

With the long agenda and with it being the last meeting of the academic year for the 2001/2002 Faculty Senate, it is critical for Senators to plan ahead to attend the full meeting or arrange to have the alternate present. If the quorum is lost prior to the end of business, a special called meeting may take place in May.

<p>EAST CAROLINA UNIVERSITY 2001-2002 FACULTY SENATE</p>
--

The eighth regular meeting of the 2001/2002 Faculty Senate will be held on **Tuesday, April 23, 2002**, at 2:10 in the Mendenhall Student Center Great Room.

FULL AGENDA

Please note that this is the last meeting of the year for the 2001/2002 Faculty Senate.

I. Call to Order

II. Approval of Minutes

March 19, 2002 (have not been distributed yet)

III. Special Order of the Day

- A. Roll Call
- B. Announcements
- C. William Muse, Chancellor
- D. Vice Chancellor's Report
- E. Brenda Killingsworth, SACS Self Study Director
- F. David Pravica, Faculty Assembly Delegate
UNC Faculty Assembly Meeting of April 19, 2002.

IV. Unfinished Business

- A. Calendar Committee, Charles Calhoun
 - 1. Proposed Revised 2002 Fall Semester University Calendar (attachment 1).
 - 2. Proposed 2003-2004 University Calendar (attachment 2).
 - 3. Proposed Revised Guidelines for Scheduling Lecture and Discussion Classes for Fall and Spring Semesters and Summer Sessions (attachment 3).
- B. Faculty Governance Committee, Dee Dee Glascoff
Proposed Revised Appendix I. ECU Policy on Conflicts of Interest and Commitment for the *ECU Faculty Manual* (attachment 4).

V. Report of Committees

- A. Faculty Governance Committee, Dee Dee Glascoff
Proposed Revisions to the *ECU Faculty Manual*, Part VII. Research Information, Subsection II.G. Copyright Procedures (attachment 5).
- B. Educational Policies and Planning Committee George Bailey
 - 1. Permissions to Plan (or Add):
 - a. Permission to Plan a Ph.D. Program in Technology Management
 - b. Permission to Add an Electronics Minor
 - c. Permission to Plan a Ph.D. Program in Technical and Professional Discourse
 - d. Permission to Plan a Ph.D. Program in Medical Family Therapy(Copies of these requests are available from the Division of Academic Affairs.)
 - 2. Report on the Proposal to Move Three Secondary Education BS Degree Programs from the College of Arts and Sciences to the School of Education (attachment 6).
- C. Faculty Information Technology Committee, Jonathan Probbler
Report on the Proposed Student Computer Requirement (attachment 7).
- D. University Curriculum Committee, Dale Knickerbocker
Curriculum matters contained in the minutes of the April 11, 2002, Committee Meetings.
- E. Academic Awards Committee, Karl Wuensch
Proposed Selection Procedures for the Max Ray Joyner Award (attachment 8).
- F. Committee on Committees, Henry Ferrell
Proposed Revision to the Student Scholarships, Fellowships and Financial Aid Committee Charge (attachment 9).
- G. Faculty Welfare Committee, Beth Winstead
Resolution on Health Insurance (attachment 10).

VI. New Business

Resolution on Mathematics Education at ECU (attachment 11).

CALENDAR COMMITTEE REPORT

Proposed revised 2002 Fall Semester University Calendar, to allow classes to begin on Wednesday.

Fall Semester 2002

Actual class days: 15 Mondays, 14 Tuesdays, 15 Wednesdays, 15 Thursdays, 15 Fridays, 15 Saturdays.

June 3, Monday	Last day to apply for admission to Graduate School for the Fall semester.
August 2, Friday	Last day to submit appeals for readmission for Fall semester.
August 9, Friday	Schedules canceled for all who have not paid fees by 4:00 PM.
August 12, Monday	Fall semester fees accepted with late processing fee.
August 16, Friday	6:30 p.m. Weekend Program classes begin.
August 19, Monday	Faculty meetings.
August 20, Tuesday	Advising and schedule adjustments.
August 21, Wednesday	Classes begin
August 22, Thursday	Last day for Weekend Program schedule changes (drop and add).
August 27, Tuesday	Last day for late registration and schedule changes (drop and add).
August 28, Wednesday	Last day for schedule changes (add only).
August 30, Friday	6:30 p.m., Weekend Program Labor Day holiday begins (no classes).
September 2, Monday	Labor Day holiday (no classes).
September 3, Tuesday	State holiday makeup day Classes which would have met on Monday, September 2, will meet on this day. Tuesday classes will <u>not</u> meet. (This does not apply to Weekend Program classes.)
September 4, Wednesday	Last day to apply for graduation in December.
October 2, Wednesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades. Block courses may be dropped only during the first 40% of their regularly scheduled class meetings. Last day for undergraduate students to drop a Weekend Program class or to withdraw from school without grades.
October 11, Friday	6:30 p.m., Weekend Program Fall Break begins (no classes).
October 12-15 Saturday-Tuesday	Fall Break.
October 16, Wednesday	8:00 a.m. Classes resume.
November 4, Monday	Registration for Spring Semester 2003 begins.
November 19, Tuesday	Last day to remove incompletes given during Spring and/or Summer session 2002.
November 27-December 1 Wednesday-Sunday	Thanksgiving break.

**Faculty Senate Agenda
April 23, 2002
Attachment 1. (continued)**

December 2, Monday	8:00 a.m. - classes resume. Last day for graduate students to drop courses without grades.
December 3, Tuesday	Last day to submit thesis to the Graduate School for completion of degree in this term.
December 10, Tuesday	Classes end. Last day for submission of grade replacement requests.
December 11, Wednesday	Regular Exams begin.
December 13-14 Friday-Saturday	Weekend Program exams.
December 14, Saturday	Commencement.
December 18, Wednesday	6:00 p.m. Exams for Fall semester close; last day to submit appeals for readmission for Spring semester.

There are no changes proposed to the Fall Examination Schedule.

**Faculty Senate Agenda
April 23, 2002
Attachment 2.**

CALENDAR COMMITTEE REPORT
Proposed 2003-2004 University Calendar

**Summer Session 2003
First Term**

(Actual days First Term: 4 Mondays, 6 Tuesdays, 5 Wednesdays, 5 Thursdays, 5 Fridays,
1 day for registration, 1 day for final examinations.)

March 16, Monday	Last day to apply for admission to Graduate School for first summer term.
May 16, Friday	Schedules canceled for all who have not paid fees by 4:00 PM.
May 19, Monday	New student registration; schedule changes.
May 20, Tuesday	Classes begin; late registration; schedule changes.
May 21, Wednesday	Last day for late registration and schedule changes (drop and add) for first term.
May 22, Thursday	Last day for schedule changes (add only).
May 26, Monday	Holiday (no classes).
June 3, Tuesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades. Block courses may be dropped only during the first 40% of their regularly scheduled class meetings.
June 18, Wednesday	Last day for graduate students to drop courses without grades.
June 24, Tuesday	Classes end. Last day for submission of grade replacement requests.
June 25, Wednesday	Final examinations.

Faculty Senate Agenda
April 23, 2002
Attachment 2. (continued)

Summer Session 2003
Second Term

(Actual days Second Term: 5 Mondays, 5 Tuesdays, 5 Wednesdays, 6 Thursdays, 4 Fridays,
1 day for new student registration, 1 day for final examinations.)

May 1, Thursday	Last day to apply for admission to Graduate School for second summer term.
June 23, Monday	Schedules canceled for all who have not paid fees by 4:00 PM.
June 25, Wednesday	New student registration; schedule changes.
June 26, Thursday	Classes begin; late registration; schedule changes.
June 27, Friday	Last day for late registration and schedule changes (drop and add) for second term.
June 30, Monday	Last day for schedule changes (add only).
July 4, Thursday	State holiday (no classes).
July 10, Thursday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades. Block courses may be dropped only during the first 40% of their regularly scheduled class meetings.
July 21, Monday	Last day to submit thesis to Graduate School for completion of degree in the summer session.
July 25, Friday	Last day for graduate students to drop courses without grades.
July 31, Thursday	Classes end. Last day for submission of grade replacement requests.
August 1, Friday	Final examinations; last day to submit appeals for readmission for Fall semester.

Weekend Program Classes Summer Schedule 2003

(Actual class days: 10 Fridays, 10 Saturdays, 2 days for Final Exams)

May 16, Friday	Weekend Program registration and schedule changes; Weekend Program classes begin.
May 20, Tuesday	Last day for Weekend Program class schedule changes (drop and add).
June 10, Tuesday	Last day for Weekend Program students to drop a Weekend Program class or to withdraw from school without grades.
July 4-July 5, Friday-Saturday	6:30 p.m., Weekend Program July 4th holiday begins (no classes).
July 26, Saturday	Weekend Program classes end. Last day for submission of grade replacement requests.
August 1-2, Friday-Saturday	Weekend Program exams.
August 2, Saturday	Summer session ends.

Fall Semester 2003

(Actual class days: 13 Mondays, 14 Tuesdays, 15 Wednesdays, 14 Thursdays, 14 Fridays, 13 Saturdays. Effective
class days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays, 13 Saturdays)

June 2, Monday	Last day to apply for admission to Graduate School for the Fall semester.
August 1, Friday	Last day to submit appeals for readmission for Fall semester.
August 8, Friday	Schedules canceled for all who have not paid fees by 4:00 PM.
August 11, Monday	Fall semester fees accepted with late processing fee.
August 22, Friday	6:30 p.m. Weekend Program classes begin.
August 25, Monday	Faculty meetings.
August 26, Tuesday	Advising and schedule adjustments.
August 27, Wednesday	Classes begin; late registration; schedule changes. Last day for Weekend Program schedule changes (drop and add).
August 29, Friday	6:30 p.m., Weekend Program Labor Day holiday begins (no classes).
September 1, Monday	Labor Day holiday (no classes).

**Faculty Senate Agenda
April 23, 2002
Attachment 2. (continued)**

Fall Semester 2003

September 3, Wednesday	Last day for late registration and schedule changes (drop and add).
September 4, Thursday	Last day for schedule changes (add only).
September 11, Thursday	Last day to apply for graduation in December.
October 6, Monday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades. Block courses may be dropped only during the first 40% of their regularly scheduled class meetings.
October 7, Tuesday	Last day for undergraduate students to drop a Weekend Program class or to withdraw from school without grades.
October 10, Friday	6:30 p.m., Weekend Program Fall Break begins (no classes).
October 11-14 Saturday-Tuesday	Fall Break.
October 15, Wednesday	8:00 a.m. Classes resume. State holiday makeup day (classes which would have met on <u>Monday</u> , September 1, will meet on this day so there will effectively be the same number of Mondays and Wednesdays as every other weekday during the semester; Wednesday classes will <u>not</u> meet.) This does not apply to Weekend Program classes.
November 3, Monday	Registration for Spring Semester 2004 begins.
November 18, Tuesday	Last day to remove incompletes given during Spring and/or Summer session 2003.
November 26-30 Wednesday-Sunday	Thanksgiving break.
December 1, Monday	8:00 a.m. - classes resume. Last day for graduate students to drop courses without grades.
December 2, Tuesday	Last day to submit thesis to the Graduate School for completion of degree in this term.
December 10, Wednesday	Classes end. Last day for submission of grade replacement requests.
December 11, Thursday	Regular Exams begin.
December 12-13 Friday-Saturday	Weekend Program exams.
December 13, Saturday	Commencement.
December 18, Thursday	7:00 p.m. Exams for Fall semester close; last day to submit appeals for readmission for Spring semester.

EXAMINATION SCHEDULE
FALL SEMESTER 2003

There will be no departure from the printed schedule, except as noted below: All examinations for one credit hour classes will be held during the last regular meeting of the class. Classes meeting more than three times a week will follow the examination schedule for MWF classes.

Examinations in classes meeting one night a week will be held at 7:30-10:00 p.m. on the first night of their usual meeting during the examination period (December 11-December 18). Examinations in classes meeting two or more nights a week and beginning before 8:00 p.m. will be held at 7:30-10:00 p.m. on the first night of their usual meeting during the examination period (December 11- December 18). Examinations in classes meeting two or more nights a week and beginning at or after 8:00 p.m. will be held at 7:30-10:00 p.m. on the second night of their usual meeting during the examination period (December 11- December 18). Classes meeting on Saturday morning will have the final examination on Saturday, December 13, at the usual hour at which the class meets. Weekend Program classes will have exams on Friday and Saturday (December 12-December 13) at the usual hour at which the class meets.

