

PLEASE POST FOR ALL FACULTY TO READ!

EAST CAROLINA UNIVERSITY  
1999-2000 FACULTY SENATE

The seventh regular meeting of the 1999/2000 Faculty Senate will be held on **Tuesday, 21 March 2000**, at 2:10 in the Mendenhall Student Center Great Room.

FULL AGENDA

- I. **Call to Order**
- II. **Approval of Minutes**  
22 February 2000
- III. **Special Order of the Day**
  - A. Roll Call
  - B. Announcements
  - C. Richard Eakin, Chancellor
  - D. Vice Chancellor's Report  
Richard Brown, Vice Chancellor for Administration and Finance  
University Budget and Costs of Distance Education and Weekend College
  - E. Brenda Killingsworth, East Carolina University's SACS Self Study Director
  - F. Approval of Spring 2000 Graduation Roster, including honors program graduates, subject to the completion of degree requirements.
- IV. **Unfinished Business**
- V. **Report of Committees**
  - A. Credits Committee, Doug Schneider  
Proposed Revision to Section I.J. Grade Appeals of Part V. Academic Information of the *East Carolina University Faculty Manual* (attachment 1).
  - B. Educational Policies and Planning Committee, George Bailey  
Overview of University Budget Issues.
  - C. Faculty Governance Committee, Henry Ferrell
    1. Proposed Replacement for Section VI. of Appendix C. of the *East Carolina University Faculty Manual* (attachment 2).
    2. Proposed Addition to Part VI. General Personnel Policies of the *East Carolina University Faculty Manual* (attachment 3).
    3. Recommendation for Training Materials/Workshops (attachment 4).
  - D. Libraries Committee, Allan Rosenberg  
Joyner Library's New Policy on the Purchase of New Books.
  - E. Teaching Effectiveness Committee, Rose Allen  
Proposed Direct Peer Classroom Observation for On-Line and Distance Education Courses (attachment 5).
  - F. Unit Code Screening Committee, Ralph Scott  
Approval of the Department of Academic Library Services' Unit Code of Operation. (A copy of this code is available for review in the Faculty Senate office.)
  - G. University Curriculum Committee, James Smith  
Curriculum matters contained in the minutes of the 10 February 2000, and 24 February 2000, and 9 March 2000, Committee Meetings.
- VI. **New Business**

Full Faculty Senate Agenda  
21 March 2000  
Attachment 1.

**CREDITS COMMITTEE REPORT**

Proposed Revision to Section I.J. Grade Appeals of Part V. Academic Information  
of the *East Carolina University Faculty Manual*

The Credits Committee was asked to address the issue of the length of time course records should be retained by an ECU faculty member. The purpose of this recommendation is to synchronize the retention of course records with the time horizon in which an appeal of a course grade and a change in a course grade must be resolved. According to University policy, the student appeal of a course grade must take place before the drop date of the next regular semester (page 47, *1999-2000 Undergraduate Catalog*), and resolution of a grade appeal, i.e., a change of grade, should take place within one calendar year.

It is, therefore, the recommendation of the Credits Committee that the following paragraph be inserted into the *ECU Faculty Manual*, Part V, Academic Information, I. Academic Procedures and Policies, J. Grade Appeals:

***"Faculty are required to retain for one calendar year from the date a grade is posted all course records that substantiate the posted grade."***

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Full Faculty Senate Agenda  
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Attachment 2.

**FACULTY GOVERNANCE COMMITTEE REPORT**

Proposed Replacement for Section VI. of Appendix C. of the *East Carolina University Faculty Manual*

Current Text:

"VI. Personnel/Evaluation Files

[Please refer to interpretation #190-1 located in the Index of ECU Faculty Manual Interpretations at <http://www.ecu.edu/fsonline/interpretations.htm>.]

