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FACULTY SENATE MINUTES

December 7, 1982

The fourth regular meeting of the Faculty Senate for the academic year 1982/83 was held on Tuesday, December 7, 1982, at 2:00 p.m. in Mendenhall Student Center, Room 244. Members absent were: Haskins, Hancock, Brinn, O'Brien, Pories, Hause, and ex officio Maier and Laupus. Alternates present were Somes for Muzzarelli, Bellis for Allen.

Agenda Item 2: The minutes of November 16, 1982, were approved with the following additions or corrections. Ad to the first paragraph: Grossnickle arrived later. On page 4, line 5, delete the phrase, "only three faculty are tenured in Continuing Education," and on page five, in Resolution 82-65 the date should be corrected to "10/28/82."

Agenda Item 3A: The Chairman made the following announcements:

The Chairman granted floor privileges to Moses Sheppard and Eugene Ryan.

According to Robert's Rules, "Unless the assembly has a special rule providing otherwise, no member can speak more than twice to the same question on the same day" and "a member cannot make a second speech on the same question the same day until every member who desires to speak on it has had an opportunity to do so once." The Chair has attempted to recognize persons wishing to speak to an issue for the first time before allowing an individual to speak a second time to an issue. Unless you desire to establish a rule to the contrary, the Chair will in the future enforce the rule regarding a member's right to speak only twice to an issue.

The Chancellor has responded to Resolution 82-70 regarding the recording of student course drops: "I approve the resolution on the subject of course drops which the Senate passed during its November 16 meeting."

The Chancellor has responded to a question raised in our last meeting about withholding information in personnel files from the personnel committee.

"You have referred to me the question raised in the Senate regarding whether or not any portion of a personnel file can be kept from the personnel committee. Interpretation of the personnel process described in Appendix D provides for a recommendation on personnel actions by both the unit head and the unit personnel committee. There are certain written materials, such as unit minutes, which mention a person by name and have no bearing on personnel actions and will not be filed in each personnel folder. But if material, relevant or irrelevant to personnel decisions, is placed in that file, it must be equally available to the unit head and the unit personnel committee when they are preparing to make personnel recommendations. Nothing in Appendix D, or in the realm of common sense for that matter, suggests that the personnel committee recommendations should be based on less complete written evidence than those of the unit head."

Question from Carl Adler:

"Under the provisions of the proposed procedures for resolving grievances, a tenured faculty member could be discharged for 'physical or mental incompetence in the performance of academic duties,' does this include physical disability?

If so, a faculty member is eligible for disability under the provisions of the N.C. State 'Disability Salary Continuation Plan' and also for 'Disability Retirement' under the N.C. Retirement System. Both of these latter options require a determination of eligibility by one and the same Medical Review Board.

The problem is this, the Due Process Committee under the proposed provisions could decide that the individual is in fact disabled, (thus perhaps causing the individual to lose his position) while at the same time the Medical Review Board could decide he wasn't really disabled (thus denying him/her retirement and/or other benefits). This is a ridiculous situation and if it is not illegal, it is certainly unjust."

Reply from David B. Stevens, University Attorney:

"This is in reference to your request for a legal opinion concerning the question raised by Dr. Carl Adler involving the proposed procedures for resolving grievances involving a tenured member of the faculty who is discharged for 'physical or mental incompetence in the performance of academic duties.' In this regard, the Due Process Committee in the proposed regulation would have the authority to make such determinations.

Footnote 2 in 603 of the UNC Code addresses this issue as follows:

Footnote 2: Retirement for reason of disability shall be in accordance with North Carolina statutes and regulations governing retirement for faculty who are members of the state retirement system. A faculty member who is not a member of the state retirement system and who is mentally or physically disabled, but refuses to retire, may be discharged because of that disability only in accordance with the procedures of this section.

On the basis of the above quoted provision, the Due Process Committee does not have jurisdiction to terminate a faculty member for physical disability if the subject faculty member is a member of the State of North Carolina Employee and Teachers' Retirement System. In such cases only the Medical Review Board has legal jurisdiction to make termination decisions. However, a faculty member who is enrolled in a retirement program other than the State Retirement System such as TIAA/CREF, the Due Process Committee does have the authority to make the disability determination. Of course compliance with procedural due process as set forth in 603 of the Code and 5, Appendix D of the ECU Faculty Manual would be required in arriving at a termination decision.