Those classes beginning between hours or meeting more than one hour will have the final examination at the time scheduled of the hour during which the class begins (e.g., a 9:30-11:00 a.m., TTh class will meet the examination schedule of the 9:00 a.m. TTh class; an 8:00-10:00 a.m. MWF class will meet the examination schedule of the 8:00 a.m. MWF class)

Common examinations will be held according to the following schedule:

CHEM 1121, 1131, 1151, 1161	5:00 - 7:30 Thursday, December 11
MATH 1065.....	5:00 - 7:30 Friday, December 12
FREN 1002, SPAN 1002, 1003, GERM 1002	5:00 - 7:30 Monday, December 15
ECON 2113, 2133	5:00 - 7:30 Tuesday, December 16
CHEM 0150, 1120, 1130, 1150, 1160.....	5:00 - 7:30 Wednesday, December 17
FREN 1001, 1003, SPAN 1001, 1004, GERM 1001	5:00 - 7:30 Thursday, December 18

Times class regularly meets

Time and day of examination

8:00 MWF	8:00 - 10:30 Friday, December 12
8:00 TTh	8:00 - 10:30 Tuesday, December 16
9:00 MWF	8:00 - 10:30 Monday, December 15
9:00 TTh (9:30)	8:00 - 10:30 Thursday, December 18
10:00 MWF	8:00 - 10:30 Wednesday, December 17
10:00 TTh	8:00 - 10:30 Thursday, December 11
11:00 MWF	11:00 - 1:30 Friday, December 12
11:00 TTh	11:00 - 1:30 Tuesday, December 16
12:00 MWF	11:00 - 1:30 Monday, December 15
12:00 TTh (12:30)	11:00 - 1:30 Thursday, December 18
1:00 MWF	11:00 - 1:30 Wednesday, December 17
1:00 TTh	11:00 - 1:30 Thursday, December 11
2:00 MWF	2:00 - 4:30 Friday, December 12
2:00 TTh	2:00 - 4:30 Tuesday, December 16
3:00 MWF (3:30)	2:00 - 4:30 Monday, December 15
3:00 TTh (3:30)	2:00 - 4:30 Thursday, December 18
4:00 MWF	2:00 - 4:30 Wednesday, December 17
4:00 TTh	2:00 - 4:30 Thursday, December 11
5:00 MWF	5:00 - 7:30 Monday, December 15
5:00 TTh	5:00 - 7:30 Tuesday, December 16

Faculty Senate Agenda
April 23, 2002
Attachment 2. (continued)

Spring Semester 2004

(Actual class days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays, 14 Saturdays.
Effective class days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays, 14 Saturdays.)

October 15, Wednesday	Last day to apply for admission to Graduate School for the Spring semester.
December 17, Wednesday	Last day to submit appeals for readmission for Spring semester.
December 29, Monday	Spring semester fees accepted with late processing fee.
January 7, Wednesday	Class schedules canceled for all who have not paid fees by 4:00 PM.
January 8, Thursday	Advising and schedule adjustments.
January 9, Friday	Classes begin; late registration; schedule changes.
January 15, Thursday	Last day for late registration and schedule changes (drop and add).
January 16, Friday	Last day for schedule changes (add only).
January 19, Monday	State holiday (no classes).
January 23, Friday	Last day to apply for graduation in May.
February 18, Wednesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades. Block courses may be dropped only during the first 40 percent of their regularly scheduled class meetings.
February 29-March 7, Sunday – Sunday	Spring Break
March 8, Monday	8:00 a.m. - Classes resume.
March 22, Monday	Registration for Summer session and Fall semester 2004 begins.
April 5, Monday	Last day to remove incompletes given during Fall semester 2003.
April 9-10, Friday-Saturday	State holiday (no classes).
April 14, Wednesday	Last day for graduate students to drop courses without grades.
April 15, Thursday	Last day to submit thesis to the Graduate School for completion of degree in this term.
April 26, Monday	Classes end. Last day for submission of grade replacement requests.
April 27, Tuesday	Reading day.
April 28, Wednesday	Regular exams begin.
May 5, Wednesday	7:00 p.m. Exams for Spring semester close.
May 8, Saturday	Commencement.

EXAMINATION SCHEDULE
 SPRING SEMESTER 2004

There will be no departure from the printed schedule, except as noted below: All examinations for one credit hour classes will be held during the last regular meeting of the class. Classes meeting more than three times a week will follow the examination schedule for MWF classes.

Examinations in classes meeting one night a week will be held at 7:30-10:00 p.m. on the first night of their usual meeting during the examination period (April 28-May 5). Examinations in classes meeting two or more nights a week and beginning before 8:00 p.m. will be held 7:30-10:00 p.m. on the first night of their usual meeting during the examination period (April 28-May 5). Examinations in classes meeting two or more nights a week and beginning at or after 8:00 p.m. will be held at 7:30-10:00 p.m. on the second night of their usual meeting during the examination period April 28-May 5). Classes meeting on Saturday morning will have the final examination on Saturday, May 1, at the usual hour at which the class meets.

Those classes beginning between hours or meeting more than one hour will have the final examination at the time scheduled of the hour during which the class begins (e.g., a 9:30-11:00 a.m., TTh class will meet the examination schedule of the 9:00 a.m. TTh class; an 8:00-10:00 a.m. MWF class will meet the examination schedule of the 8:00 a.m. MWF class)

Common examinations will be held according to the following schedule:

FREN 1002, SPAN 1002, 1003, GERM 1002	5:00 - 7:30 Wednesday, April 28
ECON 2113, 2133	5:00 - 7:30 Thursday, April 29
CHEM 0150, 1120, 1130, 1150, 1160	5:00 - 7:30 Friday, April 30
CHEM 1121, 1131, 1151, 1161	5:00 - 7:30 Monday, May 3
FREN 1001, 1003, SPAN 1001, 1004, GERM 1001	5:00 - 7:30 Tuesday, May 4
MATH 1065	5:00 - 7:30 Wednesday, May 5

Times class regularly meets

Time and day of examination

8:00 MWF	8:00 - 10:30 Monday, May 3
8:00 TTh	8:00 - 10:30 Wednesday, May 5
9:00 MWF	8:00 - 10:30 Wednesday, April 28
9:00 TTh (9:30)	8:00 - 10:30 Thursday, April 29
10:00 MWF	8:00 - 10:30 Friday, April 30
10:00 TTh	8:00 - 10:30 Tuesday, May 4
11:00 MWF	11:00 - 1:30 Monday, May 3
11:00 TTh	11:00 - 1:30 Tuesday, May 4
12:00 MWF	11:00 - 1:30 Wednesday, April 28
12:00 TTh (12:30)	11:00 - 1:30 Thursday, April 29
1:00 MWF	11:00 - 1:30 Friday, April 30
1:00 TTh	11:00 - 1:30 Wednesday, May 5
2:00 MWF	2:00 - 4:30 Monday, May 3
2:00 TTh	2:00 - 4:30 Wednesday, May 5
3:00 MWF (3:30)	2:00 - 4:30 Wednesday, April 28
3:00 TTh (3:30)	2:00 - 4:30 Tuesday, May 4
4:00 MWF	2:00 - 4:30 Friday, April 30
4:00 TTh	2:00 - 4:30 Thursday, April 29
5:00 MWF	5:00 - 7:30 Wednesday, April 28
5:00 TTh	5:00 - 7:30 Thursday, April 29

CALENDAR COMMITTEE REPORT

Proposed Revised Guidelines for Scheduling Lecture and Discussion Classes
for Fall and Spring Semesters and Summer Sessions
(Additions are noted in **bold print**, deletions are noted in ~~strikethrough~~)

UNC System Revised Policy Governing Academic Calendars for Fall and Spring Semester Classes

The academic contact hour for lecture/discussion classes is fifty minutes by custom and tradition. **The revised policy includes 14 weeks of class per semester plus one class meeting to administer final exams.**

~~The following table indicates class meeting length according to the number of contact hours (50-minute periods) during the 15-week semester. The number of minutes shown in the table is contact minutes only and does not include breaks from classroom activity.~~

Academic contact hours per week	Total semester contact minutes	Number of meeting days per week, meetings per semester, and number of contact minutes per class meeting				
		1 day/wk	2 day/wk	3 day/wk	4 day/wk	5 day/wk
		15 meetings	30 meetings	45 meetings	60 meetings	75 meetings
1	750	50	--	--	--	--
2	1500	100	50	--	--	--
3	2250	150	75	50	--	--
4	3000	200	100	70*	50	--
5	3750	250	125	85*	65*	50

ounded

Recommended Revised Guidelines for Scheduling Lecture and Discussion Fall and Spring Semester Classes

To facilitate timely matriculation of students it is important that class scheduling be coordinated. Having a scheduled gap between classes allows students time to move from one class to another.

Lecture/discussion classes with more than 90 contact minutes per meeting should be lengthened in their scheduling to include one or more breaks of ten or fifteen minutes.

Three semester-hour credit lecture/discussion classes meeting on a Monday, Wednesday, and Friday sequence should start on the hour and be scheduled for fifty minutes. Three semester-hour credit classes meeting on a Tuesday and Thursday sequence should start at 8:00, 9:30, 11:00, 12:30 **or** 14:00, ~~or 15:30~~ and be scheduled for seventy-five minutes. Three semester-hour credit classes meeting on Monday and Wednesday afternoons may start on the hour or half hour and should be scheduled for seventy-five minutes. Lecture/discussion classes that are not three semester-hour credit and meet for fifty minutes on Tuesday or Thursday should start at 8:00, 10:00, 11:00, 13:00 **or** 14:00, ~~or 16:00~~ so as not to overlap more than one of the three semester-hour time-slots.

In order to allow greater flexibility in scheduling late afternoon and evening classes and since the availability of classrooms is less of a problem at those times, classes that have starting times of 2:30 p.m. or later are not subject to the guideline restrictions for scheduling class meeting times.

Faculty Senate Agenda
April 23, 2002
Attachment 3. (continued)

Suggested times for three semester-hour courses

MWF 8:00 – 8:50	TTh 8:00 – 9:15	MW 14:00 – 15:15
MWF 9:00 – 9:50	TTh 9:30 – 10:45	MW 15:30 – 16:45
MWF 10:00 – 10:50	TTh 11:00 – 12:15	
MWF 11:00 – 11:50	TTh 12:30 – 13:45	
MWF 12:00 – 12:50	TTh 14:00 – 15:15	
MWF 13:00 – 13:50	TTh 15:30 – 16:45	
MWF 14:00 – 14:50		
MWF 15:00 – 15:50		
MWF 16:00 – 16:50		

UNC System **Revised** Policy Governing Academic Calendars for Summer Session Classes

The academic contact hour for lecture/discussion classes is fifty minutes by custom and tradition. **The revised policy includes 25 class days per summer session plus one class meeting to administer final exams.**

~~The following table indicates class meeting length according to the number of contact hours (50-minute periods) during the 5-week term. In order to have the contact minutes during the Summer session be consistent with contact minutes during the Fall/Spring 15-week semesters, the following table indicates how long class meetings should last during the 5-week term. The number of minutes shown in the table is contact minutes only and does not include breaks from classroom activity.~~

Fall/Spring academic contact hours per week	Total semester contact minutes	Number of meeting days per week, meetings per semester, and number of contact minutes per class meeting			
		2 day/wk	3 day/wk	4 day/wk	5 day/wk
		10 meetings	15 meetings	20 meetings	25 meetings
1	750	75	50	--	--
2	1500	150	100	75	60
3	2250	225	150	110*	90
4	3000	--	200	150	120
5	3750	--	--	185*	150

*rounded

Recommended **Revised** Guidelines for Scheduling Lecture and Discussion Summer Session Classes

To facilitate timely matriculation of students it is important that class scheduling be coordinated. Having a scheduled gap between classes allows students time to move from one class to another. Lecture/discussion classes with more than 90 contact minutes per meeting should be lengthened in their scheduling to include one or more breaks of ten or fifteen minutes.

Since most lecture/discussion classes carry three semester-hours credit, they should meet for either 90 minutes five days per week (morning) or 110 minutes (plus break minutes) four days per week (afternoon or evening). The following guidelines indicate recommended beginning and ending times for three semester-hour credit lecture/discussion classes. Other classes should either begin at one of these beginning times or end at one of these ending times. Classes that meet once a week during the Fall/Spring semesters (e.g. labs or night classes) could match their fifteen regular semester sessions by meeting three times per week during a Summer term for the same meeting length as during the Fall/Spring semesters.

Faculty Senate Agenda
April 23, 2002
Attachment 3. (continued)

In order to allow 15-minute breaks for both students and faculty between classes in the summer, lecture/discussion classes that carry three semester-hours credit are to use one of the following meeting times:

MTWThF	8:00 – 9:30
MTWThF	9:45 – 11:15
MTWThF	11:30 – 13:00
MTWTh	13:15 – 15:15 (includes 10 break minutes)
MTWTh	15:30 – 17:30 (includes 10 break minutes)
MTWTh	17:45 – 19:45 (includes 10 break minutes)
MTWTh	20:00 – 22:00 (includes 10 break minutes)

No revisions are proposed to this section of the document.

References to the Weekend Program will be deleted due to the program's elimination in December 2003.

