

**EAST CAROLINA UNIVERSITY
FACULTY SENATE**

The first regular meeting of the Faculty Senate for the academic year 1988/89 will be held on Tuesday, September 13, 1988, 2:10 p.m., 244 Mendenhall Student Center.

AGENDA

- I. Call to Order
- II. Approval of Minutes of April 12 and 13, 1988
- III. Special Order of the Day
 - A. Roll Call
 - B. Announcements
 - C. Chancellor's Report
 - D. Vice Chancellors' Reports
 - E. Faculty Assembly Report, Ken Wilson (Sociology & Anthropology)
 - F. Committee to Nominate Candidates for the Position of Director of Academic Library Services, Charles Coble (Dean of the School of Education)
 - G. Appellate Committee Elections
 - Due Process Committee (Attachment 1)
 - Hearing Committee (Attachment 2)
 - Reconsideration Committee (Attachment 3)
 - H. Election of Nominees for the Search Committee for the Vice Chancellor for Academic Affairs (Chancellor Eakin has asked that five nominees be elected. From these nominees, he will appoint three.)
- IV. Unfinished Business
- V. Report of Committees
 - A. Educational Policies & Planning Committee, Bob Schellenberger (Business)
Status of the University Mission Statement
 - B. Faculty Affairs Committee, Karl Rodabaugh (Continuing Education)
Faculty Affairs Committee Grievance Procedures (Attachment 4)
- VI. New Business

DUE PROCESS COMMITTEE

(Senators will be given a list of tenured faculty members at the meeting.)

The Due Process Committee guarantees that a tenured faculty member may not be discharged or suspended from employment without good and just cause. The Committee consists of five members and five alternates, all of whom must be members of the regular teaching faculty who hold permanent tenure.

Within ten days of receipt of the notice from the Chancellor, or his delegate, of intention to discharge him/her, the faculty member may request a hearing before the Due Process Committee.

The hearing deals only with those written specifications for reasons of the intended discharge or suspension. In reaching its decision, the Committee shall consider only evidence presented at the hearing and such written and oral arguments as the Committee, in its discretion, may allow. The faculty member has the right of appealing the Committee's decision.

<u>Current Membership:</u>	<u>Term Expires</u>
Emily Boyce, Library & Information Studies	1989
Larry Hough, Political Science	1989

Terms Expiring: Bill Collins, Business
Ralph Scott, Academic Library Services
Resignation: Jo Ann Jones, English

2 Members to be Elected to Two-Year Terms:

_____ 1990 _____ 1990

1 Member to be Elected to Fill Unexpired Term:

_____ 1989

Current Alternates:

Henry Ferrell, History	1989
Gregg Givens, Allied Health Sciences	1989
Vila Rosenfeld, Education	1989

Terms Expiring: Al King, HPERS
Christa Reiser, Sociology & Anthropology

2 Alternates to be Elected to Two-Year Terms:

_____ 1990 _____ 1990

HEARING COMMITTEE

The Hearing Committee guarantees to nontenured faculty members the right of a hearing concerning an unfavorable action resulting in nonreappointment or nonconferral of permanent tenure.

The Hearing Committee is composed of five members and five alternates who are full-time faculty members without administrative appointment.

Within five days after receiving notice of an unfavorable action concerning nonconferral or permanent tenure resulting from the conference with the Chancellor, the faculty member may request a hearing before the Hearing Committee.

The Hearing Committee's review of the faculty member's case shall be limited solely to determining whether the decision not to reappoint or confer permanent tenure was based upon any of the grounds stated to be impermissible in Section 604 B of The Code of The University of North Carolina.

The Hearing Committee shall consider the written request and grant a hearing if it determines that (a) the request contains a contention that the decision was based upon impermissible grounds under Section 604 B of The Code and that (b) the facts suggested, if established, will support the contention.

<u>Current Membership:</u>	<u>Term Expires</u>
James Bruner, Social Work	1990
Marie Farr, English	1989
James O. Smith, Business	1989
Tinsley Yarbrough, Political Science	1990

Term Expiring: Miriam Quick, Nursing

1 Member to be Elected to a Three-Year Term:

_____ 1991

<u>Alternate Membership:</u>	
Pat Dunn, HPERS	1989
Brian Harris, Foreign Languages & Literatures	1989
Donald Hoffman, Medicine	1990
Robert Rasch, Art	1990

Term Expiring: Floyd Read, Science Education

1 Alternate to be Elected to a Three-Year Term:

_____ 1991

RECONSIDERATION COMMITTEE

This Committee guarantees the right of tenured and nontenured faculty members to a hearing on termination of employment due to financial exigency or major curtailment or elimination of a teaching, research, or public service program.

The membership of the Committee is composed of five members and five alternates who are full-time faculty members without administrative rank.

If a faculty member makes a written request within ten days after receiving notice of termination of employment, the Chancellor, or his delegate, shall insure that the hearing is accorded before a standing committee of the Faculty Senate, the Committee on Reconsideration or Faculty-Program Termination Decision. The Committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers fair and reliable.