The referenced language in the proposed procedures will be revised accordingly."

You will be pleased to know that the University has exceeded the United Way goal.

Faculty members coordinating this activity are Patrice Alexander (Drama and Speech), Fred Broadhurst (Technology) and Worth Worthington (Continuing Education).

In the Administrative Council meeting of November 16, 1982, President Friday asked that persons driving state cars be reminded of the importance of adhering to the speed limits. Please convey this to your colleagues.

The following committee appointments have been made by the Chair: Rosina Lao will fill the unexpired term of Charles Ward on the Credits Committee; Ed Powers will fill the unexpired term of Miriam Moore on the University Curriculum Committee.

The Chairman of the Board of Trustees, Ashley Futrell, has resigned. Ralph Kinsey, Vice Chairman, became chairman and James Maynard was elected vice chairman. The Board of Trustees at its December 4, 1982, meeting authorized an Honorary Degree Committee. The Faculty Senate will elect two members to this committee at the January meeting.

Several faculty members have inquired about the composition of the Search Committee for the Vice Chancellor for Institutional Advancement and Planning, the Director of the Library, the Director of Admissions, the Director of the Counseling Center, and the Director of the Regional Development Institute. Lists are available in the Senate Office.

James LeRoy Smith moved that the search committees for, respectively, the Vice Chancellor for Institutional Advancement, the Director of the Library, the Director of Admissions, the Director of the Counseling Center and the Director of the Regional Development Center, be requested to arrange open meetings with any candidates brought to campus, that these meetings be announced to all faculty, and that a vehicle be provided at such meetings for the written expression of faculty reaction to the candidates. Kane seconded the motion. Johnson moved to amend the motion to read, before "requested" add a number 1)..., and add a number 2) at the end of Smith's motion to read, "to arrange meetings with the academic committee that is most concerned with the area of responsibility for which the individual is a candidate." J.L. Smith seconded the amendment. The amendment passed. The vote was then taken on the amended motion which passed.

The ECU Code calls for units to forward their vote tallies regarding the effectiveness of both the unit and its administrative officer to the Dean of the College of Arts and Sciences or in the case of professional schools to the Vice Chancellor for Academic Affairs. A copy of the vote tallies should be sent to the unit administrator at the time it is forwarded to the Dean or Vice Chancellor.

Agenda Item 3B: Rosalie Haritun presented the Faculty Assembly Report. (Please see attached.)

Agenda Item 3C: Students Sahhar and Rhonda Gentry of the Ambassadors passed out materials concerning their organization. They stated that Cindy Kittrell was their advisor. The purpose of the organization is to serve as hosts for various

University functions, to serve as tour guides, to assist the Admissions Office in activities related to attracting qualified students to East Carolina University, and to assist the Alumni and Development Office in support programs. One of the major activities is the annual telephone campaign which last year raised \$45,000. Sponsors of events which need their services were invited to contact them at least one week in advance through the Office of Institutional Advancement and Planning.

Agenda Item 4A: Robert Woodside, chairman of the Committee on Committees, presented the second reading of the change in the membership of the Teacher Education Committee (see Agenda for November 16, 1982). Haritun moved to delete the phrase, "at least five." Wease seconded. Grossnickle asked if the committee felt a need for more than five to meet the requirements of outside accreditation agencies. Sadler stated that she felt that the problem was the fact that the accreditation agencies looked at the charge and could not see any restrictions. It was stated that since the Teacher Education Committee had been formed, its composition has always had at least five members from the education faculty. At one time, James LeRoy Smith was a member--although not a member of the teacher education faculty--he teaches the Philosophy of Education in the Philosophy Department. The motion to delete "at least five" failed. The second reading as presented by the Committee on Committees passed.

Agenda Item 4B: Robert Woodside, chairman of the Faculty Governance Committee, presented the second reading of the two constitutional amendments (See Agenda for November 16, 1982). The first amendment concerning an appointed representative for the chairman on any of the academic committees passed.