UNC System Policy Governing Academic Calendars for Weekend Program Classes

The academic contact hour for lecture/discussion classes is fifty minutes by custom and tradition. The following table indicates class meeting length according to the number of contact hours (50-minute periods) during the Weekend University terms. In order to have the contact minutes during the Weekend University terms be consistent with contact minutes during the Fall/Spring 15-week semesters, the following table indicates how long class meetings should last during the Weekend University terms. The number of minutes shown in the table is contact minutes only and does not include breaks from classroom activity.

Fall/Spring Academic contact hours per week	Total semester contact minutes	Number of meeting days per week, meetings per semester, and number of contact minutes per class meeting	
		1 day/wk	1 day/wk
		14 meetings	10 meetings
1	750	55*	75
2	1500	110*	150
3	2250	160	225
4	3000	215*	300
5	3750	--	--

*rounded

Recommended Guidelines for Scheduling Lecture/Discussion Weekend University Classes

Since most lecture/discussion classes carry three semester-hours credit, they should meet for 160 minutes (plus break minutes) per class meeting during the Fall/Spring semesters or 225 minutes (plus break minutes) per class meeting during the Summer session. The following guidelines indicate recommended beginning and ending times for three semester-hour credit lecture/discussion classes; other classes should either begin at one of these beginning times or end at one of these ending times.

Fall/Spring

Fri 18:30 – 21:40 (includes 30 break minutes)
 Sat 8:00 – 11:10 (includes 30 break minutes)
 Sat 11:25 – 14:35 (includes 30 break minutes)
 Sat 14:50 – 18:00 (includes 30 break minutes)

Summer

Fri 18:00 – 22:20 (includes 35 break minutes)
 Sat 8:00 – 12:20 (includes 35 break minutes)
 Sat 13:00 – 17:20 (includes 35 break minutes)

FACULTY GOVERNANCE COMMITTEE REPORT

Proposed Revised Appendix I. ECU Policy on Conflict of Interest and Commitment for the *ECU Faculty Manual*

(There are two reports included here. The first one details the actual revisions made to the current document. The second shows the revised version as it would appear in the *ECU Faculty Manual*.)

Annotated Version

(Compared to the current version included in the *ECU Faculty Manual* with additions noted by underline and deletions noted by ~~striketrough~~)

I. Introduction

Effective July 1, 1995, all EPA faculty members and other professional staff of East Carolina University are subject to revised policies concerning conflicts of interest and conflicts of commitment affecting University employment and external professional activities. This policy covers full-time faculty and EPA non-faculty employees, part-time faculty and EPA non-faculty employees insofar as their University responsibilities are concerned, and faculty and EPA non-faculty employees who are on leave if the leave is funded at least partially from University sources. The revised ECU policies are based on policies and guidelines adopted by the UNC system Board of Governors and federal agency requirements. Any questions regarding these procedures or the Board of Governors' policies upon which they are based should be ~~directed~~ directed to the appropriate divisional vice chancellor.

II. The Concepts at Issue

The distinction between conflicts of interest and commitment is not always clear. In general, conflict of commitment relates to allocation of time and should become apparent in the annual review process conducted by the administrative superior. Conflict of interest involves matters which might unduly influence employee judgment in the conduct of employee affairs, such that personal financial advantage is or might be unduly gained.

More specifically, conflict of ~~interest~~ interest occurs when financial or ~~other~~ related personal considerations, e.g., employment of a spouse, potentially compromise the faculty or professional staff member's objectivity in fulfilling University duties or responsibilities, including research activities. Conflict of commitment occurs when the pursuit of outside activities involves an ~~inordinate investment~~ expenditure of time that potentially interferes with the faculty or professional staff member's obligations to students, to colleagues, and/or to the missions of the University.

~~The purpose of asserting policies concerning these concepts~~ goal of this document is to ensure that all activities are accurately disclosed and to ~~reduce the probability of~~ eliminate the occurrence of inappropriate activities. These policies ~~are not being promulgated with the primary intention of limiting~~ policies, however, are not intended to limit responsible external activities.

III. Policies

A. Conflict of Interest

It is the policy of the University that faculty and EPA non-faculty shall avoid conflicts of interest that have the potential to affect adversely the University's interests, to compromise objectivity in carrying out University responsibilities, or otherwise to compromise the performance of University responsibilities. Accordingly, outside activities and financial interests must be disclosed on an annual basis. Disclosures will must be updated when new external interests develop. Outside activities and financial interests should be arranged to avoid such conflicts. Related policies are also discussed in the ECU Faculty Manual, Part VII, Research Information.

B. Conflict of Commitment

It is the policy of the University that faculty and EPA non-faculty employees shall devote their primary professional loyalty, time, and energy to their teaching, research, service, and, where applicable, patient care at the University. Accordingly, outside activities and financial interests must be arranged to avoid interference with the primacy of these commitments. Policies and Procedures for those potential conflicts of commitment situations that do not involve conflict of interest are discussed in the ECU Faculty Manual, Part VI, General Personnel Information. The policy on External Professional Activities of Faculty and Other Professional Staff should be used for these potential conflicts of commitment situations.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

7. Categories and Examples of Potential Conflicts

Activities that may involve conflicts of interest or commitment fall into three general categories that differentiate relationships according to potential for adverse impact.

Category I: consists of relationships that, while including some that are conflicts in a technical sense, are allowable because they do not compromise the objectivity of research results or other interests of the University, the sponsor, or the public. These relationships are generally minimal in their personal financial impact, and otherwise do not represent a potential source of unreasonable bias.

Category II: consists of relationships that may be permissible following disclosure and, where necessary, the initiation of supervisory procedures designed to preclude ~~unreasonable levels of bias or other inappropriate activities~~ actions and to ensure the maintenance of academic standards, ~~intellectual values~~, and institutional integrity.

Category III: consists of relationships that presumptively may be inappropriate for a faculty member or EPA ~~non-faculty~~ non-faculty employee. In such cases, the individual must demonstrate to the University's satisfaction the compatibility of such practices with University policy prior to going forward with the proposed activity.

Provided below are representative, but not all-inclusive, examples of activities in each of these three categories. Please refer to Section ~~VIII~~ IX below for important definitions.

Category I:

Activities that are routinely allowable and are not required to be disclosed pursuant to this policy.

- a. ~~a.~~ Receiving royalties for published scholarly works and other writings or for inventions pursuant to the University's Patent and Copyright Policies (Faculty Manual, Part VII, Research Information).
- b. ~~b.~~ Membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies are permitted under the ECU Policy Statement on External Professional Activities of Faculty and other Professional Staff (Faculty Manual, Part VI, General Personnel Information) so long as they do not conflict or interfere with the timely performance of primary University duties. These activities are permitted even if they are performed for nominal honoraria or reimbursement of expenses, provided that the receipt of nominal honoraria or reimbursement of expense is not in conflict with any other applicable University, state, or federal policy, rule or regulation. These activities are not required to be disclosed in this Policy's Annual Faculty/Professional Staff Disclosure Form. However, an "Notice of Intent to Engage in External Professional Activity" may be required pursuant to ECU's policy (Faculty Manual, Part VI, General Personnel Information).
- c. ~~c.~~ Ownership of or equity in a corporation used solely for the individual's consulting activities provided such consulting activities are appropriately reported and approved in accordance with Faculty Manual, Part VI, General Personnel Information, External Professional Activities of Faculty and Other Professional Staff.

Category II:

Activities that may be allowable following disclosure and, where necessary, the implementation of ~~monitoring~~ monitoring procedures.

1. Research Activities

- a. ~~a.~~ Participating in University research (basic, applied, and clinical) on a technology developed by that individual or a member of his or her immediate family, unless the activity is specifically disallowed under the guidelines of Category III.
- b. ~~b.~~ Participating in University research involving a technology owned by or contractually obligated (by license, option or otherwise) to a business in which the individual or ~~a member of his or her family~~ immediate family has a consulting relationship.
- c. ~~c.~~ Receiving through contract or gift University sponsored research support (whether in dollars or in kind) for research from a business in which the individual or ~~a member of his or her family~~ immediate family has a consulting relationship.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

External Activities

- a. ~~a.~~ Serving on the board of directors or scientific advisory board of a business from which that individual or a member of his or her family immediate family receives University-sponsored research support or with which the University has a substantial contractual relationship known to the individual, unless the activity is specifically disallowed under the guidelines of Category III.
- b. ~~b.~~ Assuming an executive position in a not-for-profit business with which the University has a substantial contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities, unless the activity is specifically disallowed under the guidelines of Category III.

3. Ownership

- a. ~~a.~~ Possessing a significant financial interest, including a significant consulting relationship, in a business that competes with the services provided by the University as a part of their academic, research, or service mission.
- b. ~~b.~~ Possessing a significant financial interest, including a significant consulting relationship, in a business field related to the individual's University responsibilities, unless the activity is specifically disallowed under the guidelines of Category III.
- c. ~~c.~~ Requiring or recommending one's own textbook or other teaching aids, materials, or equipment to be used in connection with University programs or those of a member of his or her family immediate family. Such a requirement or recommendation must be preceded by disclosure and review according to this policy.

4. Other

- a. ~~a.~~ Acceptance by the University employee or a member of his or her family immediate family of other than nominal gratuities or special favors from one whom the individual knows is doing business with or proposing to do business with the University.
- b. ~~b.~~ Engaging in any other activity that has the potential for creating a conflict of interest or commitment as defined herein.

Category III:

Activities that are presumptively not allowable. Many of the examples below may seem to overlap examples in Category II above; however, the addition of 'significant financial interests' in the activities below creates the presumption that these activities are not allowable.

1. Research Activities

- a. ~~a.~~ Participating in University research involving a technology owned by or contractually obligated (by license, option, or otherwise) to a business in which the individual or a member of his or her family immediate family holds significant stock or similar significant ownership interest, or has any other significant financial interest, other than a receipt of University-sponsored research support, or receipt of royalties under University royalty sharing policies.
- b. ~~b.~~ Receiving, through contract or grant, University sponsored research support (whether in dollars or in kind) for research from a business in which the individual or a member of his or her family immediate family holds a significant stock or similar significant ownership interest or has any other significant financial interest.
- c. ~~c.~~ Assigning students, postdoctoral fellows or other trainees to University projects sponsored by a for-profit or not-for-profit business in which the individual or a member of his or her family immediate family has a significant financial interest, including a significant consulting relationship.

2. External Activities

- a. ~~a.~~ Assuming an executive position in a not-for-profit business with which the University has a substantial contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities.
- b. ~~b.~~ Making referrals of University business to an external business or professional office in which such individual or a member of his or her family immediate family has a significant financial interest, including a significant consulting relationship.
- c. ~~c.~~ Associating one's name or one's work with an external activity in such a way as to profit monetarily by trading on the reputation or good will of the University or to imply sponsorship or endorsement by the University. An example of a context in which such an association might occur is external professional activity for pay. Mere identification of the University as the employer of the individual and of the individual's position at the University is permitted by this section, provided that such identification is not used in a manner that implies sponsorship or endorsement by the University.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Public Disclosure

- a. ~~a.~~ Publishing or formally presenting University sponsored research results, or providing expert commentary on a subject, with~~out~~ simultaneously disclosing any significant financial interest relating to such results or such subject.
- b. ~~b.~~ Unauthorized use of privileged information acquired in connection with one's University responsibilities to further one's own personal interests.

4. Administrative Responsibilities

- a. ~~a.~~ Taking administrative action in the course and scope of University responsibilities that is beneficial to a business in which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship.
- b. ~~b.~~ Influencing the negotiation of contracts between the University and an outside organization with which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship.

5. Committee Participation

- a. Serving on a committee of a governmental agency or private entity during the consideration by such a committee of the regulation or application of a technology that is owned by or contractually obligated to a business in which that individual or ~~a member of his or her family~~ immediate family has a significant financial interest, including a significant consulting relationship.

V. Submission of Conflict Evaluation Forms (Disclosures).

Policy: Effective July 1, 1995, each faculty member ~~as well as~~ and all other EPA employees will be required to disclose annually for both him/her selves and their immediate families (see definition in Section IX) the extent of their relevant external activities and significant relationships and their financial holdings each year. ~~that are related to the employee's university activities.~~ These university activities include but are not limited to sponsored research activities. These external activities, relationships and financial holdings are described above in Section IV under Categories II & III. All potential Category II and III relationships or financial holdings must be reported regardless of the dollar amounts involved.

~~Category I activities and relationships are not required to be disclosed under this policy; however, other activities must be reported. In addition, revisions or updates of the disclosures are required whenever there is a significant change in the individual's affairs (e.g., submission of a project proposal for external funding) that may lead or may be perceived to lead to a conflict.~~ university reporting requirements may apply to these activities (see Section IV). Where there is some question whether an activity should be considered a Category I or II activity as described above, the faculty/EPA non-faculty employee should include the activity in the disclosure for consideration by his/her supervisor.

