

## Faculty Governance Committee Report

### Editorial Changes in Appendix D and Appendix Y of the *ECU Faculty Manual* to specifically incorporate time limits

A policy of the Board of Governors regarding Time Limits on Appeals pursuant to Section 50 1 C(4) of The Code specifies that the aggrieved petitioner shall file written notice of appeal "within 10 calendar days of receipt of the notice of the decision from which the grievant wishes to appeal." The Faculty Governance committee provides for information, editorial changes in Appendix D and Appendix Y to specifically incorporate these time limits.

1. The **seventh paragraph of Part V.C.** presently reads:

"The complainant may accept the chancellor's confirmation of the committee's decision not to validate the request for a hearing, or the complainant may appeal in the manner provided by Section 501 (C)4 of The Code of the University of North Carolina."

**Substitute the following:**

***"The complainant may accept the Chancellor's confirmation of the Committee's decision not to validate the request for a hearing, or the complainant may appeal to the Board of Trustees within 10 calendar days following receipt of the Chancellor's decision as provided in Section 501 C (4) of The Code of the University of North Carolina and the regulations of the Board of Governors implementing that provision."***

2. To comply with the Board of Governors policy add the word "calendar" before the word "day" where it appears in the **fifth and sixth paragraphs of Part V.C.** and would then read as follows:

***"If the request for a hearing is not validated, the complainant shall be notified by registered mail, return receipt requested, within 10 calendar days of the committee meeting. Such a determination confirms the decision not to reappoint or not to confer permanent tenure."***

***The complainant may accept the decision of the Hearing Committee not to validate or appeal to the chancellor within 10 calendar days of receipt of the Hearing Committee's decision. The chancellor, within 14 days of the complainant's appeal shall decide to confirm the committee's decision or shall support the complainant's request for a hearing."***

3. The **sixth paragraph of Part V. E.** presently reads:

"The complainant may appeal an adverse decision in the manner provided by Section 501 C (4) of The Code of The University of North Carolina."

**Substitute the following:**

***"The complainant may appeal an adverse decision to the Board of Trustees within 10 calendar days as provided in Section 50 1 C (4) of The Code of the University of North Carolina and the Board of Governors regulations implementing that provision."***



4. The last sentence of **the third paragraph of Part VII. B. 8.** should be deleted:

~~"If the Reconsideration Committee determines that the contention of the faculty member has not been established, it shall, by a simple unelaborated statement, so notify the faculty member, the chair of the faculty and the chancellor. The faculty member may appeal the decision to terminate employment in the manner provided by Section 501 C(4) of The Code of The University of North Carolina."~~

The following sentence should be substituted:

***"The faculty member may appeal the decision to terminate employment to the Chancellor within 10 calendar days following receipt of the Committee's decision as provided in Section 501C(4) of The Code of the University of North Carolina and Board of Governors regulations implementing that provision."***

5. The last sentence of **the fifth paragraph of Part VII. B. 8.** should be deleted:

~~"Within 30 working days after receiving the recommendation, the chancellor shall send written notice to the faculty member by registered mail, return receipt requested, with copies to the chair of the faculty, and the chair of the Reconsideration Committee giving his decision and stating what modification, if any, the chancellor will make with respect to the original decision to terminate the faculty member's employment. If the chancellor fails to reverse the original decision, the chancellor shall send written notice of such to the faculty member by registered mail, return receipt requested, with copies to the chair of the faculty, and the chair of the Reconsideration Committee. The faculty member may appeal the termination in a manner provided by Section 501 C (4) of The Code of The University of North Carolina."~~

The following sentence should be substituted:

***"The faculty member may appeal the termination to the Board of Trustees within 10 calendar days following receipt of the Chancellor's decision as provided in Section 501C(4) of The Code of the University of North Carolina and Board of Governors regulations implementing that provision."***

6. Similar editorial changes should be made in Part III. F. of Appendix Y of the Faculty Manual. Specifically, it appears that the last sentence of **paragraph two of Part III. F.** This sentence should be deleted:

~~"If the response to the committee's report by a university administrator other than the chancellor satisfies the committee but is not acceptable to the grievant, the grievant may appeal the relevant administrator's action on the committee's report to the Chancellor. In such a case, if the grievant is dissatisfied with the Chancellor's decision, the grievant may appeal this decision in the manner prescribed by the UNC Code Section 501 C4."~~

The following sentence should be substituted:

***"In such a case, if the grievant is dissatisfied with the Chancellor's decision, the grievant may appeal within 10 calendar days following receipt of that decision in the manner prescribed by Section 50 IC (4) of the Code of the University of North Carolina."***