The second amendment concerned eligibility to vote for representatives and eligibility to serve on the Faculty Senate. Grossnickle moved to reconsider the motion made by Adler at the November 16 meeting. Haggard seconded. Adler, referring to a memorandum circulated to the senators prior to the meeting, stated that he felt the proposed amendment would create two classes of faculty. The motion to reconsider passed. Adler's motion to amend the amendment by deleting "holding tenure-track or permanently tenured positions" was then on the floor for discussion. Woodside stated that the committee on Committees felt the provision was good. It would ensure a more experienced and independent senate and a tenured person would have a long-term commitment to the University. Chauncey commented that due to economic conditions there will be more non-tenure track positions. Bredderman noted that if all senators were tenured then those voting would have a built-in bias if a tenure problem comes up. Longhill stated that the real issue was academic freedom based on academic tenure. Johnson stated that at present only tenured or tenure track professors can serve on academic committees. The Adler motion failed with a vote of 15 for and 27 against. The second reading of the amendment as presented by the Committee on Committees passed.

Agenda Item 5C: Jack Thornton presented the Credits Committee proposal on Transfer Policy (see Agenda for December 7, 1982). JoAnn Jones made the following substitute motion:

Students transferring from other institutions who desire to substitute a course transferred by title for a required course within a major at East Carolina University must submit a petition requesting the substitution to the

dean or department chairperson of the academic unit offering the course. If the request is granted, the petition will be placed in the student's folder and transmitted to the Office of the Registrar.

Sadler seconded the motion. It was noted that those courses transferred by title had no precise ECU equivalent. Chauncey moved to insert after "title", "(with no precise East Carolina University equivalent indicated)". Grossnickle seconded the motion. Chauncey's amendment passed. Hough editorially inserted after the last "and" in the motion the phrase, "a copy of the petition" transmitted ... The substitute motion passed.

James LeRoy Smith moved that the change in the wording in the faculty manual read, "Where practical, some indication should be given to the student of her/his standing in the course before the thirtieth day of the semester (tenth day of the summer session)." Longhill seconded. The motion passed. (Castellow replaced Tacker for Psychology.)

Agenda Item 5A: William Grossnickle presented the recommendations of the University Curriculum Committee. Engelke moved Agenda Item 5A.b be considered separately. Wease seconded the motion. The motion to separate passed. Under 5A, items a, c, d, and e were approved as presented; also, all courses on the University Curriculum Committee Minutes of November 11, 1982, were approved.

Agenda Item b concerning graduation with distinction with second undergraduate degree was discussed. Some felt all college work should be considered, others felt only the 30 semester hours for the second degree should be considered. Johnson moved the policy be returned to the committee for further study. Haritun seconded. The motion passed.

Agenda Item 5B: Vickie Wang presented the report of the Calendar Committee recommending Saturday, May 4, 1985, as the Commencement date. The Senate approved the committee's recommendation.

Agenda Item 5D: Tom Johnson reported for the Committee on Educational Policies and Planning. He stated that at the October 12 meeting the committee had discussed Vice Chancellor Maier's memo of September 10, 1982, concerning faculty who are teaching fewer than 12 semester hours. If faculty load is greater than 12 s.h., it is supposed to be recorded in his/her personnel file. According to the memo, for undergraduate classes with less than ten students or graduate classes with less than six students, the faculty load will be reduced by one-tenth or one-sixth, respectively, for each student fewer enrolled if the course continues. Faculty with less than 12 semester hours must have in writing the purpose of any reduction for the personnel file. Johnson stated that the Vice Chancellor feels this information is necessary for accountability. Kledaras asked if the implication is that the salary is reduced if the faculty members load falls below 12 s.h. No, but faculty member will be given an assignment to compensate for this reduced load.

Johnson stated that the Committee on Educational Policies and Planning has adopted a schedule of meetings through July 21, 1982. The reason for the summer meetings is to consider budgetary matters. Future meetings will consider the five-year plan of the Board of Governors, the Southern Association recommendations, overhead money, and other items. At the next meeting the

committee will discuss student misconduct.

The meeting adjourned at 4:20 p.m.

Stella Daugherty
Secretary of the Faculty

Helen Ruff Broadbuss
Office Secretary of the Faculty Senate

FACULTY ASSEMBLY REPORT

December 3, 1982

The Faculty Assembly of the University of North Carolina met at the General Administration Building in Chapel Hill on Friday, December 3, 1982. The delegation from East Carolina University was represented by Caroline Ayers (delegation head), Rosalie Haritun, Lawrence Hough, and James L. Smith.