All faculty and other EPA personnel are charged by the University to provide a full good faith disclosure. Failure to provide such a full disclosure may be considered a serious breach of this policy and may be subject to disciplinary action (see Section VIII).

Revisions or updates of the yearly disclosures are required between yearly disclosures whenever there is a significant change in the faculty member's or his immediate family's affairs that may lead to or may be perceived to lead to a conflict with the faculty member's university activities, e.g., the faculty member's spouse begins to receive consultant fees from a company that currently contracts with university for research services from the faculty member's laboratory.

Procedures: To facilitate disclosure and to ensure appropriate uniformity across the University, each individual will complete the "Annual Faculty/Professional Staff Disclosure Form." Each unit administrator will distribute this form annually to all faculty and professional staff (EPA non faculty) under his or her supervision and assure that completed forms are returned.

The purpose of this form is to identify employees' activities that may lead to actual or potential conflicts of commitment or interest so that appropriate administrative intervention may address the problems. The employee and the administrative superior are to complete and sign the annual disclosure form, which implies that the administrative superior has reviewed the form. No further action will be required if all questions are answered "no".

Further disclosure and review are required if questions elicit any "yes" responses on the Annual Faculty/Professional Staff Disclosure Form or on any mid year revisions or updates of the annual form. The employee must then complete and sign the appropriate additional forms. Suggested provisions or plans for eliminating or managing conflicts should be included in these additional forms where indicated. Examples of some (but not all) possible provisions for conflict management plans are:

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

1. Public disclosure of the significant financial interests or external activities
2. Monitoring of activities by disinterested university officials to assure that conflicts do not arise.
3. Cessation of the pertinent outside activities
4. Divestiture of the pertinent financial interests
5. Severance of the relationships that create actual or potential conflicts

Since these forms have direct bearing on the employment of individuals with the University, all disclosure forms (the annual form and accompanying forms) and associated documents will be maintained in the administrative office of the employee's unit in his/her personnel folder for a period of at least three years following termination of the pertinent activities.

VI. Review and Approval of Activities and Plans for Eliminating or Managing Conflicts.

The unit administrator (chair, dean, or the employee's supervisor in the case of a senior administrator) has the initial responsibility to review and approve or disapprove the disclosure forms filed with him or her by the EPA employees within that unit. The review shall follow the provisions of this Policy. The Unit administrator should be familiar with the definition of 'Significant Financial Interest' (See Section IX) to differentiate between Category II and Category III activities and relationships. Category III activities are presumptively considered to be non-allowable.

The unit administrator may refer any question regarding an annual disclosure form to the next higher administrative level for review and decision and must refer to the next higher level for review and approval all annual disclosures (and updates/revisions) which require additional forms (as described in the annual disclosure form) for EPA employees involvement in possible Category II and III activities as described above.

If a potential conflict situation is determined to exist, written plans for eliminating or managing the conflict will be developed in consultations between the employee and his/her supervisors and presented to the Vice Chancellor of the appropriate Division for final approval/division for concurrence. It will then be presented to the ECU Research Ethics Oversight Committee (see below) for final approval. An adverse decision of the Committee to a proposed management plan may be appealed to the Chancellor. The supervisor of the EPA employee will be responsible for assuring the implementation and/or monitoring of the conflict management plan.

Documentation of all decisions on activities and associated conflict management plans will be maintained in the employee's personnel folder.

In order to fulfill the certification requirements of grant and contract funding agencies (e.g., the NIH and NSF), each unit administrator shall also provide annually to the Vice Chancellor for Research and Graduate Studies a list of all faculty members and EPA staff in the administrator's unit who have submitted approved current annual disclosure forms and, where needed, an indication when such approval required development of an acceptable conflict management plan. This list may be amended as needed during the year. The Vice Chancellor for Research or his designee will use this information to certify to potential funding agencies for proposals to these agencies emanating from ECU faculty and staff that this Institution has a conflict of interest policy consistent with NIH and NSF guidelines and that to the best of our knowledge all provisions of the policy have been followed with respect to the proposals. proposals submitted to the agencies by ECU faculty and staff.

If after initial review by the department head, dean, and vice chancellor, questions remain regarding ethical issues or if disagreement exists between the EPA employee and the administration regarding the permissibility of activities, the situation may be referred to a faculty/administrative advisory committee for review of conflicts of interest and commitment. This committee shall be known as the Administrative committee, the Research Ethics Review Committee. The committee Oversight Committee, will be chaired by the Vice Chancellor for Research & Graduate Studies with and will have representatives from the faculty senate and as members. When the committee reviews conflict management plans, a representative of university attorney's office. Situations involving graduate students will include office shall be present. In addition, when a management plan involves graduate students, a representative from the graduate council will also be present. Other appropriate individuals will be appointed members to the committee by the Vice Chancellor for Research & Graduate Studies. Decisions by this committee will be presented to the ~~chancellor~~ Chancellor for his or her concurrence and, if approved, will become the University's final position subject only to appeal in accordance with Section 501C(4) of The Code of the University of North Carolina.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

the activity at issue involves external support (grant, contract or cooperative agreement), the vice chancellor for research shall inform the sponsor whenever the University determines that it is unable to develop a satisfactory conflict management plan for an actual or potential conflict of interest.

Whenever human subjects are involved in an activity presented to the Research Ethics Oversight Committee (including approvals of conflict management plans), the University & Medical Center Institutional Review Board (UMCIRB) will be confidentially notified of the issue and the Committee's actions.

VII. Institutional Conflict of Interest

East Carolina University, from time to time, forms relationships with profit-making entities (including the holding of equity interests) for mutual benefit. However, such relationships may put the University into actual or apparent conflict of interest situations when accepting grants or contracts from the profit making entities for research or other activities. (See exclusion at the end of this section for certain types of relationships.) To assure that these grants and contracts are performed with the highest level of integrity by University employees and to assure that the public maintains its trust in University activities, the following procedures shall be followed:

1. At the beginning of each calendar year, the Director, Office of Technology Transfer shall prepare a disclosure listing all profit-making entities in which the University has a significant financial interest (See Section IX.4). This disclosure shall be updated during the year as new relations develop and old ones terminate. This disclosure and its updates will be submitted to the Vice Chancellor for Research and Graduate Studies who shall distribute the disclosure to the Chancellor, the other Vice Chancellors and Deans, and the Research Ethics Oversight Committee. Copies of the disclosure and updates shall also be distributed to those university administrative offices charged with approving and administering grants and contracts and human subjects research protection (Office of Sponsored Programs, Office of Grants and Contracts Administration and the UMCIRB).
2. Units submitting proposals for external funding to commercial entities may not be aware of possible institutional conflict of interest issues. Thus, the Office of Sponsored Programs shall have the primary responsibility of notifying Vice Chancellor for Research and Graduate Studies and the submitting unit of the University's conflict of interest as part of its regular procedures for the review and approval of such applications. The Vice Chancellor or his designee shall then develop a plan to manage the institutional conflict of interest after consultation with the submitting unit and other relevant university offices. The conflict management plan shall be submitted to the Research Ethics Oversight Committee for review. The Committee may approve the plan (with or without mandatory changes) or disapprove the plan. University acceptance of grants and contracts related to a management plan is contingent upon approval of the management plan by the Committee. A negative decision of the Committee may be appealed to the Chancellor. An institutional conflict management plan may range from a simple disclosure of the University's interest in publications and reports emanating from the grant or contract to complete University divestiture of the financial interest. The institutional conflict of management plan shall be separate from and in addition to any conflict management plans for conflicts of interests of individuals (e.g., the principal investigator) involved in the grant or contract.
3. When considering an institutional conflict of interest management plan, the Research Ethics Oversight Committee shall a) include as voting members, one or more individuals from the general public who have no direct or indirect relationship with the University, i.e., the individuals and their spouses or other dependents must not be current employees or students of the University; and b) recuse from the deliberations of the Committee any ECU member of the Committee who has been involved in the negotiation, approval, or implementation of the relationship that is the basis of the actual or perceived conflict of interest.
4. Arrangements for plan implementation and oversight shall explicitly be part of an institutional conflict management plan. Implementation and oversight will usually be the joint responsibility of the submitting unit and the Office of the Vice Chancellor for Research and Graduate Studies. However, other arrangements shall be made for plan implementation and oversight if, in the judgment of the Research Ethics Oversight Committee, such arrangements are necessary for the effective management of the conflict.

Excluded Relationships: A relationship with a profit making organization for the purposes of this institutional conflict of interest policy shall not include ordinary investments of the university's endowment that are managed by the University affiliated foundations or ordinary client-vender relationships where the University contracts for specific goods or services from a profit-making organization.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

VIII. Enforcement of the Policies

Faculty and non-faculty EPA staff are under a clear obligation to adhere to the ECU policies and procedures to disclose and to remove or appropriately manage conflicts of interest or commitment. Breaches of the policy/procedures will be viewed as serious ethical violations by the persons involved. Possible breaches of the policy/procedure include, but are not limited to:

1. furnishing false, misleading or incomplete information on the disclosure forms;
2. failure to promptly update disclosure forms before the required annual update when a significant change in a person's financial or fiduciary status places the individual into an immediate potential conflict of interest or commitment situation;
3. failure to comply with the procedures described above (e.g., refusal to respond to inquiries, responding with incomplete or knowingly inaccurate information, or otherwise);
4. failure to remedy conflicts as determined by the Procedures; and
5. failure to comply with a prescribed monitoring plan.

If a possible breach in the policy/procedures occurs, the appropriate dean shall consult with the faculty person and his chair. If no resolution is forthcoming, the dean shall refer the case to the appropriate vice chancellor. The vice chancellor shall consult with the vice chancellor for research and shall initiate an investigation and/or hearing as prescribed in Faculty Manual, Part VII and Appendix D and apply sanctions as determined by university policies. Such sanctions may range from administrative intervention to dismissal from employment, all in accordance with applicable university policies.

VIII-IX. Definitions

1. "Business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other legal entity organized for profit or charitable purposes. "Business" excludes University-related entities, which is inclusive of the University, and any private medical practice or any other entity controlled by, controlling, or under common control with the University or with which the University has a contractual relationship for the purpose of providing patient care.

2. "Executive Position" refers to any position that includes responsibilities for a material segment of the operation or management of a business, including Board membership.

3. The "Immediate Family" of a faculty or EPA non-faculty employee includes his or her ~~spouse and~~ spouse, dependent children and/or other dependent(s) as defined in the Internal Revenue Code.

~~(4)~~4. "Significant Financial Interest" means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights, license agreements, and royalties from such rights).

The term does not include:

Salary, royalties, or other remuneration from ~~the applicant institution;~~

~~(2)~~(1) Any ownership interests in the institution, if the institution is an applicant under the SBIR Program; East Carolina University to its faculty or staff;

(2) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;

(3) Income from service on advisory committees or review panels for public or nonprofit entities;

~~(5)~~(4) An equity interest that when aggregated for the Investigator and the Investigator's spouse and dependent children, faculty/staff and the faculty/staff's immediate family, meets both of the following tests: Does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity;

~~(6)~~(5) Salary, royalties or other payments that when aggregated for the Investigator and the Investigator's spouse and dependent children, faculty/staff and the faculty/staff's immediate family over the next twelve months, are not expected to exceed \$10,000 from any one source.

~~(7)~~(6) It does not include mutual, pension, investment or other funds over which the employee or the University does not exercise direct control.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

"Participate" means to be part of the described activity in any capacity, including but not limited to serving as the principal investigator, co-investigator, research collaborator or provider of direct patient care. The term is not intended to apply to individuals who provide primarily technical support or who are purely advisory, with no direct access to the data (e.g., control over its collection or analysis) or, in the case of clinical research, to the trial participants, unless they are in a position to influence the study's results or have privileged information as to the outcome.

6. "Sponsored Programs" means research, public service, training and instructional projects involving funds, materials, or other compensation from outside sources under grants, contracts, or cooperative agreements.

7. "Technology" means any process, method, product, compound, drug, device, or any diagnostic, medical, or surgical procedure developed using University time, facilities, equipment, or funds whether intended for commercial use or not.

