laws and regulations, as well as, specific provisions of grants or contracts which govern the rights in Inventions or discoveries made in connection with sponsored research. Under the terms of certain contracts and agreements between the University and various agencies of government, private and public corporations, and private interests (the "Funding Source"), the University is or may be required to assign or license all rights to Inventions or discoveries that arise in the course of work conducted under such agreements. The University retains the right to enter into these agreements whenever such action is considered to be in the best interest of the University, in the public interest, and/or of mutual benefit to the University and the Funding Source.

5.3 Assignment of Inventions. In the case of University ownership of Inventions, Inventors hereby irrevocably assign to the University, all right, title and interest in and to Inventions and related patent applications and patents and shall cooperate fully with the University in the preparation and

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prosecution of patent applications and patents. Assignment of Inventions is a condition of employment, enrollment, or access to University facilities.

5.4 Patent Agreement and Assignment. As required by 37 CFR § 401.14, as amended, all University employees shall sign a Patent Agreement and Assignment, upon employment.

6. Inventor Ownership of Inventions

6.1 Inventor Ownership. An Invention arising from activities conducted (1) without use of University administered funds, (2) outside of Inventor's University Employment Responsibilities, (3) without Inappropriate Use or Exploitation of University Resources, and (4) without interfering with Inventor's obligation to carry out all of his/her primary University duties in a timely and effective manner, are owned by the Inventor, an "Inventor-Owned Invention".

6.2 If the subject matter of an Invention is within the Inventor's University Employment Responsibilities or permitted entrepreneurial activities at the University, the Invention may be an invention owned by the Inventor if it results from an external professional activity. An invention owned by the Inventor which results from an external professional activity means that:

6.2.1. it meets conditions (1), (3), and (4) as set out in Article 6.1;

6.2.2. is made in the course of an Inventor's external professional activities in compliance with the University's Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay;

6.2.3. is not based on or, if to be practiced, does not require the use of intellectual property owned by the University;

6.2.4. arises out of a specific scope of work defined in a written agreement between the Inventor(s) and a third party; and

6.2.5 if such Invention is within the subject area of an Inventor's University Employment Responsibilities, such Inventor has received prior approval from his/her departmental chair, dean, unit director or similar administrative officer to engage in such external professional activity and notice of such approval has been provided to L&C.

6.3 Disclosure. Any person claiming that an Invention is an Inventor-Owned Invention has the responsibility to disclose such Invention to L&C and provide additional information, as requested by L&C, in order to demonstrate that such Invention qualifies as an Inventor-Owned Invention as defined herein. Such Invention shall be disclosed in accordance with L&C's Invention disclosure procedures. Upon its final determination, L&C will acknowledge in writing whether such Invention is an Inventor-Owned Invention.

6.4 The University does not claim any rights in Inventor-Owned Inventions

7. Student Inventions

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7.1 Student Ownership. Inventions arising from student activities conducted (1) without use of University-administered funds, (2) outside of a student's University Employment Responsibilities, (3) without Inappropriate Use or Exploitation of University Resources, and (4) without the obligations of a University Inventor who has a duty to make assignment or has made assignment to the University, are owned by the Student. For students enrolled in a course of study, use of course laboratory, computing and library facilities, software, supplies and materials at a level ordinarily provided to students in the course are not considered to be Inappropriate Use or Exploitation of University Resources.

7.2 Proprietary Projects. Students, who engage in projects in which proprietary information of the University or a third-party is involved, may be asked to agree to the terms of a participation agreement to outline the rights and responsibilities of the parties, and define ownership of any resulting intellectual property rights. Should the student decline to participate in such a project in a non-elective course, then the student shall have the option of taking part in another class project where consideration of intellectual property rights is not required.

7.3 Special Program Exemption. The University may offer courses or programs to promote entrepreneurship, innovation, and economic development and in some instances may offer prizes in the form of cash, goods and/or services. The Patent Committee may exempt these courses and programs from University Ownership of Inventions for Inventions either previously conceived by the students or conceived during their participation. Notwithstanding, substantial inventive contribution by an employee of the University is subject to this Patent Policy. Requests related to a Special Program Exemption should be made in writing to the Director of L&C.