Current Membership:

Bea Chauncey, Music
Ted Ellis, English
William Grossnickle, Psychology
Fred Parham, Chemistry

Term Expires

1990
1990
1989
1989

Term Expiring: Stella Daugherty, Mathematics

1 Member to be Elected to a Three-Year Term:

_____ 1991

Alternate Membership:

Wes Hankins, Geography & Planning
Brian McMillen, Medicine
Rodney Schmidt, Music
Jannis Shea, Home Economics

1990
1990
1989
1989

Term Expiring: Keats Sparrow, English

1 Alternate to be Elected to a Three-Year Term:

_____ 1991

(Offered for Informational Purposes)
PROCEDURES FOR RESOLVING FACULTY GRIEVANCES
NOT INVOLVING EQUAL EMPLOYMENT OPPORTUNITY OR AFFIRMATIVE ACTION COMPLAINTS

FACULTY AFFAIRS COMMITTEE

As described in Appendix D, Section VII, C of the Faculty Manual, the Faculty Affairs Committee, serving as the Faculty Grievance Committee, shall consider grievances directly related to a faculty member's employment status and institutional relationships within East Carolina University. No grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge, or termination of a faculty member's employment, or that is within the jurisdiction of another standing faculty committee, may be considered by the Committee. For those grievances arising from Affirmative Action or Equal Employment Opportunity complaints, please refer to Appendix J.

The procedures for presenting a grievance to the Faculty Grievance Committee are specified in Appendix D, Section VII of the Faculty Manual. The faculty member should make every reasonable effort to resolve the grievance within the unit prior to submitting the petition to the Faculty Grievance Committee. To accomplish this, these steps should be followed:

1. The faculty member(s) should first discuss the grievance with the administrative official most directly empowered to adjust the grievance. (In most cases, this will be the Unit Head, but may be the Dean, Vice Chancellor or some other person.) The administrative official shall meet with the faculty member(s) within ten working days after the request is received. The administrative official and faculty member(s) should discuss the grievance in a relaxed and informal manner and make every effort to resolve the grievance to the satisfaction of both parties. Within ten working days after the conference, the administrative official should advise the faculty member(s) of his/her decision and/or what corrective action will be taken.

2. If the faculty member's grievance is not resolved satisfactorily in conference with the administrative official, the faculty member may then petition, in writing, the Faculty Affairs Committee, functioning as the Faculty Grievance Committee, in accordance with Section VII.D. of Appendix D and the following procedures. The petition shall set forth in detail the nature of the grievance and against whom it is directed. It shall contain any information that the petitioner considers pertinent to the case. The Faculty Grievance Committee shall carefully evaluate the petition to determine whether the facts presented, if established, would support the faculty member's contention that a grievance has occurred. If the Committee decides that the case merits further consideration, it will then appoint a panel of faculty members to attempt to mediate the grievance. This panel will consist of one person nominated by each party to the grievance and a member of the Faculty Grievance Committee who will be selected by the other panel members to serve as chair. None of the panel members may hold administrative rank. The panel will meet with each of the involved parties separately. They will then set up a meeting between the involved parties and the panel in an effort to mediate the grievance. This conference should be conducted in a relaxed and informal manner and every effort should be made to resolve the grievance to the satisfaction of all involved parties. If the attempt to mediate successfully resolves the grievance, the panel shall report that result to the

Faculty Grievance Committee and shall write a letter to each of the involved parties spelling out the terms of the agreement. If no resolution is achieved within ten working days of the onset of mediation, but the panel believes that progress is being made, they may request from the Faculty Grievance Committee a continuance of the mediation process for a set number of days. If the mediation is unsuccessful, the panel shall report to the Faculty Grievance Committee that no agreement was reached. Once the mediation process is completed, the panel shall be dissolved.

3. If the grievance is not resolved satisfactorily in mediation, the grievance should be taken by the faculty member to the next higher administrative official. (This official will most often be the appropriate dean, but see note under #1.) The faculty member shall notify the dean of the desire to discuss the grievance within ten working days after the mediation is completed. The dean will respond to the request for an appointment and discuss the grievance with the faculty member within ten working days after receipt of such request. The conference should be conducted in a relaxed and informal manner. The dean should invite the unit head and/or the chair of the panel to participate in this conference if deemed desirable or appropriate or if requested by the faculty member. The dean should make every effort to take the corrective action necessary to resolve the grievance to the satisfaction of the involved parties. The corrective action and/or decision of the dean will be made and the faculty member notified within ten working days subsequent to the conference.

4. If the faculty member's grievance is not resolved satisfactorily in the preceding steps, the grievance should be taken to the appropriate vice chancellor. The faculty member shall notify the vice chancellor of the desire to discuss the grievance within ten working days after receipt of the dean's decision. The vice chancellor shall respond to the request for an appointment and discuss the grievance with the faculty member within ten working days after receipt of such request. The conference with the vice chancellor should be conducted in a relaxed and informal manner. The vice chancellor should invite the dean to participate in the conference if deemed desirable or if requested by the faculty member. The vice chancellor should make every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The corrective action and/or decision of the vice chancellor shall be made and the faculty member notified within ten working days after the conference.

5. If this conference does not resolve the grievance to the satisfaction of the faculty member, he or she may then request that the Faculty Grievance Committee conduct an investigation of the grievance, in accordance with Section VII.D of Appendix D. If the Faculty Grievance Committee decides that the case still merits investigation, they shall proceed in accordance with Appendix D, Section VII. The Committee member who served as the chair of the mediation panel shall not participate in further proceedings on the grievance.

The resources of the Faculty Grievance Committee are available to each faculty member, regardless of whether they have previously explored other paths for resolving their grievance. Therefore, the Faculty Grievance Committee will not refuse to mediate a grievance merely because the faculty member has already requested that the appropriate dean and/or vice chancellor review the grievance prior to bringing it before the Faculty Grievance Committee. However, for any one case, the Faculty Grievance Committee will attempt mediation at only one level.