**No changes were made to the forms
that follow in Appendix I. of the *ECU Faculty Manual*.**

Proposed Revised Appendix I. ECU Policy on Conflict of Interest and Commitment for the *ECU Faculty Manual*
(as it would appear in the *ECU Faculty Manual*)

CONTENTS

- I. Introduction
- II. The Concepts at Issue
- III. Policies
 - A. Conflict of Interest
 - B. Conflict of Commitment
- IV. Categories and Examples of Potential Conflicts
- V. Submission of Conflict Evaluation Forms (Disclosures)
- VI. Review and Approval of Activities and Plans for Eliminating or Managing Conflicts
- VII. Institutional Conflict of Interest
- VIII. Enforcement of the Policies
- IX. Definitions

Example Forms:

- A. Annual Faculty/Professional Staff Disclosure Form of Potential Conflict of Commitment or Interest Activities or Relationships.
- B. Report of Activities and Relationships with Enterprises Sponsoring University Activities or Doing Business with the University.
- C. Report of Potential Conflicts of Interest Related to Students' Activities with External Enterprises.
- D. Report of Potential Conflicts of Interest Related to Teaching and Ownership of Intellectual Property.
- E. Notice of Intent to Engage in External Professional Activities for Pay.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Introduction

Effective July 1, 1995, all EPA faculty members and other professional staff of East Carolina University are subject to revised policies concerning conflicts of interest and conflicts of commitment affecting University employment and external professional activities. This policy covers full-time faculty and EPA non-faculty employees, part-time faculty and EPA non-faculty employees insofar as their University responsibilities are concerned, and faculty and EPA non-faculty employees who are on leave if the leave is funded at least partially from University sources. The revised ECU policies are based on policies and guidelines adopted by the UNC system Board of Governors and federal agency requirements. Any questions regarding these procedures or the Board of Governors' policies upon which they are based should be directed to the appropriate divisional vice chancellor.

II. The Concepts at Issue

The distinction between conflicts of interest and commitment is not always clear. In general, conflict of commitment relates to allocation of time and should become apparent in the annual review process conducted by the administrative superior. Conflict of interest involves matters which might unduly influence employee judgment in the conduct of employee affairs, such that personal financial advantage is or might be unduly gained.

More specifically, conflict of interest occurs when financial or related personal considerations, e.g., employment of a spouse, potentially compromise the faculty or professional staff member's objectivity in fulfilling University duties or responsibilities, including research activities. Conflict of commitment occurs when the pursuit of outside activities involves an expenditure of time that potentially interferes with the faculty or professional staff member's obligations to students, to colleagues, and/or to the missions of the University.

The goal of this document is to ensure that all activities are accurately disclosed and to eliminate the occurrence of inappropriate activities. These policies, however, are not intended to limit responsible external activities.

III. Policies

A. Conflict of Interest

is the policy of the University that faculty and EPA non-faculty shall avoid conflicts of interest that have the potential to affect adversely the University's interests, to compromise objectivity in carrying out University responsibilities, or otherwise to compromise the performance of University responsibilities. Accordingly, outside activities and financial interests must be disclosed on an annual basis. Disclosures must be updated when new external interests develop. Outside activities and financial interests should be arranged to avoid such conflicts. Related policies are also discussed in the ECU Faculty Manual, Part VII, Research Information.

B. Conflict of Commitment

It is the policy of the University that faculty and EPA non-faculty employees shall devote their primary professional loyalty, time, and energy to their teaching, research, service, and, where applicable, patient care at the University. Accordingly, outside activities and financial interests must be arranged to avoid interference with the primacy of these commitments. Policies and Procedures for those potential conflicts of commitment situations that do not involve conflict of interest are discussed in the ECU Faculty Manual, Part VI, General Personnel Information. The policy on External Professional Activities of Faculty and Other Professional Staff should be used for these potential conflicts of commitment situations.

IV. Categories and Examples of Potential Conflicts

Activities that may involve conflicts of interest or commitment fall into three general categories that differentiate relationships according to potential for adverse impact.

Category I: consists of relationships that, while including some that are conflicts in a technical sense, are allowable because they do not compromise the objectivity of research results or other interests of the University, the sponsor, or the public. These relationships are generally minimal in their personal financial impact, and otherwise do not represent a potential source of bias.

Category II: consists of relationships that may be permissible following disclosure and, where necessary, the initiation of supervisory procedures designed to preclude bias or other inappropriate actions and to ensure the maintenance of academic standards and institutional integrity.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Category III: consists of relationships that presumptively may be inappropriate for a faculty member or EPA non-faculty employee. In such cases, the individual must demonstrate to the University's satisfaction the compatibility of such practices with University policy prior to going forward with the proposed activity.

Provided below are representative, but not all-inclusive, examples of activities in each of these three categories. Please refer to Section IX below for important definitions.

Category I:

Activities that are routinely allowable and are not required to be disclosed pursuant to this policy.

- a) Receiving royalties for published scholarly works and other writings or for inventions pursuant to the University's Patent and Copyright Policies (Faculty Manual, Part VII, Research Information).
- b) Membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies are permitted under the ECU Policy Statement on External Professional Activities of Faculty and other Professional Staff (Faculty Manual, Part VI, General Personnel Information) so long as they do not conflict or interfere with the timely performance of primary University duties. These activities are permitted even if they are performed for nominal honoraria or reimbursement of expenses, provided that the receipt of nominal honoraria or
- c) reimbursement of expense is not in conflict with any other applicable University, state, or federal policy, rule or regulation. These activities are not required to be disclosed in this Policy's Annual Faculty/Professional Staff Disclosure Form. However, a "Notice of Intent to Engage in External Professional Activity" may be required pursuant to ECU's policy (Faculty Manual, Part VI, General Personnel Information).
- d) Ownership of or equity in a corporation used solely for the individual's consulting activities provided such consulting activities are appropriately reported and approved in accordance with Faculty Manual, Part VI, General Personnel Information, External Professional Activities of Faculty and Other Professional Staff.

Category II:

Activities that may be allowable following disclosure and, where necessary, the implementation of monitoring procedures.

1. Research Activities

- a) Participating in University research (basic, applied, and clinical) on a technology developed by that individual or a member of his or her immediate family, unless the activity is specifically disallowed under the guidelines of Category III.
- b) Participating in University research involving a technology owned by or contractually obligated (by license, option or otherwise) to a business in which the individual or immediate family has a consulting relationship.
- c) Receiving through contract or gift University sponsored research support (whether in dollars or in kind) for research from a business in which the individual or immediate family has a consulting relationship.

2. External Activities

- a) Serving on the board of directors or scientific advisory board of a business from which that individual or immediate family receives University-sponsored research support or with which the University has a substantial contractual relationship known to the individual, unless the activity is specifically disallowed under the guidelines of Category III.
- b) Assuming an executive position in a not-for-profit business with which the University has a substantial contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities, unless the activity is specifically disallowed under the guidelines of Category III.

3. Ownership

- a) Possessing a significant financial interest, including a significant consulting relationship, in a business that competes with the services provided by the University as a part of their academic, research, or service mission.
- b) Possessing a significant financial interest, including a significant consulting relationship, in a business field related to the individual's University responsibilities, unless the activity is specifically disallowed under the guidelines of Category III.
- c) Requiring or recommending one's own textbook or other teaching aids, materials, or equipment to be used in connection with University programs or those of immediate family. Such a requirement or recommendation must be preceded by disclosure and review according to this policy.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

4. Other

- a) Acceptance by the University employee or immediate family of other than nominal gratuities or special favors from one whom the individual knows is doing business with or proposing to do business with the University.
- b) Engaging in any other activity that has the potential for creating a conflict of interest or commitment as defined herein.

Category III:

Activities that are presumptively not allowable. Many of the examples below may seem to overlap examples in Category II above; however, the addition of 'significant financial interests' in the activities below creates the presumption that these activities are not allowable.

1. Research Activities

- a) Participating in University research involving a technology owned by or contractually obligated (by license, option, or otherwise) to a business in which the individual or immediate family holds significant stock or similar significant ownership interest, or has any other significant financial interest, other than a receipt of University-sponsored research support, or receipt of royalties under University royalty sharing policies.
- b) Receiving, through contract or grant, University sponsored research support (whether in dollars or in kind) for research from a business in which the individual or immediate family holds a significant stock or similar significant ownership interest or has any other significant financial interest.
- c) Assigning students, postdoctoral fellows or other trainees to University projects sponsored by a for-profit or not-for-profit business in which the individual or immediate family has a significant financial interest, including a significant consulting relationship.

2. External Activities

- a) Assuming an executive position in a not-for-profit business with which the University has a substantial contractual relationship known to the individual and which is engaged in commercial or research activities in a field related to the individual's University responsibilities.
- b) Making referrals of University business to an external business or professional office in which such individual or immediate family has a significant financial interest, including a significant consulting relationship.
- c) Associating one's name or one's work with an external activity in such a way as to profit monetarily by trading on the reputation or good will of the University or to imply sponsorship or endorsement by the University. An example of a context in which such an association might occur is external professional activity for pay. Mere identification of the University as the employer of the individual and of the individual's position at the University is permitted by this section, provided that such identification is not used in a manner that implies sponsorship or endorsement by the University.

3. Public Disclosure

- a) Publishing or formally presenting University sponsored research results, or providing expert commentary on a subject, with out simultaneously disclosing any significant financial interest relating to such results or such subject.
- b) Unauthorized use of privileged information acquired in connection with one's University responsibilities to further one's own personal interests.

4. Administrative Responsibilities

- a) Taking administrative action in the course and scope of University responsibilities that is beneficial to a business in which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship.
- b) Influencing the negotiation of contracts between the University and an outside organization with which the individual or an immediate family member has a significant financial interest, including a significant consulting relationship.

5. Committee Participation

- a) Serving on a committee of a governmental agency or private entity during the consideration by such a committee of the regulation or application of a technology that is owned by or contractually obligated to a business in which that individual or immediate family has a significant financial interest, including a significant consulting relationship.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Submission of Conflict Evaluation Forms (Disclosures).

Policy: Effective July 1, 1995, each faculty member and all other EPA employees will be required to disclose annually for both him/her selves and their immediate families (see definition in Section IX) the extent of their relevant external activities and relationships and their financial holdings that are related to the employee's university activities. These university activities include but are not limited to sponsored research activities. These external activities, relationships and financial holdings are described above in Section IV under Categories II & III. All potential Category II and III relationships or financial holdings must be reported regardless of the dollar amounts involved. Category I activities and relationships are not required to be disclosed under this policy; however, other university reporting requirements may apply to these activities (see Section IV). Where there is some question whether an activity should be considered a Category I or II activity as described above, the faculty/EPA non-faculty employee should include the activity in the disclosure for consideration by his/her supervisor.

All faculty and other EPA personnel are charged by the University to provide a full good faith disclosure. Failure to provide such a full disclosure may be considered a serious breach of this policy and may be subject to disciplinary action (see Section VIII).

Revisions or updates of the yearly disclosures are required between yearly disclosures whenever there is a significant change in the faculty member's or his immediate family's affairs that may lead to or may be perceived to lead to a conflict with the faculty member's university activities, e.g., the faculty member's spouse begins to receive consultant fees from a company that currently contracts with university for research services from the faculty member's laboratory.

Procedures: To facilitate disclosure and to ensure appropriate uniformity across the University, each individual will complete the "Annual Faculty/Professional Staff Disclosure Form." Each unit administrator will distribute this form annually to all faculty and professional staff (EPA non faculty) under his or her supervision and assure that completed forms are returned.

The purpose of this form is to identify employees' activities that may lead to actual or potential conflicts of commitment or interest so that appropriate administrative intervention may address the problems. The employee and the administrative superior are to complete and sign the annual disclosure form, which implies that the administrative superior has reviewed the form. No further action will be required if all questions are answered "no".

Further disclosure and review are required if questions elicit any "yes" responses on the Annual Faculty/Professional Staff Disclosure Form or on any mid year revisions or updates of the annual form. The employee must then complete and sign the appropriate additional forms. Suggested provisions or plans for eliminating or managing conflicts should be included in these additional forms where indicated. Examples of some (but not all) possible provisions for conflict management plans are:

1. Public disclosure of the significant financial interests or external activities
2. Monitoring of activities by disinterested university officials to assure that conflicts do not arise.
3. Cessation of the pertinent outside activities
4. Divestiture of the pertinent financial interests
5. Severance of the relationships that create actual or potential conflicts

Since these forms have direct bearing on the employment of individuals with the University, all disclosure forms (the annual form and accompanying forms) and associated documents will be maintained in the administrative office of the employee's unit in his/her personnel folder for a period of at least three years following termination of the pertinent activities.

VI. Review and Approval of Activities and Plans for Eliminating or Managing Conflicts.

The unit administrator (chair, dean, or the employee's supervisor in the case of a senior administrator) has the initial responsibility to review and approve or disapprove the disclosure forms filed with him or her by the EPA employees within that unit. The review shall follow the provisions of this Policy. The Unit administrator should be familiar with the definition of 'Significant Financial Interest' (See Section IX) to differentiate between Category II and Category III activities and relationships. Category III activities are presumptively considered to be non-allowable.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

The unit administrator may refer any question regarding an annual disclosure form to the next higher administrative level for review and decision and must refer to the next higher level for review and approval all annual disclosures (and updates/revisions) which require additional forms (as described in the annual disclosure form) for EPA employees involvement in possible Category II and III activities as described above.

