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EAST CAROLINA UNIVERSITY
FACULTY SENATE

The eighth regular meeting of the Faculty Senate for academic year 1990/91 will be held on Tuesday, April 16, 1991, at 2:10 p.m. in the Mendenhall Great Room.

AGENDA

- I. Call to Order
- II. Approval of Minutes of March 19, 1991
- III. Special Order of the Day
 - A. Roll Call
 - B. Announcements
 - C. Richard Eakin, Chancellor
 - D. Vice Chancellors' Reports
 - E. Ernie Schwarz, Chair
University Athletic Committee and Academic Review Subcommittee
 - F. Henry Ferrell, Chair of Parking and Traffic Committee
 - G. James LeRoy Smith, Director of Self Study for
Southern Association of Colleges and Schools
- IV. Unfinished Business
- V. Report of Committees
 - A. Agenda Committee, Tom Chenier
Timeliness of Meetings
 - B. Committee on Committees, Bob Woodside
 - 1. Second reading of proposed amendment to Appendix A
(Attachment 1)
 - 2. Amendment to Resolution #91-09 - Recommendations from
the Ad Hoc Committee to Evaluate Faculty Governance
 - C. Curriculum Committee, Bill Grossnickle
Minutes of the March 28, 1991, and April 4, 1991, meetings which
include:
 - 1. Revise BA Art History
 - 2. Revise BS Nursing
 - 3. BS Home Economics (AMID)
 - D. Educational Policies and Planning Committee, Ken Wilson
Courses at the 5000 Level (Attachment 2)
 - E. Faculty Affairs Committee, Carlton Heckrotte
Recommended Revised Racial and Ethnic Harassment Policy
Appendix V (Attachment 3)
Recommended Grievance Procedures - Appendix W (Please refer
to the March 19, 1991, Senate Agenda, Attachment 6)
(Please note that a University Attorney will be present to
address any concerns of the Senate)

- F. Teaching Effectiveness Committee, George Bailey
 - 1. Methods for Assessing Teaching Effectiveness (Attachment 4)
 - 2. Seven Characteristics of Effective Teaching (Attachment 5)

VI. New Business

Specific Regulations Governing Promotion, Jim Joyce (Attachment 6)

Attachment 1

COMMITTEE ON COMMITTEES RECOMMENDATION

**SECOND READING OF PROPOSED AMENDMENT TO APPENDIX A,
ECU FACULTY SENATE BY-LAWS REGARDING THE APPELLATE COMMITTEES.**

Page A-10, Section III. Special Committees: Add the following:

- E. The Process for election of Appellate Committees (see Appendix D) will be as follows:
 - 1. Prior to the end of Spring semester, a memorandum will be sent to all faculty members requesting nominations of persons willing to serve on these Committees. The nominations must be received in the Faculty Senate Office no later than the first day of class in the Fall of each academic year.
 - 2. Following the first day of class in the Fall of each academic year, the Committee on Committees will review all nominations and nominate to the Faculty Senate twice as many nominees as vacancies to fill. The list of nominees will be placed on the Faculty Senate September Agenda.
 - 3. Election will be by majority present and voting.

Attachment 2

EDUCATIONAL POLICIES AND PLANNING COMMITTEE RECOMMENDATION

In order to clarify SACS policy that instructors of 5000 level courses will maintain "a substantial difference between undergraduate and graduate instruction," the Educational Policies and Planning Committee recommends:

- 1. Revising the current Course Proposal Form to include the requirement under item II.D. Requirements of Students that for 5000 level courses the differences in requirements for graduate students and undergraduate students be stated.
- 2. Revising the catalog description of the Significance of the 5000 Course Number to read as follows: Undergraduate Catalog, p. 46 at the end of the second paragraph under Selection of Courses add the following: "The course requirements for undergraduate students will be different from those of graduate students." Graduate Catalog, p. 179, at the end of the first paragraph add the following: "The course requirements for undergraduate students will be different from those of graduate students."
- 3. Requesting that the Graduate School notify each unit that 5000 level courses require instructors to be members of the graduate faculty and that requirements must be different for undergraduate students and graduate students enrolled in the same course. It is also suggested that each unit administrator inform the graduate faculty within the unit of the requirements by announcement in the first regular faculty meeting in the fall semester of 1991.
- 4. Requesting that each unit attach an addendum to each previously approved 5000 level course description in the unit. The addendum will specify the different requirements for undergraduate and graduate students.

(This proposal will be reviewed by the Graduate Council at their April 15, 1991, meeting.)

APPENDIX V
EAST CAROLINA UNIVERSITY
RACIAL AND ETHNIC HARASSMENT POLICIES

Revised editorially by the Faculty Affairs Committee on March 25, 1991,
to clarify issues raised by the Senate at the March 19, 1991, meeting.