8. Consulting and the Patent Policy

8.1 Conflicts of Interest. The Board of Governors Policy on Conflicts of Interest and Commitment, UNC Policy Manual, 300.2.2, recognizes the value to the University to permit faculty and EHRA employees to engage in professional consulting. This activity can enhance the competence and expertise of faculty and EHRA employees and may aid in the development of University intellectual property and university-industry relations. However, private consulting may create a conflict of interest when the company's consulting contract requires that faculty assign intellectual property or accept other terms inconsistent with the individual's University employment contract. In all consulting relationships, employees have a duty to ensure that their employment responsibilities to the University are not compromised in a consulting agreement.

8.1.1 Employees may not sign agreements with outside entities or individuals that may abrogate the University's rights as stated in the Patent Policy or as provided in any sponsored research agreement or grant. Consulting agreements may not in any way limit the right of any University personnel to engage in teaching, research, or service at the University. For example, faculty and employees should not accept contract terms that (1) prohibit publication of University research or the reporting of results to research sponsors; (2) preclude faculty or employee from assigning to the University intellectual property owned by the University or (3) are designed to circumvent University policies and procedures for disclosure of Inventions.

8.2 Ownership. Ownership of Inventions arising under consulting agreements will be determined in accordance with this Patent Policy and, to the extent that any terms of a consulting agreement are inconsistent with this Patent Policy, this Patent Policy will control. However, the University will

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make no claim to an Invention if the Invention is determined to be an Inventor-Owned Invention as set out in Section 6 above.

9. Publication Restrictions

9.1 Acceptable restrictions. The University supports publication and exchange of scholarly outcomes. However, circumstances may arise which require a publication restriction for a limited period of time. Limited publication restrictions may be required for the following reasons:

9.1.1. Review for removal of sponsor-provided confidential information; or

9.1.2. Review for patentable information and if necessary timely filing of a patent application

9.2 Sponsor Review. Sponsors are provided a time-limited period to review manuscripts for proprietary and/or patentable information. Additional time may be required to timely file a patent application but in no event shall the total period of delay be longer than one year from the date of the notice of intent to submit for publication.

10. Revenue Sharing

10.1. Revenue Sharing. It is the policy of the University to distribute any Net Revenue received from commercialization of Inventions among the Inventor, the Inventor's College and Department/Unit, and the Invention Management Fund.

10.2. Revenue Distribution. Net Revenue shall be distributed as follows:

First \$1,000 Net Revenue: 100% to Inventor(s);

Greater than \$1,000 Net Revenue: 50% to Inventor(s), 15% to Department(s), 5% to School / College(s), 25% to Invention Management Fund, 5% to Division of Research, Economic Development and Engagement

L&C is responsible for managing the Invention Management Funds, in accordance with Section 10.4.

10.3. Exceptions. Applicable laws, regulations or provisions of grants or contracts may, however, require that a lesser share be paid to the Inventor(s). In the case of co-Inventors, each percentage share due to a sole Inventor shall be subdivided equally among the co-Inventors unless all the co-Inventors provide the University a written instrument signed by each of them allocating ownership among them other than in equal shares. In no event shall the share payable to the Inventor(s) in the aggregate by the University be less than 15% of gross revenue received by the University.

10.4. University Allocation of Funds. To the extent practicable and consistent with State and University budget policies, amounts allocated to the University pursuant to Section 10.2 above will be dedicated to support University research, development, commercialization and education activities.

10.5. Separation of Inventor from University. In the event that an Inventor leaves the University, either voluntarily or involuntarily, and the Inventor is entitled to receive compensation in accordance with this Policy, then the Inventor shall continue to be entitled to revenue pursuant to this Policy. In the event of death of an Inventor who is entitled to distribution of revenue pursuant to

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this policy, then such payments will be paid to the Inventor's estate or as directed in accordance with a court approved action.