If a potential conflict is determined to exist, written plans for eliminating or managing the conflict will be developed in consultations between the employee and his/her supervisors and presented to the Vice Chancellor of the appropriate division for concurrence. It will then be presented to the ECU Research Ethics Oversight Committee (see below) for final approval. An adverse decision of the Committee to a proposed management plan may be appealed to the Chancellor. The supervisor of the EPA employee will be responsible for assuring the implementation and/or monitoring of the conflict management plan.

Documentation of all decisions on activities and associated conflict management plans will be maintained in the employee's personnel folder.

In order to fulfill the certification requirements of grant and contract funding agencies (e.g., the NIH and NSF), each unit administrator shall also provide annually to the Vice Chancellor for Research and Graduate Studies a list of all faculty members and EPA staff in the administrator's unit who have submitted approved current annual disclosure forms and, where needed, an indication when such approval required development of an acceptable conflict management plan. This list may be amended as needed during the year. The Vice Chancellor for Research or his designee will use this information to certify to potential funding agencies that this Institution has a conflict of interest policy consistent with NIH and NSF guidelines and that to the best of our knowledge all provisions of the policy have been followed with respect to proposals submitted to the agencies by ECU faculty and staff.

If after initial review by the department head, dean, and vice chancellor, questions remain regarding ethical issues or if disagreement exists between the EPA employee and the administration regarding the permissibility of activities, the situation may be referred to a faculty/administrative advisory committee for review of conflicts of interest and commitment. This committee, the *Research Ethics Oversight Committee*, will be chaired by the Vice Chancellor for Research & Graduate Studies and will have representatives from the faculty senate as members. When the committee reviews conflict management plans, a representative of university attorney's office shall be present. In addition, when a management plan involves graduate students, a representative from the graduate council will also be present. Other appropriate individuals will be appointed members to the committee by the Vice Chancellor for Research & Graduate Studies. Decisions by this committee will be presented to the Chancellor for his or her concurrence and, if approved, will become the University's final position subject only to appeal in accordance with Section 501C(4) of The Code of the University of North Carolina.

If the activity at issue involves external support (grant, contract or cooperative agreement), the vice chancellor for research shall inform the sponsor whenever the University determines that it is unable to develop a satisfactory conflict management plan for an actual or potential conflict of interest.

Whenever human subjects are involved in an activity presented to the Research Ethics Oversight Committee (including approvals of conflict management plans), the University & Medical Center Institutional Review Board (UMCIRB) will be confidentially notified of the issue and the Committee's actions.

VII. Institutional Conflict of Interest

East Carolina University, from time to time, forms relationships with profit-making entities (including the holding of equity interests) for mutual benefit. However, such relationships may put the University into actual or apparent conflict of interest situations when accepting grants or contracts from the profit making entities for research or other activities. (See exclusion at the end of this section for certain types of relationships.) To assure that these grants and contracts are performed with the highest level of integrity by University employees and to assure that the public maintains its trust in University activities, the following procedures shall be followed:

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

1. At the beginning of each calendar year, the Director, Office of Technology Transfer shall prepare a disclosure listing all profit-making entities in which the University has a significant financial interest (See Section IX.4). This disclosure shall be updated during the year as new relations develop and old ones terminate. This disclosure and its updates will be submitted to the Vice Chancellor for Research and Graduate Studies who shall distribute the disclosure to the Chancellor, the other Vice Chancellors and Deans, and the Research Ethics Oversight Committee. Copies of the disclosure and updates shall also be distributed to those university administrative offices charged with approving and administering grants and contracts and human subjects research protection (Office of Sponsored Programs, Office of Grants and Contracts Administration and the UMCIRB).
2. Units submitting proposals for external funding to commercial entities may not be aware of possible institutional conflict of interest issues. Thus, the Office of Sponsored Programs shall have the primary responsibility of notifying Vice Chancellor for Research and Graduate Studies and the submitting unit of the University's conflict of interest as part of its regular procedures for the review and approval of such applications. The Vice Chancellor or his designee shall then develop a plan to manage the institutional conflict of interest after consultation with the submitting unit and other relevant university offices. The conflict management plan shall be submitted to the Research Ethics Oversight Committee for review. The Committee may approve the plan (with or without mandatory changes) or disapprove the plan. University acceptance of grants and contracts related to a management plan is contingent upon approval of the management plan by the Committee. A negative decision of the Committee may be appealed to the Chancellor. An institutional conflict management plan may range from a simple disclosure of the University's interest in publications and reports emanating from the grant or contract to complete University divestiture of the financial interest. The institutional conflict of management plan shall be separate from and in addition to any conflict management plans for conflicts of interests of individuals (e.g., the principal investigator) involved in the grant or contract.
3. When considering an institutional conflict of interest management plan, the Research Ethics Oversight Committee shall a) include as voting members, one or more individuals from the general public who have no direct or indirect relationship with the University, i.e., the individuals and their spouses or other dependents must not be current employees or students of the University; and b) recuse from the deliberations of the Committee any ECU member of the Committee who has been involved in the negotiation, approval, or implementation of the relationship that is the basis of the actual or perceived conflict of interest.
4. Arrangements for plan implementation and oversight shall explicitly be part of an institutional conflict management plan. Implementation and oversight will usually be the joint responsibility of the submitting unit and the Office of the Vice Chancellor for Research and Graduate Studies. However, other arrangements shall be made for plan implementation and oversight if, in the judgment of the Research Ethics Oversight Committee, such arrangements are necessary for the effective management of the conflict.

Excluded Relationships: A relationship with a profit making organization for the purposes of this institutional conflict of interest policy shall not include ordinary investments of the university's endowment that are managed by the University affiliated foundations or ordinary client-vender relationships where the University contracts for specific goods or services from a profit-making organization.

VIII. Enforcement of the Policies

Faculty and non-faculty EPA staff are under a clear obligation to adhere to the ECU policies and procedures to disclose and to remove or appropriately manage conflicts of interest or commitment. Breaches of the policy/procedures will be viewed as serious ethical violations by the persons involved. Possible breaches of the policy/procedure include, but are not limited to:

1. furnishing false, misleading or incomplete information on the disclosure forms;
2. failure to promptly update disclosure forms before the required annual update when a significant change in a person's financial or fiduciary status places the individual into an immediate potential conflict of interest or commitment situation;
3. failure to comply with the procedures described above (e.g., refusal to respond to inquiries, responding with incomplete or knowingly inaccurate information, or otherwise);
4. failure to remedy conflicts as determined by the Procedures; and
5. failure to comply with a prescribed monitoring plan.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

● a possible breach in the policy/procedures occurs, the appropriate dean shall consult with the faculty person and his chair. If no resolution is forthcoming, the dean shall refer the case to the appropriate vice chancellor. The vice chancellor shall consult with the vice chancellor for research and shall initiate an investigation and/or hearing as prescribed in Faculty Manual, Part VII and Appendix D and apply sanctions as determined by university policies. Such sanctions may range from administrative intervention to dismissal from employment, all in accordance with applicable university policies.

IX. Definitions

1. "Business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other legal entity organized for profit or charitable purposes. "Business" excludes University-related entities, which is inclusive of the University, and any private medical practice or any other entity controlled by, controlling, or under common control with the University or with which the University has a contractual relationship for the purpose of providing patient care.
 2. "Executive Position" refers to any position that includes responsibilities for a material segment of the operation or management of a business, including Board membership .
 3. The " Immediate Family" of a faculty or EPA non-faculty employee includes his or her spouse, dependent children and/or other dependent(s) as defined in the Internal Revenue Code.
 4. "Significant Financial Interest" means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights, license agreements, and royalties from such rights). The term does not include:
 - (1) Salary, royalties, or other remuneration from East Carolina University to its faculty or staff;
 - (2) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
 - (3) Income from service on advisory committees or review panels for public or nonprofit entities;
 - (4) An equity interest that when aggregated for the faculty/staff and the faculty/staff's immediate family, meets both of the following tests: Does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity;
 - (5) Salary, royalties or other payments that when aggregated for the faculty/staff and the faculty/staff's immediate family over the next twelve months, are not expected to exceed \$10,000 from any one source.
 - (6) Mutual, pension, investment or other funds over which the employee or the University does not exercise direct control.
 5. "Participate" means to be part of the described activity in any capacity, including but not limited to serving as the principal investigator, co-investigator, research collaborator or provider of direct patient care. The term is not intended to apply to individuals who provide primarily technical support or who are purely advisory, with no direct access to the data (e.g., control over its collection or analysis) or, in the case of clinical research, to the trial participants, unless they are in a position to influence the study's results or have privileged information as to the outcome.
 6. "Sponsored Programs" means research, public service, training and instructional projects involving funds, materials, or other compensation from outside sources under grants, contracts, or cooperative agreements.
 7. "Technology" means any process, method, product, compound, drug, device, or any diagnostic, medical, or surgical procedure developed using University time, facilities, equipment, or funds whether intended for commercial use or not.
-

Example Form A

Year _____

EAST CAROLINA UNIVERSITY
ANNUAL FACULTY/PROFESSIONAL STAFF DISCLOSURE FORM
OF POTENTIAL CONFLICT OF COMMITMENT OR INTEREST ACTIVITIES OR RELATIONSHIPS

Completion of the following questions and associated report forms are required of all faculty and other EPA employees for compliance with the University Conflict of Interest & Commitment Policies.

This conflict evaluation form contains information that may have a direct bearing on your employment, and completing and filing this form is a condition of your employment. The form, therefore, will be included in your personnel file. As a part of the personnel file, the form will be considered strictly confidential. The information disclosed in the form is available only to individuals duly charged with the responsibility for review, and the information may be released only in accordance with and as required by North Carolina law or lawful court order.

Name _____ Title & Rank _____
Dept./Unit _____ Campus Address & Tel. _____

If the answer to any of Questions 1 to 6 is YES then complete the form: REPORT OF ACTIVITIES AND RELATIONSHIPS WITH ENTERPRISES SPONSORING UNIVERSITY ACTIVITIES OR DOING BUSINESS WITH THE UNIVERSITY

1. Are you or a member of your immediate family on the Board of Directors or any Advisory Board of an enterprise that sponsors research, outreach, extension, testing, or service projects at the University in which you are a participant or with which the University has a license agreement relating to an invention or software where you are an inventor or author?

___YES ___NO

2. Are you or a member of your immediate family an employee or serving in an executive position of an enterprise: a) that sponsors research, outreach, extension, testing, or service projects in which you are a participant; b) with which the University has a license agreement relating to an invention or software where you are an inventor or author; or c) engaged in commercial activities related to your University responsibilities?

___YES ___NO

3. Do you or a member of your immediate family have an ownership/equity interest/expectancy or other significant financial interest in an enterprise: a) that sponsors research, outreach, extension, testing or service projects; b) with which the University has a license agreement relating to an invention or software where you are an inventor or author; or c) engaged in commercial activities related to your University responsibilities?

___YES ___NO

4. Are you or a member of your immediate family engaged in external professional activities for pay or an employee of, or otherwise receiving compensation or gratuities from, an enterprise that sponsors research, outreach, extension, testing, or service projects in which you are a participant or with which the University has a license agreement relating to an invention or software where you are an inventor or author?

___YES ___NO

5. Do you supervise, select, or evaluate services provided to the University by an enterprise or do you refer University business to an enterprise in which you or a member of your immediate family have an ownership or other significant financial interest?

___YES ___NO

6. Do you participate in University clinical research on a technology developed by you or a member of your immediate family?

___YES ___NO

If the answer to any one of the Questions 7 - 8 is YES, then complete the form: REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO STUDENTS' ACTIVITIES WITH EXTERNAL ENTERPRISES

7. Do you supervise any students or University personnel who work for an enterprise in which you are on the board of directors, an officer, have ownership interest, or are employed by for external professional activities for pay?

___YES ___NO

8. Do you employ or supervise any students or University personnel in your external professional activities or pay or in an enterprise in which you hold ownership/equity interest/expectancy?

___YES ___NO

If the answer to Question 9 or 10 is YES, then complete the form : REPORT OF CONFLICTS OF INTEREST RELATED TO TEACHING AND OWNERSHIP OF INTELLECTUAL PROPERTY

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Are you or a member of your immediate family the author of a textbook, course pack, lab manual or other material for which you or your immediate family member receives royalties or other compensation from sources other than the University, that is required for any class that you teach?

☐ YES ☐ NO

10. Is there any intellectual property (i.e., patent, trademark, copyright, or trade secret) owned by you which is used or licensed for use by the University?

☐ YES ☐ NO

ACKNOWLEDGMENT

I hereby acknowledge that I have read and understand the Policy on Conflicts of Interest and Commitment and that the aforementioned facts and situations indicate all potential conflicts of interest and commitment with regard to my position at East Carolina University according to the standards and guidelines of the Policy. If I have none, I have so indicated in the spaces provided.

I acknowledge that I have a continuing obligation to file an updated form prior to filing the next annual report if changes arise that I believe either: (a) give rise to a potential conflict of interest, or (b) eliminate a conflict previously described.

