

FRIDAY/
SATURDAY

JUNE 22, 1984 - JUNE 23rd.

WARREN COUNTY, PENNSYLVANIA

MR. C. RALPH KINSEY, JR., CHAIR
BOARD OF TRUSTEES, EAST CAROLINA UNIVERSITY
2020 CHARLOTTE PLAZA
CHARLOTTE, NORTH CAROLINA 28244

DEAR RALPH:

THANK YOU VERY MUCH FOR YOUR LETTER OF JUNE 15TH REGARDING THE ECU FACULTY SENATE PROPOSAL ON AMENDING THE DEFINITION OF A VOTING FACULTY PERSON RE APPENDIX, AS FORWARDED TO^{YOU} BY CHANCELLOR HOWELL. PLEASE FORGIVE THE STARK INFORMALITY OF MY PRESENT LETTER, BUT, TEACHING OUT OF TOWN TWO DAYS A WEEK ON MY PART PUT YOUR LETTER IN MY HANDS AS I WAS LEAVING G-VILLE FOR THE WEEKEND. I WANT TO GIVE YOU SOMETHING IN WRITING ON YOUR GOOD QUESTIONS PRIOR TO MY CALL. ~ AND THERE IS NO TYPE-WRITER HERE AT MY MOTHER'S! - I WILL CALL ON WEDS, JUNE 27th, OR IN THE EVENT THAT ISN'T SUCCESSFUL, AGAIN THURSDAY 7th 28th.

IN A MOMENT, I WILL RESPOND TO YOUR QUESTIONS SERIATIM, BUT FIRST A MOMENT'S COMMENT ON THE MOTIVE FOR OUR RECOMMENDATION AND REQUEST TO YOU. AS WITH ANY ATTEMPT AT COVERING LAWS, RULES, ETC, OFTEN CIRCUMSTANCES ARISE WHICH ARE INCONSISTENT WITH THE ORIGINAL INTENT, WHICH CONTRADICT WHAT WAS THOUGHT ACCOMPLISHED, ETC. OF COURSE YOU WOULD [; SHOULD]

BE QUICK TO ASSERT THAT SUCH PITFALLS ARE WHAT ARE TO BE AVOIDED IN THE ORIGINAL DRAFTING! INDEED; THIS ONE SLIPPED THROUGH HOWEVER, AND ALTHO IT HASN'T STOPPED ANY MACHINERY, IT IS EMBARRASSING AND IMPROPER THAT WE HAVE INADVERTENTLY "DISENFRANCHISED" SOME SENIOR FACULTY, AS ONE ASSOCIATE DEAN OF THE SCHOOL OF BUSINESS PUT IT TO ME LAST FALL. THAT DISENFRANCHISEMENT, AND ONE SUBSIDIARY/ AMBIGUITY, HAVE BEEN SET STRAIGHT IN OUR PROPOSED REVISION. MOST OTHER POINTS I CAN MAKE IN RESPONDING TO YOUR QUESTIONS, SO TO THAT I NOW TURN:

(A) WHAT IS THE AMBIGUITY? THE ECU CODE WAS SET IN PLACE TO GIVE SPECIFIC APPLICATION TO THE TENETS OF THE CODE OF UNC (JULY, 1975), CONSISTENT WITH THOSE TENETS, AND, WHERE POSSIBLE, WITH THE HISTORY OF UNIVERSITY GOVERNANCE AT ECU. OF COURSE THE CODE OF UNC WAS THE PRIMARY DOCUMENT. ITEMS LEFT TO DISCRETION OF INDIV. INSTITUTIONS AND WAYS OF APPROACHING, APPLYING, IMPLEMENTING, ACHIEVING ETC THOSE TENETS WERE [LEFT TO THOSE INSTITUTIONS ALSO] ^{OFTEN} ADDRESSED IN THE ECU CODE [APPENDIX L] AND OTHER APPENDICES TO THE ECU FACULTY MANUAL.

SUCH IS THE SETTING OF THE PHRASE "A VOTING FACULTY PERSON IS DEFINED FOR THE PURPOSE OF THIS CODE." [i.e. IS THE REASON WHY UNC-G, UNC-CH, NCSU MIGHT HAVE VARYING DEFINITIONS].