There shall be one master file in which shall be kept all written materials used for the purpose of faculty evaluations. When evaluations and/or personnel decisions are made, only those documents which are contained in that file may be used. Faculty members shall be notified, upon request, of the location of the personnel/evaluation file and the identity of the custodian. A faculty member may examine the file upon reasonable advance notice under such conditions as are necessary to ensure the integrity and safe-keeping of the file. A faculty member may obtain copies of any materials in the personnel evaluation file and may attach a concise statement in response to any item therein. A person designated by the faculty member may examine that employee's personnel evaluation file with the written authorization of the faculty member. No material obtained from an anonymous source shall be placed in the personnel evaluation file, except for data from student opinion surveys. Data from student opinion surveys shall be used in the annual evaluation and shall be submitted by the authorized surveying agent to the faculty member and the unit administrator. Evaluative materials or summaries thereof prepared by peer committees as part of a regular evaluation system may be placed in the personnel evaluation file when signed by a representative of the committee. Faculty members must be made aware of any change in their personnel/evaluation file. The procedures of Article 7 of Chapter 126 of the General Statutes of North Carolina shall govern matters relating to personnel files. "

Proposed Text:

"VI. Faculty Personnel Files\*

North Carolina law defines a personnel file as any information gathered by East Carolina University that relates to an individual's application, selection or non-selection, promotion, demotion, transfer, leave, salary, suspension, performance evaluation, disciplinary action, or termination of employment, wherever located and in whatever form. A faculty member's primary personnel file shall reside in the code unit office under the supervision of the code unit administrator. The location and custodian of other files containing personnel records will be listed in the *Personnel File Checklist* attached to the inside cover of the primary personnel file. All evaluative documents will be contained in the primary personnel file. Official copies of Personnel Action Dossiers shall reside in the primary personnel file. Faculty members are encouraged to examine their primary personnel file often, subject to certain restrictions of state law. Faculty members may examine other files containing personnel records subject to the same restrictions. A faculty member may obtain copies of any materials that are not restricted by state law in the personnel file and may attach a concise statement in response to any item therein. This concise statement shall be submitted to the custodian for inclusion as an attachment to the specific document. A person designated by the faculty member may examine that employee's personnel file with the written authorization of the faculty member. No material obtained from an anonymous source shall be placed in the primary personnel file or any other file containing personnel records except for data from student opinion surveys. Data from student opinion surveys shall be used in the annual evaluation and shall be submitted by the authorized surveying agent to the faculty member and the unit administrator. Evaluative materials or summaries thereof prepared by peer committees as part of a regular evaluation system may be placed in the primary personnel file when signed by a representative of the committee. Faculty members must be made aware of any change in their personnel file. The procedures of Article 7 of Chapter 126 of the General Statutes of North Carolina shall govern matters relating to personnel files.

\* Please see Faculty Manual Part VI for further information on state statutes and ECU policy concerning faculty personnel files."

**FACULTY GOVERNANCE COMMITTEE REPORT**  
Proposed Addition to Part VI. General Personnel Policies of the  
*East Carolina University Faculty Manual*

New Section

Section VIII. Frequently Asked Questions About Faculty Personnel Records

**1. What is the definition of a "personnel file?"**

North Carolina law defines a personnel file as any information gathered by East Carolina University that relates to an individual's application, selection or non-selection, promotion, demotion, transfer, leave, salary, suspension, performance evaluation, disciplinary action, or termination of employment, wherever located and in whatever form. Records related to grievances and appeals of non-reappointment and non-conferral of tenure are personnel records. **The Personnel Action Dossier ("PAD") is an evaluative document and is a personnel record. Like other personnel records, the PAD is University Property and is retained by the University.**

**2. Where can I find the state laws that pertain to personnel records?**

You will find the statutes that relate to personnel records for state employees in the General Statutes of North Carolina in Chapter 126. The General Statutes are located in Joyner Library and in the University Attorney's Office.