RACIAL AND ETHNIC HARASSMENT POLICIES OF EAST CAROLINA UNIVERSITY*

CONTENTS

SECTION I. RATIONALE

SECTION II. RACIAL AND ETHNIC HARASSMENT POLICY

A. Introduction

B. Definitions

C. Policy

SECTION III. GRIEVANCES AGAINST EAST CAROLINA UNIVERSITY STUDENTS

Section IV. GRIEVANCES AGAINST EAST CAROLINA UNIVERSITY STAFF

Section V. GRIEVANCES AGAINST EAST CAROLINA UNIVERSITY FACULTY MEMBERS OR ADMINISTRATORS HOLDING FACULTY STATUS

* East Carolina University's policies on non-discrimination in recruitment and hiring are contained in Appendix K of the Faculty Manual. The University of North Carolina Committee of Governors resolution regarding potential favoritism between University employees is contained in Appendix H of the East Carolina University Faculty Manual.

RACIAL AND ETHNIC HARASSMENT POLICY

SECTION I. RATIONALE

Well-publicized policies and procedures such as these will help to create an atmosphere in which individuals who believe that they are the victims of harassment are assured that their grievances will be dealt with fairly and effectively. It is more important still to create an atmosphere in which instances of racial and ethnic harassment are discouraged. Toward this end, all members of the academic community should support the principle that racial and ethnic harassment represents a failure in ethical behavior that will not be condoned. Members of the University Community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of harassment prohibited under these policies. East Carolina University will take every step to resolve grievances promptly and confidentially. Any act by a University employee or student of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment against a student or an employee for using these policies responsibly interferes with free expression and openness. Accordingly, members for the University community charged with violations of these policies are prohibited from acts of reprisal against their accusers exclusive of actions brought in the North Carolina or United States courts.

SECTION II. RACIAL AND ETHNIC HARASSMENT POLICY

A. INTRODUCTION

Racial and/or ethnic harassment endangers the environment of tolerance, civility and mutual respect that must prevail if the University is to fulfill its mission. Such harassment will not be condoned by members of the University Community. This policy is the University's statement of its intent to protect its educational environment by prohibiting specific forms of constitutionally sanctionable racial and/or ethnic harassment. It supersedes all previous University policies dealing with racial and/or ethnic harassment. The University recognizes that the free and unfettered interchange of competing views is essential to the institution's educational mission, and that the peoples' right to express opinions is guaranteed by the United States Constitution.

B. DEFINITIONS

RACIAL AND/OR ETHNIC HARASSMENT

The following constitute racial and/or ethnic harassment:

- (a) Singling out people because of their race or ethnic affiliation and subjecting them to malicious racial or ethnic insults, or to speech or other actions which would have a tendency to cause acts of violence.
- (b) Singling out people because of their race or ethnic affiliation and creating or attempting to create a hostile university or working environment for those people.
- (c) Singling out people because of their race or ethnic affiliation and subjecting them to unequal or unfair treatment in the areas of academic success, salary, fringe benefits, assignments, reappointment, promotion, or tenure.
- (d) Singling out and harming or attempting to harm people because of their race and/or ethnic affiliation.

C. POLICY

It is the responsibility of members of the University community to strive to create an environment free of racial and/or ethnic harassment.

C-1 It is against the policies of East Carolina University for its employees or students to single out employees or students of the University, or visitors to the University because of race or ethnic affiliation and subject them to malicious racial or ethnic insults, or to speech or other actions which would have a tendency to cause acts of violence.

- C-2. It is against the policies of East Carolina University for its employees or students to single out employees or students of the University, or visitors to the University because of their race or ethnic affiliation and subject them to a hostile environment within the University.
- C-3. It is against the policies of East Carolina University for its employees or students to single out employees or students of the University because of their race or ethnic affiliation and subject them to unequal or unfair treatment in the areas of academic success, salary, fringe benefits, assignments, reappointment, promotion, or tenure.
- C-4. It is against the policies of East Carolina University for its employees or students to single out employees or students of the University, or visitors to the University because of their race or ethnic affiliation and subject them to extreme and outrageous conduct with the intent to cause and causing severe emotional disturbances.

This policy applies to relationships between East Carolina University students, faculty, administrators, staff, and visitors. East Carolina University will take every step to resolve complaints of racial and ethnic harassment promptly and confidentially.

SECTION III. GRIEVANCES AGAINST EAST CAROLINA UNIVERSITY STUDENTS

Complaints brought against East Carolina University students by East Carolina University students, faculty, staff, administrators or visitors are governed by the grievance procedures presented in the Student Government Association Documents, Section XIX.

SECTION IV. GRIEVANCES AGAINST EAST CAROLINA UNIVERSITY STAFF

Complaints brought against East Carolina University Staff by East Carolina University students, faculty, staff, administrators or visitors are governed by the grievance procedures stated in the East Carolina University Business Manual, Volume 2, Section VIII.

SECTION V. GRIEVANCES AGAINST EAST CAROLINA UNIVERSITY FACULTY MEMBERS OR ADMINISTRATORS HOLDING FACULTY STATUS

Complaints brought against East Carolina University faculty members or administrators holding faculty status by East Carolina University students, faculty, staff, administrators or visitors are governed by the grievance procedures stated in the East Carolina University Faculty Manual, Appendix W.