- THE "for the purposes of this code" is the ambiguous phrase. Some few faculty have questioned if this doesn't mean IN ALL INSTANCES when a faculty member is asked for a recommendation [VIA VOTING]. THAT IS, THE DEFINITION IN APP. L. [ECU^{THE} CODE] WOULD DICTATE WHICH FACULTY COULD VOTE ON ANY; ALL MATTERS OF UNIT CONCERN. [PLEASE RECALL THAT IT IS, INCIDENTLY, ONLY IN RARE INSTANCES WHEN A FACULTY MEMBER'S VOTE IS ANYTHING OTHER THAN A RECOMMENDATION. IN DEPTS, IT'S A RECOM. TO THE UNIT HEAD; ON ACADEMIC COMMS, IT'S A RECOM TO THE SENATE; IN THE SENATE, IT'S A RECOMMENDATION TO THE CHANCELLOR OR OTHER ADMIN. OFFICIAL. AN EXAMPLE OF THE "RARE INSTANCES" WOULD BE A VOTE ON A READMIT APPEAL FROM A STUDENT IN THE ADMISSIONS COMMITTEE — here, too, SUBJECT TO THE REVIEW OF THE CHANCELLOR.] NOW, THIS "ALL INSTANCES" READING IS CONSTRUCTED ON THE PRESUMPTION THAT THE ECU CODE SETS THE STAGE FOR ALL FACULTY PARTICIPATION [RECOMMENDATIONS ONLY]. WELL, IT DOES AND IT DOESN'T. IT DOES IN THAT IT CALLS FOR THE DEVEL OF UNIT CODES AND 3 OTHER ITEMS [SPECIFIED IN THE FIRST LINE OF OUR SUGGESTED REVISION]. IT DOESN'T IN THAT IT DOESN'T SAY THAT ALL VOTING ON ALL RECOMMENDATIONS WILL BE UNDER THIS DEFINITION. SOME FACULTY ARE CONFUSED TO THAT END. I.E., WHAT A FACULTY MAY PUT IN THEIR UNIT CODES FOR "RECOMMENDATION-ROUTES" MIGHT INVOLVE OTHER, MORE SPECIFIC VOTING REQUIREMENTS

eg. only full profs voting on promotion recommendations to full professor. [OF COURSE ALL UNIT CODES ARE SUBJECT TO THE APPROVAL OF THE DEAN AND THEN THE CHANCELLOR.] THUS, BY SPECIFYING CLEARLY WHAT THE PURPOSES OF THE ECU CODE ARE, I.E. BY LISTING THEM AND EMPHASIZING THAT THIS DEFINITION APPLIES IN THE DEVELOP. OF UNIT CODES BUT NOT IN EVERY PROCESS OF RECOMMENDATION BY FACULTY SPECIFIED IN THOSE DEVELOPED CODES, WE WILL REMOVE THAT AMBIGUITY.

B. WHAT ARE SOME OF THE DIFFICULTIES? FIRST, THOSE CAUSED BY THE ERRONEOUS READING SPECIFIED ABOVE. ONLY A FEW FACULTY HAVE REGISTERED THIS PROBLEM -- AGAIN NO MACHINERY HAS STOPPED -- BUT ITS TIRING TO HAVE TO GO THRU THIS EXPLANATION W/ ALL NEW FACULTY OR W/ THOSE NEWLY DISCOVERING IT. SECOND, THOSE DEANS WHO TEACH LESS THAN SIX SEMESTER HOURS BECAUSE OF MORE THAN HALF-TIME ADMIN DUTIES [AND WHO ARE STILL NOT HEADS OF UNITS; OF CURRENT DEFINITION, LINE 4ff.] ARE CONSEQUENTLY PRECLUDED FROM VOTING ON THE 4 MATTERS SPOKEN TO BY APP. L. IN PRACTICE, THIS HAS BEEN HANDLED IN DIFFERENT WAYS, THESE INDIVIDUALS NOT PRESSING THE ISSUE. NONETHELESS, AS SENIOR FACULTY THEY SURELY DESERVE NOT TO BE SO "DISFRANCHISED."

1. What other matters are voted on by the faculty?

As partly described above, in units, on anything from new course approval to criteria for determining effective teaching evaluation; in units (depts), in general, whenever a unit chair seeks advice; on committees, on all the matters specified in the charges of the 20 such committees; in the senate, on any item brought before the body for possible action and subsequent recommendation to the chancellor. IN SHORT, App. L is singling out only four items [albeit a very important four!] of many, many items that might come before a faculty for its recommendation.

2. What is the difference between a full & part-time individual?

We have persons on the faculty at ECU who teach less than 12 semester hours and who are not assigned any admin duties or research loads. grad. students, e.g., may teach 3-sem hrs. or 6-sem hrs while pursuing their MA degrees. While faculty, they are NOT so in the full sense & they are NOT given voting rights by ECU code for those 4 purposes of L. They might be afforded voting privileges in their home unit (dept) on some issues.