10.6 Tangible Research Materials. To the extent practicable, Tangible Research Materials shall be treated as Inventions for purposes of ownership and revenue sharing. The L&C will promulgate rules regarding distribution of revenue for Tangible Research Materials that are not the subject of a patent application.

10.7 Additional Rules. The L&C shall adopt such other rules and procedures as needed to administer revenue distribution equitably and consistently with UNC System and University policies.

11. Dispute Resolution

11.1. Jurisdiction. Any individual subject to this policy may seek resolution to questions of Invention ownership that have arisen by filing a written request with the Chair of the Patent Committee. The Chair shall appoint a 5-member Dispute Resolution Panel ("the Panel") to address the dispute with at least 3 panel members being selected from the membership of the Patent Committee. In the event that the dispute involves the Chair of the Patent Committee, the Vice Chancellor for Research, Economic Development, and Engagement (the "Vice Chancellor") shall appoint the Panel. The Panel shall elect a chair from its membership. The University shall provide appropriate support to the Panel including, but not limited to, patent counsel or other patent expert. The Panel shall conduct a review to address the dispute within four weeks of receipt of the written request for resolution.

11.2. Conduct of the Hearing. In its sole discretion, the Panel may elect to conduct a hearing or may make a recommendation based upon the written record, provided that all parties to the dispute are given an opportunity to present evidence and arguments in support of their respective positions. The hearing shall be conducted in accordance with procedures adopted by the Chair of the Panel. A party may be accompanied at the hearing by a non-participating advisor.

11.3 Disposition. The Panel shall report its written findings, conclusions and recommendations for disposition of the matter to the Vice Chancellor. Copies of such findings, conclusions and recommendations shall be provided to all parties, subject to confidentiality of third-party interests, if any. Upon receipt of such findings, conclusions and recommendations, the Vice Chancellor will conduct any further investigation deemed necessary and will issue the final University written decision. The final written decision shall be issued within six weeks of the Panel's review and/or hearing.

12. Works Subject to Protection by Both Copyright & Patent Laws

12.1. In cases where an Invention or creation is subject to protection under both patent law and copyright law, if the University elects to retain title to its patent rights, then the Inventor shall assign such patent and copyright rights to the University.

13. Policy Exceptions

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13.1. In rare circumstances, an exception to this Policy may be approved by the Chancellor or designee if it is determined to be in the University's best interest, and the exception remains consistent with UNC policies and federal and state law.

Resolution #21-71

Approved by the Faculty Senate: December 7, 2021

Received by the Chancellor: pending

Formal faculty advice on the Research Participant Payments Regulation, as follows:

Following the Research and Creative Activities Committee's review, there are no revisions being suggested. Clean copy of the [marked-up version](#) the Committee reviewed is posted below.

Title: Research Participant Payments

Category: Operations and Auxiliary Services

Sub-category: Accounting Services

Authority: Chancellor

History: Approved by the Chancellor's Executive Council, date.

Related Policies: [REG 10.45.04 Regulation on the Use of Human Subjects in Research](#)
[REG 12.60.26 East Carolina University HIPAA Regulation](#)

Additional References: [Protection of Human Subjects - Definitions: 45 CFR 46.102](#)

[Protection of Human Subjects - Compliance: 45 CFR 46.103](#)

[HIPAA Privacy Rule: 45 CFR Part 160 & 45 CFR Part 164 Subparts A and E](#)

[HIPAA Breach Notification Rule: 45 CFR Part 164 Subpart D](#)

[HIPAA Security Rule: 45 CFR Part 160 & 45 CFR Part 164 Subparts A and C](#)

[HITECH Act](#)

[ECU Greenphire Website](#)

[ECU Greenphire Exceptions Database](#)

[University and Medical Center Institutional Review Board Website](#)

[ECU Basic Spending Guidelines](#)

Contact for Info: Disbursements Manager (252-737-1076)

1. Purpose

This Regulation establishes the Greenphire ClinCard System as the University's payment method of choice to compensate and/or reimburse human subjects for participating in a research study. The Greenphire ClinCard System meets IRS reporting regulations and the confidentiality required with certain human participant research studies. Allowable expenses may include, but are not limited to, stipend, transportation, and subsistence. This regulation applies to all funding sources.