From 3-19-91 Agenda

APPENDIX W

GRIEVANCE PROCEDURES FOR

COMPLAINTS OF SEXUAL HARASSMENT OR DISCRIMINATION, CONFLICTS OF INTEREST,

AND RACIAL OR ETHNIC HARASSMENT OR DISCRIMINATION

BROUGHT AGAINST EAST CAROLINA UNIVERSITY FACULTY MEMBERS

OR ADMINISTRATORS HOLDING FACULTY STATUS*

DRAFT

SEXUAL HARASSMENT AND DISCRIMINATION, CONFLICT OF INTEREST, RACIAL AND
ETHNIC HARASSMENT AND DISCRIMINATION PROCEDURES OF EAST CAROLINA UNIVERSITY*

CONTENTS:

SECTION I. PREAMBLE

SECTION II. GRIEVANCE PROCEDURES FOR COMPLAINTS BROUGHT AGAINST EAST
CAROLINA UNIVERSITY FACULTY MEMBERS OR ADMINISTRATORS HOLDING
FACULTY STATUS

- A. Bringing complaints
- B. Advice
- C. Level One grievance procedures
- D. Level Two grievance procedures
- E. Composition of the Grievance Committee
- F. Purposes of Hearing
- G. Conduct of Hearing
- H. Hearing Procedure
- I. Disciplinary Action
- J. Appeal
- K. Suspension
- L. Annual report

* East Carolina University's policies on non-discrimination in recruitment and hiring are contained in Appendix K of the Faculty Manual. The University of North Carolina Committee of Governors resolution regarding potential favoritism between University employees is contained in Appendix H of the East Carolina University Faculty Manual.

SECTION I. PREAMBLE

Well-publicized procedures such as these will help to create an atmosphere in which individuals who believe that they are the victims of harassment or discrimination are assured that their grievances will be dealt with fairly and effectively. It is more important still to create an atmosphere in which instances of sexual, racial or ethnic harassment or discrimination, and conflicts of interest, are not tolerated. Toward this end, all members of the academic community should support the principle that sexual, racial, and ethnic harassment or discrimination, and the creation of conflicts of interest represents a failure in ethical behavior and that exploitation of professional relationships will not be condoned. Members of the University Community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of harassment, discrimination or conflict of interest prohibited under the policies stated in the East Carolina University Faculty Manual, Appendices U and V. East Carolina University will take every step to resolve grievances promptly and confidentially. Any act by a University employee or student of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment against a student or an employee for using these procedures responsibly interferes with free expression and openness. Accordingly, members of the University community charged with violations of the University's policies are prohibited from acts of reprisal against their accusers exclusive of actions brought in the North Carolina or United States courts. The University recognizes that the free and unfettered interchange of competing views is essential to the institution's educational mission, and that the peoples' right to express opinions is guaranteed by the United States Constitution.

SECTION II. GRIEVANCE PROCEDURES

A. BRINGING COMPLAINTS

Complaints should be brought to the attention of the University Grievance Officer. The Grievance Officer and an alternate will be appointed by the Vice Chancellor for Academic Affairs. The alternate will receive complaints if a conflict of interest might arise were the regular Grievance Officer to do so.

East Carolina University students, faculty members, staff, administrators, or visitors who believe that they are victims of sexual, racial or ethnic harassment or discrimination by East Carolina University faculty members or administrators with faculty status should bring the matter to the attention of the University Grievance Officer. Students, faculty members, staff, or administrators wishing to make a complaint of a conflict of interest should bring this to the attention of the Grievance Officer. Complaints should be presented as promptly as possible after the alleged incident occurs.

Every university employee has the responsibility to refer members of the university community who believe they have been subjected to sexual, racial or ethnic harassment or discrimination by East Carolina University Faculty members or by administrators with faculty status to the University Grievance Officer. A complaint is actionable at any time during which the accused persons are employees of East Carolina University. Prompt reporting of sexual, racial, or ethnic harassment or discrimination is strongly encouraged.

B. ADVICE AND SUPPORT

Any member of the university community or visitor who believes that she or he has been subjected to sexual, racial or ethnic harassment or discrimination by an East Carolina University faculty member, or by an administrator holding faculty status should discuss her or his situation with the University Grievance Officer. The Grievance Officer will make every attempt to preserve the confidentiality of such discussions and

will inform complainants seeking advice that their identity can be kept confidential during the Level One reporting and complaint process. The Grievance Officer shall listen to and discuss the complaint with the complainants, will inform them of all available options, and will encourage the complainants to make personal records of all events relevant to the complaint. If a satisfactory solution is not reached through Level One grievance procedures, the complainants may initiate Level Two grievance procedures. The Grievance Officer forwards Level Two complaints to the Harassment and Discrimination Grievance Committee.

The Grievance Officer will provide support to the complainants throughout the resolution process, explaining the complainants' rights and procedural options, as well as the possible outcomes of these options. The Grievance Officer will locate alternate housing if requested for students living in University housing, will accompany the complainants through the University's Level One and Level Two procedures if the complainants have decided to pursue such procedures, unless the complainants request otherwise.