[This again shows, I think, the wisdom of allowing units prerogative here. And all faculty votes the recommendations in any case, & even part-time people may have some field of viable recommending.]

3. WHAT IS AN ACADEMIC TITLE? TRADITIONALLY, INSTRUCTOR, ASSIST. PROF, ASSOC. PROF, PROF; NOW SPECIAL APPOINTMENTS MAY INCLUDE "VISITING PROF," "LECTURER," "ASSOCIATE IN CLINICAL RESEARCH" ETC. 6

4. WHAT IS SPECIAL FACULTY APPOINTMENT? cf. TITLE CODE "(UNC) 604C. SPECIAL FACULTY APPOINTMENTS: (PAGE 31) INCLUDES SUCH THINGS AS "VISITING FACULTY," "ARTISTS-IN-RESIDENCE," ETC. ALSO INCLUDES "LECTURERS" ~ terminal one-year contracts.

5. WHAT IS MEANT BY "SECOND YEAR OF APPOINTMENT?"

* ACTUALLY, RALPH, WE HAVE AN OMISSION HERE! IT SHOULD READ: "IN AT LEAST THEIR SECOND YEAR OF APPOINTMENT."

THE RATIONALE HERE IS THAT WHILE SUCH SPECIAL APPOINTMENT PEOPLE DO DESERVE TO MAKE RECOMMENDATIONS ON THE 4 ITEMS IN APP L, THEY ARE NOT IN A

POSITION TO DO SO INFORMATIVELY UNTIL THE 2ND YEAR [OR LATER].

6. WHAT IS A NORMAL TEACHING/RESEARCH PROGRAM?

12 SEMESTER HOURS IS A NORMAL TEACHING LOAD. ANY RESEARCH LOAD WHICH DIMINISHES THIS MUST BE SUCCESSFUL IN ORDER TO BE REPEATED AGAIN AS A SEMESTER ASSIGNMENT. THIS VARIES FROM UNIT TO UNIT AND WITH EACH INDIV. FACULTY MEMBER, AS SEMESTERS CHANGE, AND PER THEIR SUCCESS.

7. UNDER PRESENT DEFINITION, HOW MANY FACULTY MEMBERS VOTE? ON ITEMS UNDER L, [RECALLING THAT VOTES ON VARIOUS MATTERS AT VARIOUS LEVELS ARE OCCURRING ALL OVER CAMPUS DAILY AS RECOMMENDATIONS ON ITEMS OTHER THAN THOSE 4 ITEMS IN L], CURRENTLY, I WOULD ESTIMATE 80-90% OF FACULTY WOULD BE ELIGIBLE. THIS REVISION

would officiously include about 20 or 30 senior faculty. [Some 15% or so would be unaffected because still part-time]. Thus, not much of a change, number-wise.

I have answered # 8, as well, it seems, herein.

9. Compelling reasons? (TO) include some senior faculty whose exclusion was inadvertent to begin with [is not practically devastating -- just embarrassing]; (TO) clarify an ambiguity on the extent of the reach of this definition for new faculty and occasionally a faculty member who discovers the possibility of the ambiguous reading.

10. What procedure within TOTAL FACULTY/ FACULTY SENATE led up to requesting title change? This resolution is a result of work by the "FACULTY GOVERNANCE COMMITTEE" comprised of 8 faculty elected from genl faculty and was voted on [overwhelming majority ~> UNANIMOUS ACCEPTANCE] by the SENATE [52 members representing each dept in university].

11. defs AT UNC-CH etc: I don't have these with me in PENNA. will have them AT the office when we talk. They will be various, as a function

of the way they have treated these matters historically and of the way they used the leeway allowed by their governing bodies; The code.

I have included a lot here, Ralph, much which you may have already known, but I do it for the sake of completeness.

I want you to know how much I appreciate the seriousness with which you take your work with the trustees. It speaks well of many things.

I apologize for the form of this communication, but my timing dictates it!

NOT ONLY NO TYPEWRITER HERE IN THE ALLEGHENY NATIONAL FOREST, BUT NO COPY MACHINE EITHER. IF IT IS NOT TOO BURDENSOME, NOT TO SAY IMPUDENT (!), I WOULD APPRECIATE A COPY OF THIS LETTER, OR THE ORIGINAL, AT SOME FUTURE TIME, FOR MY RECORDS.

I look forward to talking with you soon.
Sincerely,

Jim