

APPENDIX L

EAST CAROLINA UNIVERSITY CODE

Preamble

In order to establish a mutual understanding which produces an essential joint effort in the government of East Carolina University, the faculty, administration and trustees adopt the the following code of regulations of University government.

A. Appointments of the Vice Chancellors and other Senior Academic and/or Administrative officials

The Board of Governors shall, on recommendation of the President and of the Chancellor of East Carolina University, appoint all vice chancellors and senior academic and administrative officers. (See The Code of the Board of Governors, the University of North Carolina; Chapter V, Section 500 B-2.) The nominating committee for the Vice Chancellors, for the Dean of the School of Medicine and for other senior administrative officials as deemed appropriate by the Chancellor shall be appointed and convened by the Chancellor, and shall include the Chair of the Faculty and at least two other voting faculty members¹ elected by the Faculty Senate. The Chancellor or his appointee shall serve as Chair of the Committee.

B. Appointment of Other Academic Administrative Officials

The Dean of the Graduate School; the Dean of the College of Arts and Sciences, the Deans of the Professional Schools, except the Dean of the School of Medicine, and other academic administrative officials as deemed appropriate by the Chancellor shall be appointed by the following procedure:

1. The appointing official² shall convene a nominating committee which shall be formed as follows:
 - a. Three-fifths of the nominating committee shall be permanently tenured voting faculty members elected by the following procedure:

¹Voting faculty members referred to in this Code shall be defined as members of the faculty who:

1. hold an academic rank (that is a permanently tenured or probationary appointment),
2. are assigned more than one-half a teaching and/or research load as practiced in the Unit (this requirement does not apply to Unit administrative officials, librarians, faculty of the University Counseling Center or to the Chair of the Faculty), and
3. have served at least two consecutive semesters during the regular session.

Voting faculty members as defined in this Code shall apply only to procedures described herein.

- (1) In order to achieve the most equal representation, the convening official will, with the advice of the chairpersons, divide large Schools and/or Colleges into divisions, each division representing closely related academic areas and cognate interests, and each division representing as equal number of constituency as possible.
 - (2) Election shall be by secret ballot from a list of the permanently tenured voting faculty members of the School or its divisions who have been nominated in response to written notice given by the convening official. Each division will be equally represented and no department may have more than one member on the nominating committee.
 - (3) The vote shall be taken in a meeting of the voting faculty members of the constituency of the School or College called by the convening official with written notice of one week.
 - (4) All voting faculty members of the constituency of the School or College attending the meeting shall constitute a quorum. Election shall be by a majority of the votes cast by secret ballot.
 - (5) The electorate for a nominating committee for the Dean of the Graduate School shall be the voting faculty members of the Graduate Faculty of the University. The electorate for a nominating committee for the Dean of the College of Arts and Sciences shall be the voting faculty members of the College of Arts and Sciences. The electorate for other nominating committees shall be determined by the convening official.
- b. The remaining membership of the nominating committee shall be appointed by the Vice Chancellor for Academic Affairs or the Dean of the School of Medicine as appropriate. At least one of the appointees shall be from outside the constituency. One shall be a full-time enrolled student.
 - c. The chairperson shall be selected in a manner determined by the convening administrator.
2. The nominating committee shall:
 - a. In consultation with the convening official establish criteria that the new official must meet;
 - b. Solicit applications and consider applicants for the position according to approved Equal Employment Opportunity procedures;
 - c. Submit one or more nominees to the convening official.

²The appointing official as referred to in this Code shall be the next higher administrator to whom the administrative appointee would be responsible.

- d. The convening official may accept the committee's nominees or reject them all. If they are rejected, the committee shall submit anew one or more additional nominees.

C. Appointment of Unit Chairpersons

A unit shall be defined as any academic body which is given a budget by the Vice Chancellor for Academic Affairs, the Dean of the School of Medicine or the Vice Chancellor for Student Life (in the case of the Counseling Center). The administrative official of these units shall be appointed by the following procedures:

1. The appointing official shall convene a nominating committee which shall be formed as follows:
 - a. The committee shall consist of at least five persons.
 - b. At least three-fifths of this committee shall be voting faculty members from the unit which has the administrative vacancy, elected by a majority of the voting faculty members of that unit by secret ballot cast in a unit meeting.
 - c. Absentee ballots shall be made available.
 - d. The remaining membership of the committee shall be appointed by the convening official. At least one of the appointees shall be from outside the unit. One other shall be a full-time enrolled student.
 - e. The chairperson of the committee shall be elected by the committee from the elected members of the committee.
 - f. For appointment of chairperson of departments in the School of Medicine, the Dean shall convene a nominating committee which shall consist of at least five persons. Two-fifths of this committee shall be faculty members from the department which has the administrative vacancy, elected by a majority of the voting faculty members of that department, by secret ballot, cast in a department meeting. Absentee ballots shall be made available. The remaining membership of the nominating committee shall be appointed by the Dean from outside the department. However, one must be a full-time student. The chairperson of the nominating committee shall be selected in a manner determined by the Dean.
2. The nominating committee shall:
 - a. In consultation with the convening official establish criteria that the new official must meet;
 - b. Solicit applications and consider applicants for the position according to approved Equal Employment Opportunities procedures.