Witnesses to harassment or discrimination also are encouraged to seek advice from the Grievance Officer of how best to support someone subjected to harassment or discrimination.

C. LEVEL ONE GRIEVANCE PROCEDURES

C-1. Verbal (in person) or written and signed complaints:

Level One grievance procedures must be executed prior to initiating Level Two grievance procedures.

Level One procedures are initiated either:

(a) when complainants communicate complaints verbally and in person to the Grievance Officer, or

(b) when complainants submit written and signed complaints to the Grievance Officer.

The Grievance officer will provide a written statement of a verbal complaint, or a copy or a written and signed complaint to the accused parties (hereafter, the respondents).

C-1-A. Level One Procedures for Complaints of Harassment or Discrimination:

During Level One procedures initiated by complaints of harassment or discrimination, if the complainants so request, the complainants names shall be deleted from the copy of the complaints provided to the respondents, and every effort will be made to keep the complainants identity confidential. If the respondents wish to reply to the complainants, the Grievance Officer will communicate this reply. This procedure allowing for a dialogue between complainants and respondents will continue until either the complainants are satisfied with the outcome, or the complainants wish to terminate the Level One grievance procedure.

Complainants terminating Level One procedures initiated by complaints of harassment or discrimination have the option of initiating Level Two procedures.

The Grievance Officer will keep a record of the initial and of any subsequent discussions between the complainants and the Grievance Officer, and of discussions between the Grievance Officer and respondents. This record will include (a) the complainants' description of the alleged events of harassment or discrimination, including times, places, and dates, if possible, (b) the complainants description of the effects, if any, of the alleged harassment or discrimination, (c) the

names of the individuals alleged to have subjected the complainants to harassment or discrimination, and (d) the replies of the respondents, if any. Respondents may review a copy of this record from which the complainant's names have been deleted. The respondents may append to this record a written response to each of the factual claims of the record. In cases where respondents append a written response to the factual claims in the record, this will be noted in the record itself.

If the complainants are unsatisfied after attempting to resolve the grievance through Level One procedures, at the Grievance Officer's discretion the complainants shall be encouraged to submit a written statement of their grievances to the Grievance Officer, and to initiate Level Two grievance procedures. If the complainants are unwilling to submit a written statement after exhausting all means to achieving a Level One resolution of the grievance, no further action shall be taken by the University.

C-1-B. Level One Procedures for Complaints of Conflict of Interest

The Grievance Officer, upon receiving a complaint of a conflict of interest, will determine whether evidence exists that sustains the charge that the accused faculty and student are in violation of the University's Conflict of Interest Policy. If it is the Grievance Officer's judgment that the accused faculty member and student are in violation of the University's policy, and the student is enrolled in a class being taught by the faculty member, the faculty member will be given the choice of either having the student withdrawn from the course or undertaking Level Two grievance procedures. If it is the Grievance Officer's judgment that the accused faculty member and student are in violation of the University's policy, and the student is not in the faculty member's class, but is being supervised by the faculty member, the faculty member will be given the choice of either having the student assigned to another supervisor, or undertaking Level Two grievance procedures."

C-2. Anonymous written complaints:

Any employee of the University who receives an unsigned written complaint accusing faculty members of sexual, racial, or ethnic harassment or discrimination, or conflict of interest, immediately will forward the complaint to the Grievance Officer. The Grievance Officer will notify the faculty members (respondents) of the complaint, and will seek to establish whether there are any prima-facie reasons to believe that the complaint is well-founded. If, in the judgment of the Grievance Officer, there are prima-facie reasons to believe that the complaint is well founded, the Grievance Office may investigate the complaint further, and in any case shall do so if so requested by the respondent.

The Grievance Officer will keep a record of these proceedings. This record will include (a) the anonymous written complaint, (b) the reply to this complaint, if any, by the respondent, and (c) any findings believed by the Grievance Officer to bear on the veracity of the anonymous complaint. Respondents may review a copy of this record. The respondents may append to this record a written reply to each of the factual claims of the record. In cases where respondents append a written response to the factual claims in the record, this will be noted in the record itself. The record may be forwarded to the Vice Chancellor for Academic Affairs at the discretion of the Grievance Officer, or at the request of the respondent. The Vice Chancellor for Academic Affairs shall determine whether a given record shall be included in the respondent's personnel file. A respondent may appeal to the Chancellor the Vice Chancellor's decision to include in the respondent's personnel file the record of the Grievance Officer's investigation of an anonymous complaint.

D. LEVEL TWO GRIEVANCE PROCEDURES

Level Two grievance procedures are initiated at the request of complainants and require that complainants submit written complaints to the Grievance Officer. Written complaints submitted to the Grievance Officer by the complainants will contain (at least) the following: (a) the complainants' description of the alleged events of harassment or discrimination, including times, places, and dates, if possible. (b) The complainants description of the effects, if any, of the alleged harassment or discrimination. (c) The names of the individuals alleged to have subjected the complainants to harassment or discrimination. (d) The names of the complainants. (e) The signatures of the complainants. (f) The signature of the Grievance Officer, with the date of receipt of the complaint.