You can also access the statutes on the Internet at:

<http://www.ncga.state.nc.us/Statutes/Statutes.html> or [http://www.allaw.com/state\\_law\\_search/north\\_carolina/](http://www.allaw.com/state_law_search/north_carolina/)

**PLEASE NOTE THAT THE STATUTES REPORTED ON THE INTERNET MAY NOT BE ACCURATE AND MAY NOT BE UPDATED IN A TIMELY MANNER TO REFLECT THE LATEST SUPPLEMENTS.**

Section 126-5 of the General Statutes of North Carolina makes the provisions of Chapter 126 applicable to all State employees and ECU faculty. Sections 126-22 *et seq.* in Article 7 (The Privacy of State Employee Personnel Records) defines personnel records (126-22), determines who has access to personnel records (126-23), provides for the confidentiality of personnel records (126-24), and provides remedies for employees objecting to material in the personnel file (126-25), among other things.

**3. What does "wherever located and in whatever form" mean?**

It means that your personnel records may be located in different offices on campus. Documents that meet the statutory definition will be considered personnel records.

**4. Where is my personnel file located?**

Faculty will have a primary personnel file located in his/her Code Unit Administrator's Office. In addition, there may be other files containing personnel records that are located in offices of the Dean, the Vice Chancellor for Academic Affairs, the Dean of the School of Medicine and Vice Chancellor for Health Sciences, and Human Resources. The Department of Human Resources will have only documents about faculty employment that reflect basic employment and benefits information. **Please consult the Personnel File Checklist that has been attached to the inside cover of your primary personnel file to confirm the offices where your personnel records are located.**

**5. Are there other files that may contain information about me?**

Records related to your employment may be found in the offices identified in FAQ # 4 and FAQ #5. However, if you have filed a grievance, an appeal of non-reappointment or non-conferral of tenure; or a complaint was filed by you or against you with the ECU EEO Office alleging sexual harassment, discrimination based on age, race, religion, or disability, or a violation of the amorous relations policy; or you are subject to a disciplinary action, records from your personnel file may be included in an appeal hearing file or investigative file prepared by the EEO Office or by the University Attorney's Office.

**Please note that those personnel records in the EEO Office or the University Attorney's Office remain confidential, but the documents collected and/or created in those offices would be part of an investigative/preparation file and would not be considered part of your personnel file. Disclosure of documents in those files would be subject to the applicable University policies and state laws. Additionally, the University would formally notify you in accordance with the relevant policy, if a complaint or grievance was filed against you, and would follow the procedures prescribed for due process. In most cases, personnel documents maintained in those files would be duplicates of documents in your primary personnel file.**

If you have any questions about University policies that are referenced above, you may wish to review these sections of the *ECU Faculty Manual*:

- Appendix D. Procedures for Appeal of Notice of Non-Reappointment or Non-Conferral of Permanent Tenure
- Appendix I. East Carolina University Policy on Conflicts of Interest and Commitment
- Appendix J. Informal Faculty Grievance Procedure for Grievances Involving Sex Discrimination and Other Equal Employment Opportunity Complaints
- Appendix U. Policy on Improper Relationships Between Students and Faculty
- Appendix V. Sexual Harassment, Discrimination, and Conflicts of Interest Policies
- Appendix W. Racial and Ethnic Harassment Policies
- Appendix X. Grievance Procedures for Complaints of Sexual or Racial Harassment or Discrimination or Conflicts of Interest Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status
- Appendix Y. Grievance Policies and Procedures of East Carolina University

**Full Faculty Senate Agenda  
21 March 2000  
Attachment 3. (continued)**

**6. Is there any truth to rumor about the existence of secret files?**

o. Because State law considers a personnel record to be in whatever form and wherever located, a record related to your employment should only be kept in University offices, to include the Offices of the Dean, the Vice Chancellor for Academic Affairs, the Dean of the School of Medicine and Vice Chancellor for Health Sciences, Human Resources, Equal Employment Opportunity and Affirmative Action ("EEO"), and the University Attorney, and should always be accessible to you during regular business hours with reasonable advance notice. Administrators shall not keep secret files and shall not include anonymous material in personnel files, except student opinion surveys.