- c. Submit one or more nominees to the convening official, after determining by secret ballot that the nominees are acceptable to a majority of the voting faculty members of the Unit. The vote shall be taken at a called meeting of the voting faculty members of the unit following written notice of one week.
 - d. Absentee ballots shall be made available.
3. The convening official may accept the committee's nominees or reject them all. If they are rejected, the committee shall submit anew, one or more additional nominees, after determining by secret ballot that the nominee(s) are acceptable to a majority of the voting members of the unit. The vote shall be taken at a called meeting of the voting faculty members of the unit following written notice of one week. Absentee ballots shall be made available.

D. Unit Codes

Each unit shall operate by a democratically developed Code of Operation. The Unit Code shall be approved by the majority of the voting faculty members who are permanently tenured. The Unit Code shall require the unit to operate according to the most recent edition of Robert's Rules of Order. The Unit Code shall establish procedures by which the unit faculty members participate in recommendations affecting personnel actions, including appointment, reappointment, nonreappointment, promotion, conferral of permanent tenure. The Unit Code shall establish procedures by which the unit faculty members participate in recommendations affecting the granting of merit salary increases and salary increases made in recognition of promotions in rank. When the recommendations on personnel or salary matters made by the faculty and those made by the Unit Administrator are not in agreement and cannot be reconciled within the unit, both sets of recommendations will be forwarded to the next highest administrative office. Recommendations made to the Unit Administrator by the unit faculty shall be according to the criteria and procedures adopted by the unit faculty and made part of the Unit Code. The Unit Code shall establish procedures by which the unit faculty members participate in recommendations to the Unit Head in other matters affecting the operation of the unit. Each code and all amendments to codes shall be reviewed and recommended by the Faculty Senate and ratified by the Chancellor, after being reviewed by the Vice Chancellor for Academic Affairs, the Dean of the School of Medicine, or the Vice Chancellor for Student Life.

E. Unit Program Evaluation

1. Between every fourth and fifth year wherever possible in congruence with other similar studies during the regular session, each unit shall complete a self-evaluation of its operation. The Vice Chancellor for Academic Affairs, the Dean of the School of Medicine, or the Vice Chancellor for Student Life, as appropriate, shall give notice to the voting faculty members of the unit that they shall meet and elect by secret ballot an evaluation committee. The committee shall supervise the unit evaluation ensuring full participation by all unit faculty

members. The evaluation shall include, but not be limited to, all academic programs, budgets, teaching, research, other creative activity, and service activities. Expressions of student opinion concerning academic programs and teaching shall be included.

2. The dean or chairman of the school or department shall be ineligible to serve on the evaluation committee.
3. The unit faculty members shall meet to consider the report and recommendations of the evaluation committee not later than 45 calendar days prior to the completion of the Spring Semester. The report and recommendations shall be distributed to the unit faculty members not later than one week prior to the meeting. The voting faculty members of the unit shall vote by secret ballot whether or not to accept the evaluation committee's report and recommendations. Acceptance shall require a majority of the voting faculty members of the unit. The report and recommendations, whether accepted or not, and the vote of the unit shall be submitted to the next highest administrative official not later than 30 calendar days prior to the completion of the spring semester.

F. Retention of Unit Administrator

1. The voting faculty members in a unit meeting chaired by the Chair of the Unit Personnel Committee with the Unit Administrator excluded from the meeting, shall vote by secret ballot on the effectiveness of the Unit Administrator during September of that administrator's fifth year of appointment and every fourth year thereafter. The Personnel Committee Chair shall convey to the Unit Administrator in writing the results of the vote immediately following the meeting. A vote of one more than half of the voting faculty, excluding the Unit Administrator, shall be required to recommend the continuation of the Unit Administrator. Failure to achieve that majority shall constitute a de facto recommendation that a new administrative official be selected.
2. The balloting shall be conducted by the personnel committee of the unit who shall distribute, collect, and count the ballots. Absentee ballots shall be made available.
3. The results of the balloting shall be announced by the personnel committee to the voting faculty members before adjournment, and shall be submitted by the personnel committee to the next highest administrative official.

G. The operation of the Code of East Carolina University shall be according to the most recent edition of Robert's Rules of Order.

H. The Code of East Carolina University shall be subject to The Code of the Board of Governors, University of North Carolina and all other applicable provisions established by the Board of Governors of the University of North Carolina.

I. Amendments to the East Carolina University Code

All proposed amendments to the East Carolina University Code shall be presented first at a regular meeting of the Faculty Senate for discussion, amendment or substitution. At the next regular meeting of the Faculty Senate the amendment shall be voted upon for submission to the Chancellor and Board of Trustees for their approval.