Within five working days of receiving written and signed grievances, the Grievance Officer will supply the respondents with copies of the complaints brought against them. When the identity of the complainants has been made known to the respondents, every effort will be made to protect the complainants from retaliatory action by the respondents.

D-1. If no previous attempt at a Level One resolution of the grievance has been made, within five working days of providing the respondents with a copy of the complaints against them, the Grievance Officer will initiate steps to affect a Level One resolution of the grievance acceptable to both parties. If then complainants remain unsatisfied with the attempt to affect a Level One resolution after fifteen working days from submitting their written grievance, they will indicate this in writing to the Grievance Officer. Within five working days after receiving such notification from complainants, the Grievance Officer will submit the notification and the complainants' original written grievance to the Chair of the Harassment and Discrimination Grievance Committee.

D-2. If a Level One resolution was attempted prior to the submission of a written grievance by the complainant, within five working days of receiving written notification from complainants that they are unsatisfied with attempts to affect a Level One resolution of their complaints, the Grievance Officer will submit the grievance to the Chair of the Harassment and Discrimination Grievance Committee.

All communications pertaining to sexual, racial or ethnic harassment or discrimination, or conflict of interest cases are documented by the Chair of the Harassment and Discrimination Grievance Committee. Such records include, when appropriate, the following: copies of all written communication, the time, date, names of participants, and content of any interaction or meetings held with regard to a Level Two harassment or discrimination case, a summary of the course of action, and the findings of the Committee.

E. COMPOSITION OF THE HARASSMENT AND DISCRIMINATION GRIEVANCE COMMITTEE

The Harassment and Discrimination Grievance Committee (hereafter, "the Committee") ordinarily shall be composed of five faculty members and five alternates each of whom is a permanently tenured voting faculty member holding no administrative title.* At least two of the regular members and two alternates will be female or of minority status. The Chancellor may appoint up to two additional faculty members to the Committee for the duration of a specific hearing in order to insure that a grievance

* Hereinafter, the term "administrative title" refers to appointment as department chair in a professional school, unit administrator, dean, assistant or associate dean, vice chancellor, assistant or associate vice chancellor, chancellor, assistant or associate chancellor.

brought by a woman is heard by a committee containing at least two women, or to insure that a grievance brought by a minority is heard by a committee containing at least two minority faculty members. The initial election of members and alternates to the Committee shall take place at the Faculty Senate meeting immediately after this provision is adopted. The Committee on Committees will nominate a slate of candidates to the Faculty Senate. Members of the Faculty Senate may nominate candidates from the floor of the Faculty Senate. At the initial election, the Faculty Senate will elect two members and two alternates to one-year terms, two members and two alternates to two-year terms, and one member and one alternate to a three year term. When these and successive terms expire, members and alternates on the Committee shall be elected for two-year terms. Elections will be held yearly at the second regular meeting of the Faculty Senate. Members of the Committee whose terms have expired are ineligible for membership on the committee for a period of three years after the expiration of their terms. Members resigning between elections will be replaced by alternates chosen in alphabetical order, consistent with maintaining two women or minority faculty members on the Committee. If at anytime between elections the number of alternates falls below two due to alternates replacing members who have resigned from the Committee, the Committee on Committees will nominate candidates for the alternate positions. Members of the Faculty Senate may nominate candidates from the floor of the Faculty Senate. The Senate will elect new alternates at the first regular Faculty Senate meeting subsequent to the number of alternates falling below two.

Upon organization, the members of the Committee shall elect a chair and a secretary. A quorum for the Committee of five to seven members during any hearing shall consist in five members present. Should fewer than five Committee members be present at the beginning of a hearing, the Committee shall elect a replacement from the alternates. This alternate shall serve for the duration of the hearing. Meetings of the committee shall be governed by the latest edition of Robert's Rules of Order.

It is the responsibility of the Committee to hear grievances of sexual, racial, or ethnic harassment or discrimination, and cases of conflict of interest brought in writing against East Carolina University faculty members and administrators with faculty status only after Level One procedures have, in the view of the complainants, failed to result in a satisfactory resolution of grievances.

When the Committee is convened to consider a grievance, those Committee members who hold an appointment in the faculty member's academic unit, those who reasonably expect to be called to provide evidence during the hearing, and those who have a conflict of interest are disqualified from participations in the hearing. In addition, both complainants and respondents may disqualify one member of the Committee without cause. If any members of the Committee are disqualified, the remaining members will elect replacements from the alternates consistent with the requirement that at least two members of the Committee be women or of minority status.

F. PURPOSES OF HEARING

The purposes of a hearing are (i) to render findings of facts and conclusions(s) as to whether evidence presented to the Harassment and Discrimination Grievance Committee during the hearing sustains the complainants' allegations against the respondents, and (ii) to communicate in the Committee's report to the Chancellor the Committee's finding and the reasons that, in the Committee's judgment, support this finding. Given the avenues of appeal provided to faculty members in Appendix D of the East Carolina University Faculty Manual and in Chapter VI. of the Code of the University of North Carolina, actions by the University based upon the findings of the Grievance Committee are final

only when the Chancellor renders her or his opinion, and the respondents fail to challenge either the Committee's findings or the Chancellor's concurrence or actions based on the Committee's findings in the manner provided in Sections V. and VII. of Appendix D of the Faculty Manual.