**7. When can I review my personnel file?**

Although your personnel file is about you, it is University property. You have complete access to your personnel records during regular business hours with advance notice to the custodian of the records. Advance notice is required so that your file can be gathered from other offices, if necessary, and so that confidential documents, like references for initial employment or certain medical information, can be removed. Additionally, the custodian of records will need to make arrangements to have office staff available to oversee the review process to ensure the integrity and safekeeping of the records and to assist in making copies, if necessary. While reasonable efforts will be made to provide you with quick access to your file, it may take some time to make the necessary arrangements.

Please note that documents can not be added to or removed from the personnel file at this time. The University reserves the right to limit the number of copies and to make only one complete copy of the PAD.

**8. Is any information in my personnel file considered public information?**

Yes. State law requires that the University permit the public to have access to the following information about your personnel records: name, age, date of original state employment, current position or title, current salary, date and amount of most recent salary change, date of most recent status change (promotion, resignation, termination, etc.), and current office assignment.

**9. What information is considered confidential personnel information?**

As stated above in FAQ #8, Section 126- 23 of the General Statutes of North Carolina provides that certain records to be kept by State agencies are open to inspection. Those records include a record of each State employee showing the following information with respect to each such employee: name, age, date of original employment or appointment to the State service, current position, title, current salary, date and amount of most recent increase or decrease in salary, date of most recent promotion, demotion, transfer, suspension, separation, or other change in position classification, and the office or station to which the employee is currently assigned.

**All other information contained in the personnel file is confidential and shall not be open for inspection and examination except to the following persons:**

- 1) The employee, applicant for employment, former employee, or his/her properly authorized agent, who may examine his/her own personnel file in its entirety except for (i) letters of reference solicited prior to the employment, or (ii) information concerning a medical disability, mental, or physical, that a prudent physician would not divulge to a patient. An employee's medical record may be disclosed to a licensed physician designated in writing by the employee;
- 2) The supervisor of the employee;
- 3) Members of the General Assembly who may inspect and examine personnel records under the authority of G.S. 120-19;
- 4) A party by authority of a proper court order may inspect and examine a particular confidential portion of a State employee's personnel file;
- 5) An official of an agency of the federal government, State government or any political subdivision thereof.

**10. Is there any information in my personnel file that I do not have access to?**

As mentioned in FAQ # 9, reference letters solicited prior to employment and medical records that a prudent physician would not disclose to his/her patient shall not be disclosed to the faculty member.

**11. Does anyone, other than me, have access to my confidential personnel records?**

Yes. Anyone that you properly authorize (in a written release) may have access to your records. Your supervisor(s), members of the General Assembly, anyone with a proper court order, and officials of federal and state agencies may also inspect and examine your personnel records. In accordance with Appendix D of the *ECU Faculty Manual*, the Personnel Action Dossier is compiled by candidates for reappointment, promotion, and/or permanent tenure in consultation with the unit administrator and the Unit Personnel Committee. The Code Unit Administrator and the Unit Personnel Committee have access to your personnel records.

**12. What can I do if I consider material in my personnel file to be inaccurate or misleading?**

Section 126-25 of the General Statutes of North Carolina states that an employee, former employee, or applicant for employment who objects to material in his/her file may place in his/her file a statement relating to the material he/she considers to be inaccurate or misleading. Statements relating to the objectionable material should be submitted to the Code Unit Administrator. Removal of the offensive material may be sought in accordance with Appendix Y of the *ECU Faculty Manual*; however, informal resolution of disputes about the inaccuracy or misleading nature of material in your personnel file is encouraged before resorting to Appendix Y procedures.

**13. How long does the University keep my personnel file?**

Personnel records are kept in accordance with the Record Retention and Disposition Schedule approved by the University Archivist, the Director of the Division of Archives and History, the Chancellor, and the Secretary for the Department of Cultural Resources. Although it depends on the type of document, most personnel records are stored, and transferred to the State Records Center to be microfilmed for permanent security storage in the Archives vault.