2. Definitions

- 2.1 Research participant payments: payments to human research subjects (participants) for their participation in research. Payment for participation in a study is not considered a benefit; it is compensation for time, effort and study-related expenses. It may be considered a recruitment incentive in some cases.
- 2.2 Greenphire ClinCard System: a third-party system used by the University to make secure payments to research participants and meet confidentiality and IRS reporting regulations. This system has been reviewed and approved by the:
 - 2.2.1 Identity Theft Protection Committee (ITPC), that ensures the system complies with legal requirements governing social security numbers and personally identifiable information.
 - 2.2.2 Clinical Information Steering Committee (CIS), that ensures the system meets HIPAA standards.
- 2.3 ClinCard: a reloadable debit card that replaces a check, gift card and/or cash payment to research participants.

3. Scope

This Regulation applies to all research participant payments, regardless of amount, that are supported or administered by, or otherwise affiliated with, East Carolina University. This Regulation applies to all individuals, including, but not limited to faculty, staff, students, postdoctoral scholars, volunteers and affiliated researchers, who conduct research involving human subjects.

4. Requirements

The Greenphire ClinCard System is the approved mechanism for monetary compensation of participants in research studies conducted at ECU. All new and existing studies issuing research participant payments are required to use this payment method unless an exception is requested and approved. Anonymous questionnaires or surveys that offer incentives of \$25 dollars or less are generally exempted from the Greenphire process; however, an exception request is still required. At times, due to the research protocol, an alternative remuneration methodology may be required. Under these circumstances permission to utilize another payment method other than the ClinCard method, will require approval by the Vice Chancellor, Division of Research, Economic Development and Engagement at ECU, or their designee.

The standard operating practices for Greenphire exceptions and for departments on the Greenphire website provide details on the exception process, tax reporting requirements and procedures for accessing and using the Greenphire ClinCard System.

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Resolution #21-72

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: not applicable

2022-2023 Faculty Senate and Agenda Committee Meeting Dates, as follows:

2022/2023 University Academic Calendar

Fall 2022		Spring 2023	
August 22	Classes Begin	January 9	Classes Begin
September 5	State Holiday	January 16	State Holiday
October 8-11	Fall Break	March 5-12	Spring Break
November 7	Registration	March 27	Registration
November 23-27	Thanksgiving Break	April 7-8	State Holiday
December 5	Classes End	April 25	Holiday Makeup Day
December 6	Reading Day	April 25	Classes End
December 7-14	Exams	April 26	Reading Day
		April 27-May 4	Exams

2022/2023 Agenda Committee and Faculty Senate Meeting Dates

Agenda Committee	Faculty Senate
August 30, 2022	September 13, 2022
September 20, 2022	October 4, 2022
October 18, 2022	November 1, 2022
November 22, 2022	December 6, 2022
January 11, 2022	January 24, 2023
February 8, 2022	February 21, 2023
March 15, 2022	March 28, 2023
April 12, 2022	April 25, 2023
	May 2, 2023 (2022/2023 organizational mtg.)

Resolution #21-73

Approved by the Faculty Senate: December 7, 2021

Approved by the Chancellor: pending

Curriculum and academic matters acted on and recorded in the meeting of [November 15, 2021](#), including:

- Maintaining Global Diversity (GD) credit for NURS 4220 Perspectives in International Community Health (after course revision)

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- And the following transfer credit approvals:
 - Domestic Diversity (DD) credit for SOCI 1100 Introduction to Sociology from the College of DuPage
 - Global Diversity (DD) credit for ANTHR 1100 Cultural Anthropology from the College of DuPage

All votes at this meeting occurred through general consent, so individual Senator votes are not recorded.