G. CONDUCT OF HEARING

It is important to note at the outset that in cases where the Grievance Committee's findings constitute part or all of the basis for a faculty member's being reduced in rank, suspended, or terminated from employment, the faculty member can require a hearing before the Due Process Committee. A hearing before the Due Process Committee affords faculty members the right to be represented by attorneys who participate in the hearing procedure.

Similarly, in cases where the Grievance Committee's are part of all of the basis for the Chancellor's taking disciplinary actions against a faculty member that do not include reduction in rank, suspension, or termination of employment, the faculty member has the right to a hearing before the Faculty Affairs Committee.

The hearing before the Grievance Committee shall be conducted in private. Attendance at the hearing is limited to: members of the Committee; the complainants and one person (counsel of their choosing) who may advise the complainants but shall not take an active part in the proceedings; the respondents and one person (counsel of their choosing) who may advise the respondents but shall not take an active part in the proceedings. Witnesses shall not be present throughout the hearing, but will be available at a convenient location, and will be called to appear before the Committee at times specified by the Committee. Any witnesses willing to testify who were made known to the Committee either by the complainants or by the respondents will be allowed to testify before the Committee. Any person requested by a member of the Committee and willing to testify will be allowed to testify before the Committee. Any other person who of her or his own initiative asks to be allowed to testify before the Committee will be allowed to do so if this is acceptable to the majority of the members of the Committee.

The Committee may conduct its own inquiry, call witnesses, seek advice and gather whatever relevant information it deems necessary to assist it in reaching a determination as to the merits of the complainants' allegations against the respondents. In making its determination, the Committee shall consider only such evidence as is presented during the hearing. The Committee may use its own judgment in deciding the admissibility and/or relevance of any testimony of any person before the Committee, and the admissibility and/or relevance of any evidence whatsoever.

The complainants and respondents will be invited to appear jointly before the Committee. Witnesses recommended by either party, called by the Committee, or who come forward of their own initiative and are accepted by the majority of the Committee members, will be allowed to appear before Committee.

H. HEARING PROCEDURE

Within four working days of receiving a complaint from the Grievance Officer, the Committee chair shall notify respondents by registered mail, return receipt requested, of the time and place the Committee will convene and shall provide respondents with a copy of the complaint against them.* The Committee shall initiate a hearing no later than

* The office of the Vice Chancellor for Academic Affairs shall provide secretarial support to the committee.

thirty working days after the date notification was received by respondents. Complainants or respondents may request in writing a thirty day postponement of the Hearing. The postponement shall be granted if a majority of the Committee agrees that exceptional circumstances justify postponement. Having set a date, time and place for the hearing, the Committee must within twenty-five working days of the hearing notify the complainants, respondents, witnesses and Grievance Officer of the time, date, and place of the hearing.

Fifteen working days prior to the Committee's convening, complainants and respondents shall identify in writing individuals who may provide evidence to the Committee, and shall provide the Committee with any written or other material they wish entered as evidence. Ten working days prior to the hearing, the Committee shall provide respondents with a copy of the list of witnesses for the complainants, and with a copy of any depositions or other written material, and/or a description of any other evidence the complainants have submitted to the Committee. Seven working days prior to the hearing, the Committee shall provide the complainants with a copy of the list of witnesses for the respondents, and with a copy of any depositions or other written material, and/or a description of any other evidence that respondents have submitted to the Committee. Seven working days prior to the hearing, the Committee shall provide complainants and respondents with a list of any witnesses it presently intends call of its own initiative, with copies of any depositions or other written material it presently intends to enter as evidence of its own initiative, and with descriptions of any other material it presently intends to enter as evidence of its own initiative. At any time prior to the presentation of closing statements by complainants and respondents, complainants and respondents may request in writing that the Committee allow new witnesses to testify, or new evidence be submitted to the Committee. Such requests shall be granted if they are acceptable to a majority of the Committee. When the Committee votes to accept new witnesses or evidence, the names of these witnesses and/or copies or descriptions of evidence shall be supplied to the complainants or respondents as soon as possible.

The hearing shall begin with an opening statement by the Chair of the Committee. This statement shall identify the purpose of the hearing, the contents of the complaint, the identity of complainants, respondents, and witnesses to be called, and the procedures to be followed during the hearing. The Committee shall specifically note that only testimony and other information clearly bearing on the grievance at hand shall be admissible as evidence. It shall be the Chair's responsibility to reject immediately, stop the presentation or introduction of, or question the relevance of information having no clear bearing on the grievance. However, at any time during a hearing the Committee may, by a majority vote, override the Chair's decision regarding admissibility and/or relevance of testimony, written evidence, or other material presented to the Committee. It shall also be the chairperson's responsibility to maintain control of the Hearing so that an orderly exchange of information can be accomplished.