Signed this day of _____, 19____ Signature

ADMINISTRATIVE REVIEW AND APPROVAL

To the best of my knowledge and judgment and according to the standards and guidelines of the Policy:

☐ No actual or potential conflict of interest or commitment exists.

☐ An actual or potential conflict of interest or commitment may exist, but does not appear to be significant.
(Attach explanation.)

☐ An actual or potential conflict of interest or commitment may exist that warrants further review

Dept. Chair/Supervisor

Date

Dean/Senior Supervisor

Date

(If Approval Is Required According to the Policy)

Vice Chancellor

Date

(If applicable)

Example Form B

**REPORT OF ACTIVITIES AND RELATIONSHIPS WITH ENTERPRISES SPONSORING
UNIVERSITY ACTIVITIES OR DOING BUSINESS WITH THE UNIVERSITY**

Faculty responding affirmatively to one or more of Questions 1-6 on the Annual Faculty Report of Potential Conflict of Interest Activities or Relationships form must complete the reporting process by providing the information requested below. If additional space is needed attach separate sheets labeled "REPORT OF ACTIVITIES AND RELATIONSHIPS WITH ENTERPRISES SPONSORING UNIVERSITY ACTIVITIES OR DOING BUSINESS WITH THE UNIVERSITY Continued" and note the answer number for which additional information is provided. A separate form should be used to report relationships with each enterprise or corporation.

Employee Name

Department

College/School

Reporting Period

If reporting for an immediate family member, give his or her name and relationship.

Enterprise/Corporation Name

Complete Address

Principal Business of Enterprise/Corporation

Do any of your University activities sponsored by this enterprise involve technology developed at the University and which is now owned by or contractually obligated to this enterprise?

☐ YES ☐ NO If YES, respond to item #7.

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Complete the following (2-4) if you answered YES to Questions 1,2,3 or 4 on the Annual Faculty Report Form.

2. Type of board, board committee, executive position, or other employed relationship held by you or your immediate family member.

3. Describe the responsibilities of this employed relationship.

4a. Describe the University activities funded by this enterprise/corporation in which you are a participant.

4b. Describe the invention and/or software which is licensed or the enterprise and how it relates to your work for the enterprise and for the University.

4c. Specify the type of funding, gifts, gratuities, consulting fees, royalties or other compensation (direct or deferred) received by you or your immediate family member (other than occasional meals, complementary copies of textbooks, etc.) from the enterprise or corporation during the last 12 months.

Complete the following if you answered YES to Questions 3 or 5 on the Annual Faculty Report Form.

5. If you answered YES to Q3, complete the following and respond to item #7.

a. Describe the nature of your financial interest in the enterprise or corporation.

b. If you have an ownership interest, is it less than \$10,000 per annum of equity, salary, fees or other continuing payments or which represents 5% or less ownership interest for any one enterprise or entity when aggregated for the investigator and his/her immediate family. (See complete definition for significant financial interest, Section VIII., subsection 4.)

c. What is the duration of the sponsored research, outreach extension, testing or service?

6. If you answered YES to Q5, complete the following and respond to item #7.

a. Describe the University Position you hold in which you supervise, select or evaluate services provided to the University by the enterprise or corporation.

b. List the services involved.

c. Does the enterprise or corporation compete with services provided by the University?

_____ YES _____ NO If YES, describe these services.

7. Provide a discussion of the activities and actions or safeguards you will take to prevent your activities from affecting your objectivity as a University employee or will otherwise protect the University's interest, if you answered yes to Question 3, 5 or 6 on the annual report form.

SIGNATURES:

I certify that all of the above information is correct and that I will update this information promptly as changes occur.

Employee Signature

Date

Reviewed by:

Department Head

Dean

Example Form C

REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO
STUDENTS' ACTIVITIES WITH EXTERNAL ENTERPRISES

Faculty responding affirmatively to one or more of Questions 7-8 on the Annual Faculty Report of Potential Conflict of Interest Activities or Relationships form must complete the disclosure process by providing the information requested below. If additional space is needed attach separate sheets labeled "REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO STUDENTS' ACTIVITIES WITH EXTERNAL ENTERPRISES Continued" and note the answer number for which additional information is provided. A separate form should be used to report relationships with each enterprise or corporation.

Employee Name Department College/School Reporting Period

If reporting for an immediate family member, give his or her name and relationship.

Enterprise/Corporation Name Complete Address

Principal Business of Enterprise/Corporation

Complete ITEMS 1-3 if you answered YES to Question 7 on the Annual Faculty Report Form.

1. Describe the number and levels of the students involved, your relationship with the enterprise, and how this relationship involved the students.
2. Describe the nature of the relationship of this enterprise with the University.
3. Discuss the actions or safeguards you will take to prevent your relationship with this enterprise from affecting your responsibilities as a University employee for supervising these students.

Complete ITEMS 4-5 if you answered YES to Question 8 on the Annual Faculty Report Form.

4. Describe the numbers of students, their status and the nature and scope of the duties for which they are employed.
5. Discuss the actions or safeguards you will take to prevent your relationship with this enterprise from affecting your responsibilities as a University employee for supervising these students.

SIGNATURES:

I certify that all of the above information is correct and that I will update this information promptly as changes occur.

Employee Signature Date

Reviewed by:

Approved by:

Department Head Date

Dean Date

Example Form D
REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO
TEACHING AND OWNERSHIP OF INTELLECTUAL PROPERTY

Provide the following information and discussion pertaining to Questions 9 or 10 answered with a YES on the Annual Faculty Report of Potential Conflict of Interest Activities or Relationships Form. If additional space is needed for listing multiple entities or information, attach separate pages labeled "REPORT OF POTENTIAL CONFLICTS OF INTEREST RELATED TO TEACHING AND OWNERSHIP OF INTELLECTUAL PROPERTY Continued" and noting the answer number for which additional information is provided.

Employee Name	Department	College/School	Reporting Period
---------------	------------	----------------	------------------

If you answer YES to Question 9 on the Annual Faculty Report, provide the information requested by items 1-3. Here textbook refers to any textbook, course pack, lab manual, or other course material required for a class that you teach and is authored by you or a member of your immediate family.

1. Textbook title or nature of specific course material:
2. List the course (number and title) for which this textbook is required:
3. Describe the process used and the basis by which this textbook was chosen for this course instead of other comparable textbooks or materials.

If you answered YES to Question 10 on the Annual Faculty Report, provide the information requested in items 4-6.

4. Describe the intellectual property owned by you that is used by the University.
5. How is this intellectual property selected for use by the University?
6. Do you receive any compensation of any type whatsoever as a result of the use of such intellectual property by the University?
7. Does the University's use of this intellectual property affect or potentially affect your objectivity as a University employee?
____ YES ____ NO. Why or why not?

If your answer is YES above, then explain what safeguards exist.

SIGNATURES:

I certify that all of the above information is correct and that I will update this information promptly as changes occur.

Employee Signature: _____	Date _____
---------------------------	------------

Reviewed by: _____	Approved by: _____
Department Chair _____	Dean _____
Date _____	Date _____

Example Form E

NOTICE OF INTENT TO ENGAGE IN EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY

Date _____

_____ (name), a full-time employee, intends to engage in external professional activity for pay under the following conditions:

1. Name and address of contracting organization:

2. Nature of proposed activity:

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

Beginning date and anticipated duration of activity:

4. On average, how many hours per week will be devoted to this activity?

- a. For 12-month employees, for the anticipated duration of the activity, within the current fiscal year ending June 30:
- b. For 9-month employees, for each component part of the academic year, as applicable, within the current fiscal year ending June 30 (see Policy section 3.b.):
 - (1) Second summer session (post July 1) _____
 - (2) Fall semester _____
 - (3) Spring semester _____
 - (4) First summer session (pre July 1) _____

5. Total number of hours to be devoted to activity:

6. Identify any classes, meetings or other University duties that will be missed because of involvement in the proposed activity (respond separately for each applicable component part of the academic calendar if 9 month employee) and state what arrangements have been made to cover any such duties:

Duties Missed	Arrangements to Cover
_____	_____
_____	_____
_____	_____

7. Use of University resources in connection with proposed activity:

- a. Will the activity entail the use of any University resources (see discussion at section 2.e. of Policy - UNC General Administration Policy Statement on External Professional Activities of Faculty and Other Professional Staff (1993))?
() Yes () No
- b. If yes, describe what resources will be used.

8. To your knowledge, does the contracting organization above provide funding which directly supports any of your University duties or activities? () Yes () No

9. To be completed if the contracting organization is a private firm:

- a. Do you or any member of your immediate family own an equity interest in the contracting organization?
() Yes () No
- b. Do you hold an office in the contracting organization?
() Yes () No

10. Performance of the above described activity is consistent with the Board of Governors Policy on External Professional Activities.

Signature: _____

Department _____

Academic Rank or Job Title _____

Administrative Title (if any) _____

Faculty Senate Agenda
April 23, 2002
Attachment 4. (continued)

ACTIVITY DURING PAST FISCAL YEAR

Provide the following information for each External Professional Activity for Pay in which you engaged during the last fiscal year preceding the date of filing of this "Notice of Intent".

1. Contracting organization:
2. Beginning and ending date of activity (if complete):
3. Average hours per week devoted to this activity:
4. Total number of hours devoted to this activity:
5. Nature of Professional Activity:
6. Date Notice of Intent was filed:

ADMINISTRATIVE ACTION ON NOTICE OF INTENT

1. Reviewed activity determined to be consistent with University policy.

_____ Date	_____ Department Head
Other action (as required):	
_____ Date	_____ Dean or Other Administrative Officer *

*Approval by dean or other administrative officer to whom department head reports is required if question 8 or question 9.a. or 9.b. is answered in the affirmative.

2. Reviewed activity determined not to be consistent with University policy.

_____ Date	_____ Department Head
Action on appeal (if any):	
_____ Date	_____ Action taken
	_____ Dean or Other Administrative Officer
_____ Date	_____ Action taken
	_____ Chancellor

Any administrative action approving a "Notice of Intent" shall be effective only for the remaining balance of the fiscal year (in the case of 12-month employees) or for the balance of the academic year (for 9-month employees); see UNC General Administrative Policy Statement on External Professional Activities of Faculty and Other Professional Staff (1993) Section 3.b.

FACULTY GOVERNANCE COMMITTEE REPORT

Proposed Revision to the *ECU Faculty Manual*, Part VII. Research Information

The Faculty Governance Committee proposes a revision to the *ECU Faculty Manual*, Part VII. Section II.G. Copyright Procedures, by revising Section II. to read "Patent Procedures" and a new Section III. be added to read "Copyright Procedures". All other sections will be renumbered. The new Part VII. Section III. will include the following text noted below.

(The current text is available at: <http://www.ecu.edu/fsonline/FacultyManual2/Part-7/Part-7.pdf>)

(The interim procedures are available at: http://www.research2.ecu.edu/ott/docs/copy_pro.pdf)

A Comparison Between the "Interim Operational Procedures for Implementation of Faculty Manual, Part VII, Section II (Copyrights) –revised March 23, 2000" and the new proposed ECU Copyright Policy noted below.

- The Proposed ECU Copyright Policy specifically references EPA non-faculty members and makes it clear that their ownership rights are the same as faculty members' rights;
- The Proposed ECU Copyright Policy defines *exceptional use of university resources* and *derivative works* (and specifically addresses the commercialization of classroom notes by students);
- The "Interim Operational Procedures for Implementation of Faculty Manual, Part VII, Section II (Copyrights)—revised March 23, 2000" provided more educational information, particularly regarding fair use. The Task Force created by Office of the President is currently refining primers and a fair use worksheet that should adequately serve this same purpose;
- The Proposed ECU Copyright Policy introduces several administrative functions to include the establishment of the following:
 - A stand-alone copyright committee with faculty representatives (see "Composition of Copyright Committee");
 - A copyright management officer housed in the library to answer fair use questions;
 - A dispute resolution mechanism; and
 - A mechanism for the consideration of works that is both copyrightable and patentable.

Proposed ECU Copyright Policy

(For inclusion in the *ECU Faculty Manual*, Part VII. Section III.)

- I. Introduction
- II. Scope and Coverage
- III. Definitions
- IV. Use of Copyrighted Works
 - A. Appropriate Use of Copyrighted Works
 - B. Fair Use
- V. Copyright Ownership
 - A. Works by Faculty and EPA Non-Faculty Employees
 - B. Works by SPA Staff
 - C. Works by Independent Contractors
 - D. Works by Students
 - E. Joint Ownership
- VI. Administration
 - A. University Committee on Copyrights
 - B. Copyright Management Officer
 - C. Works Subject to Both Copyright and Patent Protection
 - D. Disclosure to the University Committee on Intellectual Property/Patents
- VII. Dispute Resolution
 - A. Jurisdiction
 - B. Conduct of the Hearing
 - C. Disposition

I. Introduction

East Carolina University (hereinafter referred to as "the University") has among its primary purposes teaching, research, and the expansion and dissemination of knowledge. Products of these endeavors include development and use of copyrightable materials. The creation of copyrightable materials in the form of literary, dramatic, and other intellectual works by the University community is encouraged as a measure of productivity and commitment to the dissemination of knowledge and creative activity for public benefit. It is the policy of this University that its faculty, staff, and students carry out their scholarly work in an open and free atmosphere that encourages publication without constraint, consistent with applicable laws and University policy. The Copyright Policy contained herein is consistent with the Copyright Use and Ownership Policy of the University of North Carolina, enacted by the Board of Governors on November 10, 2000.