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Attachment 3. (continued)**

**4. If I have other questions about my personnel file, where should I look or whom should I contact for more information?**

For more specific information, you may refer to the General Statutes of North Carolina, Appendix C, and Appendix D ("PAD") of the *ECU Faculty Manual*, contact the Faculty Senate Office at 328-6537, or contact the University Attorney's Office at 328-6940.

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**FACULTY PERSONNEL FILE CHECKLIST**

Your primary personnel file is located in the office of your Code Unit Administrator, Dr./Dean \_\_\_\_\_, and may be reviewed at any time during regular business hours with advance notice to the custodian of records or his/her designee. Advance notice is required so that your files can be gathered from other offices, if necessary, and so that confidential documents, like references for initial employment or certain medical information, as described in the General Statutes of North Carolina, can be removed. The custodian of records will need to make arrangements to have office staff available to oversee the review process to ensure the integrity and safekeeping of the records and to assist in making copies, if you request same. While reasonable efforts will be made to provide you with quick access to your file, it may take some time to make the necessary arrangements. Multiple copies of the same document may be limited.

**Please note that you cannot add to or remove documents from your personnel files at the time you review your files. If you have concerns about documents in your files, please bring them to the attention of the custodian of records. You can object to inaccurate or misleading information in your files by putting your objections in a written statement to your Code Unit Administrator, who will add your statement to the file(s) you are concerned about. Removal of offensive materials may be sought in accordance with the procedures in Appendix Y of the *ECU Faculty Manual*.**

**Location of Records Related to Employment:**

- Code Unit Administrator's Office
- Dean's Office
- Department Chair in Professional Schools
- Vice Chancellor for Academic Affairs' Office
- Vice Chancellor for Health Sciences' Office
- Department of Human Resources

**Other Files Containing Personnel Records May be Located:**

- Equal Employment Opportunity/Affirmative Action Office
- University Attorney's Office

**Please note that reference letters solicited prior to employment and medical records that a prudent physician would not disclose to his/her patient shall not be disclosed to you and should be kept in a sealed envelope that can be easily removed from your file. Additionally, medical records related to a medical condition or disability should be maintained in a separate envelope. Questions about your personnel records should be directed to the Faculty Senate or the University Attorney's Office.**

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**Full Faculty Senate Agenda  
21 March 2000  
Attachment 4.**

**FACULTY GOVERNANCE COMMITTEE REPORT  
Recommendation for Training Materials/Workshops**

The committee recommends that the Chancellor initiate the development of training materials/workshops for administrative personnel covering proper stewardship of personnel files/records.

**TEACHING EFFECTIVENESS COMMITTEE REPORT**

Proposed Direct Peer Classroom Observation for On-Line and Distance Education Courses

**The Teaching Effectiveness Committee recommends that "direct peer classroom observation" be implemented for on-line and distance education courses in essentially the same manner as it is for the variety of other teaching environments at East Carolina University.**

Background:

The policy which covers direct peer classroom observation is Faculty Senate Resolution #93-44 (approved by the Faculty Senate 12/7/93 and by the Chancellor 2/8/94). This policy was established in response to UNC General Administrative Memorandum #338.

Classroom observations are currently being done in classroom settings that include "traditional" classrooms, clinical settings, laboratory environments, and studio settings. On-line and distance education courses would be additional teaching environments. The focus would remain upon the teaching of the faculty member with emphasis upon the categories identified in the original instrument: organization, content, presentation, rapport/interaction, and active learning.

This means that:

1. Units would retain, from the current policy, the option of "... selecting other instruments and procedures which would be approved by the appropriate vice chancellor." This is what has been done in other non-typical teaching environments. It recognizes the variety of ways in which on-line and distance education courses are being delivered. This would enable units to better fit procedures and instrument to their circumstances.
2. The appropriate approved peer review procedures for Academic Affairs and Health Sciences be followed.
3. The self-evaluation, in the current policy, will be extended to cover peer observation of on-line and of distance education courses. This gives the observed faculty member a more active role in the process as well as serving the developmental concerns of the policy.