Following the opening statement by the Committee Chair, the Committee shall then call upon both parties to present their opening statements, beginning with the complainants. After both parties have presented her or his opening statements, the Committee shall allow each party, beginning with the complainants, to submit evidence to the Committee. When all material submitted by either party has been entered as evidence, the Committee may enter evidence of its own. After all relevant available materials have been entered as evidence, the Committee shall call witnesses, beginning with witnesses for the complainants. After a witness has presented her or his statement, if any, the Committee may

question the witness. After the Committee has exhausted its initial questions for the witness, the complainants, and then the respondents may further question the witness. After this questioning, the Committee may ask further questions of the witness. When neither the complainants, respondents, nor the Committee has further question for a witness, that witness shall be dismissed. If deemed appropriate by a majority of the Committee, dismissed witnesses may be recalled. After all witness have been dismissed, members of the Committee may direct questions to complainants and respondents. Complainants and respondents may direct questions to the members of the Committee, to complainants, or to respondents. Complainants and respondents may present rebuttal to any and all depositions, written documents and other evidence submitted to the Committee. When all witness have been dismissed, and the Committee has no further questions for either complainants or respondents, and neither party has any further questions for one another or for the Committee, each party shall be allowed to present a closing statement, beginning with the complainants. After both parties have made closing statements, the Committee shall dismiss both parties. At this time either the Committee shall begin its deliberations on whether it sustains or does not sustain the grievance brought before it, or will adjourn for no more than two working days, at which time it will meet to determine whether it sustains or does not sustain the grievance.

In reaching its decisions the Committee shall consider only the testimony and other materials entered and/or presented as evidence during at the hearing.

Determination by the Committee that sustains the grievance of sexual, racial, or ethnic harassment or discrimination, or conflict of interest brought before the Committee requires a three-fifths vote by members of the Committee. (The exact vote of the Committee will be reported to the Chancellor along with the Committee's summary stating the basis for its determination.)

I. DISCIPLINARY ACTION

Within ten working days of the Committee's reaching a determination to sustain or not to sustain a grievance of sexual, racial, or ethnic harassment or discrimination, or conflict of interest against East Carolina University faculty members, or administrators with faculty status, the Committee's determination and a summary of the basis for its decision will be communicated in writing to the complainants, the respondents, the Grievance Officer, the relevant unit administrator, the University attorney, and the Chancellor.

Within thirty working days of receiving the Committee's report, the Chancellor shall notify the complainants, respondents, Grievance Officer, relevant unit administrator, and University attorney of the Chancellor's concurrence or nonconcurrence with the findings of the Committee, and, if appropriate, of the disciplinary action, if any, he is taking against the respondents.

J. APPEAL

If the Committee does not sustain the complainants' grievance, and the Chancellor concurs with the Committee's findings, the Chancellor's decision shall be final.

If the Committee sustains the complainants grievance, and the Chancellor does not concur with the Committee, the complainants may appeal the Chancellor's decision to the East Carolina University Board of Trustees.

If the Chancellor sustains the complainants' grievance:

- a. when the disciplinary actions taken by the Chancellor, if any, do not include reduction in rank, suspension, or dismissal, the respondents may request a hearing before the Faculty Affairs Committee, in accordance with the procedures specified in Appendix D of the East Carolina University Faculty Manual;
- b. when the disciplinary actions taken by the Chancellor, if any, include reduction in rank, suspension, or dismissal, the Chancellor or his delegate shall send the faculty member by register mail, return receipt requested, a written statement of the disciplinary actions taken by the Chancellor. The statement shall include notice of the faculty members right, upon request, to both written specification of the reasons for the intended action and to a hearing before the Due Process committee, in accordance with the procedures specified in Appendix D of the East Carolina University Faculty Manual.

K. SUSPENSION

When a faculty member has been notified of the institution's intention to discharge him or her as part of the disciplinary action taken by the Chancellor in response to a grievance brought before the Harassment and Discrimination Grievance Committee, the Chancellor may suspend him or her at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be with full pay.

L. ANNUAL REPORT

Each July the Harassment and Discrimination Grievance Committee will publish an annual report detailing statistics about the complaints received and processed in the previous year. The statistics include but are not limited to:

- a) The total number of complaints received.
- b) A summary of the types and frequency of complaints.
- c) A breakdown of the number of Level Two complaints resolved informally vs. formally.
- d) Disciplinary actions taken by the University.

The annual report is available on request at the Faculty Senate office, and is distributed to every member of the faculty and administration.

TEACHING EFFECTIVENESS COMMITTEE RECOMMENDATION

Moved, that the Faculty Senate recommends for the Chancellor's approval the following as procedures that Academic Units can, at each individual Unit's discretion, use as means for assessing teaching effectiveness (in addition to the survey of student opinion of instruction required by Appendix C of the Faculty Manual), and recommends that each faculty member be provided with a copy of this list of additional procedures for assessing teaching effectiveness:

METHODS FOR ASSESSING TEACHING EFFECTIVENESS

Academic Unit Implementation Plans endorse The University's Strategic Plan Goal that Academic Units employ more than one approach when assessing the teaching effectiveness of faculty members. Appendix C of the Faculty Manual requires that a survey of student opinion of instruction be used in evaluating teaching effectiveness. Appendix C permits the use of other procedures when recommended by the Faculty Senate and approved by the Chancellor. The methods outlined below provide Unit Administrators with a number of additional approaches for assessing teaching effectiveness. These assessment methods are adapted from the manual, A Guide to Evaluation Teaching for Promotion and Tenure published by Syracuse University's Center for Instructional Development.