In the first Plenary Session, President Friday addressed the delegates on a number of resolutions and issues from previous meetings, including the budget. The details of the budget situation were laid out by Vice President Joyner.

Regarding the Resolution on Grievance and Appeals Procedures (81-9), presented on April 16, 1982, President Friday indicated that the General Administrative Staff was giving the resolution serious consideration and would have a response for the delegates at a later meeting.

Speaking to the Faculty Assembly Resolution 81-4 on Budget Procedures, presented February 26, 1982, President Friday stated that he had encouraged the chancellors of the constituent institutions to review their budgetary procedures with the express purpose of insuring greater faculty participation. He emphasized that the budget situation continued to be a "serious deprivation."

President Friday also responded to the Indian Scholarship Resolution (82-2) from September 24, 1982, which seeks to increase the minimum amount of monies allowed for individual grants. The problem was, said Friday, that the Indian Scholarships were not on the Continuation Budget and that these scholarships must first be brought into this posture before they can be considered for increase. President Friday was pleased to announce that a request to become an item on the 83-84 Continuation Budget had been made already.

In regard to Resolution 82-1 dealing with the election or appointment to the General Assembly, President Friday stated candidly that this was not a feasible time to raise this issue because the Committee on Budget and Finance of the Board of Governors felt very strongly that such service was really a full-time position. The committee told Friday's staff that they believed this was the wisest policy to maintain at this time.

President Friday's response to inquiries concerning Summer School Fee Waivers for faculty was that faculty members will have to pay their own tuition because institutions must be self-supporting. He said that there was no legislation to waive tuition at the present time. In his overview of the 1983-84 budget, Friday stated that the adjusted budget was based on the premise that state revenues would amount to 9% but that they had, in fact, increased by only 5%! "This is the first time," Friday said, "that the legislature faces a serious shortage of monies. He reminded the delegates that the UNC System reduced its cost by 6% in the 82-83 budget by: (1)

eliminating 340 staff positions, (2) instituting a salary freeze, and (3) called for a freeze in hiring for vacated academic positions. However, he said that he brought the delegates "good" news this year in that Governor Hunt's top priority, i.e., his number "one" commitment, was to lift the salary freeze for a 5% increase in monies for salaries. Friday asked Vice President Joyner to give the details of the budget.

Vice President Joyner focused on the "short fall" of monies for the 82-83 fiscal year which will be approximately 200 million dollars due to the falling state revenues. Indicating that 125 million was needed to reinstate the merit raises, Vice President Joyner said that legislature may consider a proposal for "use-tax" on such items as beer, wine, etc. to make up the deficit. He assured the delegates that the reinstatement of merit monies would stay before the General Assembly until it was settled.

In the second Plenary Session, the agenda included: (1) committee reports from chairman, and (2) election of members for Nomination Committee.

The Budget Committee reported on the results of a recent survey which indicated a definite lack of faculty input into the budgetary process on some campuses. The Faculty Welfare Committee asked the delegation heads to report any activity regarding Affirmative Action on their campuses. Faculty salaries during summer school as well as fringe benefit possibilities, such as tuition free courses, were also discussed. Gayle Davis addressed the committee at length on health care benefits.

The Governance Committee discussed the language to be used in the selection process of a new president for the university system when the time arrives. There was deep concern for faculty involvement in this process. The Planning and Programs Committee was briefed by Dr. Stedman who emphasized that the state of the economy will have direct impact on institution programs. The committee also dealt with Industrial Education in the state and statistical summaries of such programs.

The Professional Development Committee continued its work on assessing what each campus was doing in regard to the professional development of its faculty. The committee will develop a survey instrument to be sent to each delegation head who will be asked to report to the committee on the results from the respective campuses.

The new business during the second plenary session was the election of members for the Nomination Committee. The following delegates were elected:

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| Beufort Baily | WS-SU |
| Richard Craddock | WSU |
| Lawrence Hough | ECU |
| Annalease MarkusKennedy | NCCU |
| Nancy Neale | ASU |

The newly elected committee was charged with providing a slate of two nominations for each position as the February meeting. The second meeting of the UNC Faculty Assembly for 198283 adjourned following the election.

Respectfully submitted,

Rosalie A. Haritun