ADDITIONAL METHODS OF EVALUATING TEACHING EFFECTIVENESS

Annual Goals Assessment: An annual agreement with the unit administrator where specific goals are set that contribute to effective classroom teaching. Such goals might include, but are not limited to, updating syllabus and reading lists, developing study guides, implementing new instructional procedures, and incorporating components of writing/critical thinking into course. The unit administrator will evaluate progress related to the agreed-upon goals at the end of the academic year.

Faculty Report: A description of teaching activities including, but not limited to, the names and numbers of courses taught, number of students taught and advised, services on thesis/dissertation committees, involvement with instructional development activities, descriptions of teaching methods, and other activities that bear on the effectiveness of the unit's educational program. (Much of this information is currently part of the annual report.)

Analysis of Instructional and Other Materials: Review by the unit administrator and/or peers of course materials including syllabi, reading lists, outlines, examinations, audiovisual materials, student manuals, samples of student's work on assignments, projects, and papers. Other materials prepared for or relevant to instruction.

Instructor-Generated Evaluations: Instructor-generated evaluation procedures, such as checklists, survey-type instruments, videotapes of class sessions, and written entries reflecting on teaching techniques and philosophy.

Classroom Observations: Direct observation of classroom teaching or observation of videotaped class sessions by peers or experts. Several techniques help to make observations objective: use of an observation guide or structured process determined by the unit for observations; a number of observations before final report is prepared; observations and reports by at least two observers; observation by those outside the faculty member's immediate unit.

Teaching Effectiveness Committee Recommendation
Attachment 4 (continued)

Structured Interviews with Former Students: Face-to-face, telephone, group interviews, or surveys asking for comments on current or former professors. Broad questions, such as the following, are asked to solicit overall evaluation statements: Describe why you would recommend (or not recommend) Professor X's class to a friend? How did Professor X's class prepare you for advanced work in the subject? What is your overall assessment for Professor X?

Measures of Student Achievement: In the case of multi-section courses with a diagnostic pretest and a final examination that both measure abilities in a similar way, student improvement may be used as a measure of teaching effectiveness. In addition, multi-section courses that use an identical final examination for all sections make possible a comparison of relative teaching effectiveness of individual faculty where observed patterns hold over five or more semesters.

Attachment 5

TEACHING EFFECTIVENESS COMMITTEE RECOMMENDATION

Moved, that the Faculty Senate endorses the following as seven characteristics of effective teaching, and that the Senate distribute this list of characteristics of effective teaching to all faculty members:

SEVEN CHARACTERISTICS OF EFFECTIVE TEACHING

1. Good Organization of Subject Matter and Course: Reflected in the objectives, course materials, assignments, examinations, instructor preparation for class, and effective use of class time.
2. Effective Communication: Reflected in lecturing ability including use of motivational techniques such as audiovisual aids, clarity of presentation, verbal fluency, interpretation of abstract ideas, good speaking ability, good listening skills, and the ability to communicate the organization and sequence of a course.
3. Knowledge of and Enthusiasm for the Subject Matter and Teaching: Reflected in the choice of textbook, readings and reference lists, lecture content, course syllabus, and personal interest displayed in the subject and in teaching.
4. Positive Attitudes Toward Students: Reflected by helping students master subject matter, encouraging students to ask questions and express opinions, being accessible to students outside the classroom, and expressing a general concern for student learning.
5. Fairness in Examinations and Grading: Reflected in clarity of student assessment procedures including papers, assignments, exams, classroom discussion, and other activities, including relative weight toward grade, consistency among objectives, course content, and assessment procedures, and timely, useful feedback on student progress.
6. Flexibility in Approaches to Teaching: Reflected in the use of alternative teaching strategies such as small group discussion, simulations, use of audiovisual materials, and varying the approach and pace of instruction to meet different learning styles among students.
7. Appropriate Student Learning Outcomes: Reflected in student performance on various assessment measures and positive changes in student attitudes and values.

SPECIFIC REGULATIONS GOVERNING PROMOTION

Whereas, discussion has taken place over the past few years concerning criteria for faculty evaluation for promotion; and

Whereas, it is more desirable to have discussion and debate over criteria than over specific personnel recommendations; and

Whereas, Appendix C, Section IV, allows for "specific regulations governing evaluation of faculty to vary from unit to unit" with approval of the appropriate vice chancellor; and

Whereas, not all of these regulations are presently on file;

Therefore Be It Resolved, that code units submit their specific regulations governing evaluation of faculty for promotion to the Faculty Senate Office and to the appropriate vice chancellor.