II. Scope and Coverage

This Policy applies to the faculty, staff, and students of the University. Compliance with the terms of this Policy is a condition of employment for University faculty and staff, and of enrollment for University students. This Policy is supplemental to the Copyright Use and Ownership Policy of the University of North Carolina, and is subject to any applicable laws and regulations and to specific provisions in grants or contracts that govern rights in copyrighted works created in connection with sponsored research.

III. Definitions

Assign: The transfer of one or more of the ownership rights in a work from the copyright owner to another person or organization.

Author or Creator: Someone who originates or contributes copyrightable expression such as poetry, prose, computer programming, artwork, musical notation, recorded music, animations, video footage, web pages, architectural drawing, and photographs.

Faculty Senate Agenda
April 23, 2002
Attachment 5. (continued)

Copyright License: Written permission to use copyrighted material that is usually limited to a period of time and/or for a particular use.

Directed Works: Works that are specifically funded or created at the direction of the University, and which may or may not include exceptional use of University resources.

Derivative Works: Works based upon and substantially similar to a pre-existing work, that would infringe the pre-existing work without a license from the author of the pre-existing work.

EPA Non-Faculty Employee: Employees designated as exempt from the North Carolina State Personnel Act who hold an approved administrative or non-teaching position.

Exceptional Use of University Resources: Resources/Support provided by the University for the creation of a work that is of a degree or nature not routinely made available to University employees. An example of exceptional use would be the use of support staff for graphics design, or computer programming, that is not normally provided to University employees. Ordinary use of computers, FAX machines, laboratory space, libraries, office space or equipment, secretarial services at routine levels, telephones, and other informational resources, such as the virtual reality system or other special computing equipment, shall not be considered exceptional use of University resources. Whether an individual work has been created through exceptional University resources shall be determined initially by the chair or director of the department in which the creator has principally been involved or from which he or she has received resources to fund the work, taking into account the nature and amount of resources customarily made available to faculty or staff in that department. At the time that exceptional resources are approved, the unit administrator of that particular area of research shall inform that faculty member.

Faculty: Employees designated as exempt from the North Carolina State Personnel Act (EPA Employee) who hold one of the professorial ranks of instructor, assistant professor, associate professor, or professor, or whose title is lecturer, visiting professor, adjunct professor, research associate professor, post doctoral fellow or the like.

Fair Use: A use of copyrighted material for purposes of criticism, comment, news reporting, teaching, scholarship, or research, which is not an infringement of a copyright. Fair Use is further discussed in Section IV of this document.

Publication: The public distribution of copies of a work or the original work by sale or other transfer of ownership, including rental, lease or loan.

Royalty: A payment made to the owner of a copyrightable work for use of the work.

SPA Staff: Employees designated by the North Carolina State Personnel Act who generally perform a support role for the University.

Shop Right: A non-exclusive, non-transferable, royalty-free right to use a copyrightable work for educational or research purposes.

Sponsored Work: Funds supplied under a contract, grant, or other arrangement between the University and a third party, including a sponsored research agreement.

Student: Any individual currently enrolled in the University or its extension programs in undergraduate, graduate or other academic classes. Teaching, research and graduate assistants are included for the purposes of this Copyright Policy.

Student Works: Papers, computer programs, theses, dissertations, artistic and musical works, and other creative works made by students.

Traditional or Non-Directed Works: Pedagogical, scholarly, literary, or aesthetic (artistic) works originated by faculty or EPA non-faculty employees who maintain creative control over the work.

Works for Hire: A work prepared by an employee within the scope of his or her employment or a work specifically commissioned where the contractual agreement clearly specifies the work shall be considered a work made for hire.

IV. Use of Copyrighted Works

A. Appropriate Use of Copyrighted Works

The Copyright Act of 1976, as amended (Title 17, U.S. Code), generally protects certain rights and privileges of the copyright owner to exclude others from the right to reproduce and publicly distribute, display or perform a work, as well as revise or prepare a derivative work based upon a copyrighted work, without obtaining permission. As an institution devoted to the creation, discovery and dissemination of knowledge, the University supports the responsible, good faith exercise of full fair use rights contained in the Copyright Act.

B. Fair Use

The "fair use doctrine" of the Copyright Act allows certain statutory exemptions applicable to academia, recognizing the fundamental non-profit mission of universities to advance and disseminate knowledge for public benefit.

1. Elements of Fair Use

Individuals from the University community who wish to make fair use of a copyright work must consider in advance four statutory factors:

a. Purpose and Character of the Use

The purpose and character of the use, including whether the use is of a commercial nature or for non-profit educational purposes.

b. Nature of the Work

The characteristics of the work being used, including whether it has been previously published and whether it is factual or fictional.

c. Amount of Work to be Used

The amount, substantiality and qualitative nature of the portion used in relation to the entire copyrighted work.

d. Effect on the Market

The effect of the use on the potential market for or value of the work.

2. Procedure for Making Fair Use Determinations

The University Copyright Committee, together with the Office of the University Attorney, shall issue and, as necessary, revise guidelines to assist University faculty, EPA non-faculty employees, SPA staff employees, and students in making fair use evaluations. The Chancellor shall also maintain copyright and fair use resources at the ECU libraries. The Copyright Management Officer shall advise faculty, EPA-non-faculty employees, SPA employees and students regarding fair use determinations pursuant to Section VI.B. hereinafter.

Copyright Ownership

Ownership of copyright in copyrighted works shall depend on the category of the work in question and its creator.

A. Works by Faculty and EPA Non-Faculty Employees

The ownership of traditional or non-directed works shall remain with the creator except in the following circumstances:

1. Directed Works

Ownership of directed works shall remain with the University and the creator shall retain a shop right for use of the work. Upon written agreement between the University and the creator, the University may release or transfer its rights in the work to the creator provided, however, the University maintains a shop right to use of the work. Expense reimbursement and income sharing with the University shall be considered.

2. Works Involving Exceptional Use of Institutional Resources

Ownership shall remain with the University except, upon written agreement between the University and the creator, the University may release or transfer its rights in the work to the creator provided, however, the University maintains a shop right for use of the work. Expense reimbursement and income sharing with the University shall be considered.

3. Sponsored Works Requiring the University's Ownership

Ownership shall be decided in accordance with the terms of the sponsored programs agreement with the University:

a. Institutional Ownership: In the case of institutional ownership, provided there is no conflict with a sponsored agreement, the University may:

- i. Release or transfer its right to the creator under an agreement with the creator;
- ii. Negotiate with the creator for joint ownership of the work;
- iii. Require a shop right for the University's use of the work;
- iv. Require expense reimbursement upon commercialization of the work; and/or
- v. Require income sharing upon commercialization of the work.

b. Ownership Not Addressed in Agreement: Provided the sponsored agreement does not expressly require copyright ownership by the University or a third party, ownership shall remain with the creator subject to disclosure to the University provided, however, the University shall, if practical, be assigned a shop right for use of the work.

B. Works by SPA Staff

Works for hire made by SPA staff, working within the scope of their employment, shall be owned by the University except the University may enter into a written agreement in advance to transfer copyright ownership to the SPA staff employee.

C. Works by Independent Contractors

Works developed by independent contractors shall be owned in accordance with the contract under which the work was created. The University unit entering into arrangements for work to be produced by an independent contractor shall insure that the written contract specifies institutional ownership. Any exceptions shall be approved by the appropriate Vice Chancellor or designee.

D. Works by Students

Students may produce works while carrying out activities related to their enrollment at the institution or while employed by the institution. Examples of student works are papers, computer programs, theses, dissertations, artistic works, and musical works. Copyright ownership of student works shall remain with the student except in the following circumstances:

1. Sponsored or Externally Contracted Works

Ownership shall be in accordance with Section V.A.3. of this Copyright Policy, Sponsored Works Requiring the University's Ownership, hereinabove.

2. Works for Hire

Student works created in the course of employment with the University shall be considered Works for Hire and shall be owned by the University.

3. Derivative Works

The sale or commercial use of derivative works without the express written permission of the author may violate the copyright rights of the author. Commercial exploitation of these materials (which may include faculty lectures, notes from faculty lectures, syllabi, and other course materials) without express written permission of the instructor may result in disciplinary action in accordance with University policies.

E. Joint Ownership

Copyright holders, including faculty, EPA non-faculty employees, SPA staff employees and students may enter into written joint ownership agreements with one another at their discretion, with the approval of the Chancellor or his designee.

VI. Administration

A. University Committee on Copyrights

The University Committee on Copyrights is hereby established and shall have the responsibilities as the Chancellor may specify, including but not limited to the following:

1. Monitor trends in such areas as institutional copyright use policies, changes in copyright ownership models, and guidelines for fair use information;
2. Identify areas in which policy and guideline development or revisions are required, and make recommendations to the Chancellor;
3. Cooperating with the administration to propose University policies and guidelines regarding ownership and use of copyrighted or licensed scholarly works;
4. Assist in identifying educational needs of the faculty and others related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs; and
5. Under procedures specified herein, hearing and recommending resolution of disputes involving copyright ownership.

The committee shall consist of 13 members: representatives of the student body, EPA-non-teaching employees, SPA employees, the libraries, the Office of the University Attorney, the Office of Technology Transfer, the Copyright Management Officer, the Vice Chancellor for Research and Graduate Studies or designee who shall chair the Copyright Committee, and five faculty members who will be elected by the Faculty Senate. Student representatives shall serve for one-year renewable terms. Other representatives shall serve for three-year renewable terms.

B. Copyright Management Officer

The position of Copyright Management Officer is hereby established to advise faculty, EPA-non-faculty employees, SPA employees, and students who have fair use and copyright permission questions related to University business or student works. The Copyright Management Officer's duties shall also include the following:

1. Assist in identifying educational needs of the campus community related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs;
2. Serve as a member of the University Committee on Copyrights.

C. Works Subject to Both Copyright and Patent Protection

Works subject to protection under both patent law and copyright law shall be reviewed by the Office of Technology Transfer and the University Committee on Intellectual Property/Patents. If the University elects to retain title to its patent rights, the inventor/creator shall assign copyright and patent rights to the University. The inventor/creator shall be compensated in accordance with University policy.

D. Disclosure to the University Committee on Intellectual Property/Patents

Whenever faculty, EPA non-faculty employees, SPA staff or students of the University create copyrightable material which is or may be owned by the University or a third party and which may also have commercial application, a disclosure of the existence of the material should be made, in writing, to the University Committee on Intellectual Property/Patents. The written disclosure should be made as soon as practical prior to or after creation of the work.

VII. Dispute Resolution

A. Jurisdiction

Any University faculty, EPA non-faculty employee, SPA staff employee, or student may seek resolution of a dispute regarding fair use or copyright ownership of a work governed by this Copyright Policy, including a dispute over whether use of University resources is an exceptional use, by filing a written request with the Chair of the University Committee on Copyrights, who shall appoint a 5-member panel to hear the dispute with 3 panel members being selected from the elected faculty members of the committee. Review of all matters related to copyright shall fall under the exclusive jurisdiction of the University Committee on Copyrights, subject to the normal appeal processes.

B. Conduct of the Hearing

In its discretion, the panel may elect to conduct a hearing into the matters or may make a recommendation based upon the written record, provided that all parties to the dispute are given an opportunity to present evidence and arguments in support of their respective positions. The panel will make every effort to mediate these matters prior to any hearing. Each party shall provide the other party with a copy of any written materials submitted to the panel simultaneously with submission of such materials to the panel. Any hearing will be conducted following procedures set forth in writing by the panel or promulgated by the University Committee on Copyrights. No party shall have the right to be represented by counsel before the panel, but any party may be accompanied at a panel hearing by an advisor of his or her choosing, who shall not participate in the hearing.

C. Disposition

Each panel shall report its written findings, conclusions and recommendations for disposition of the matter to the appropriate Vice Chancellor(s) on behalf of the Chancellor, within forty-five days of appointment of the panel by the Chair of the University Committee on Copyrights. The Chair of the Committee may extend the time period of such report by not more than thirty days for good and reasonable cause. Copies of such findings, conclusions, and recommendations shall be provided to all parties. Upon receipt of such findings, conclusions, and recommendations, the appropriate Vice Chancellor(s) shall issue a written decision in the matter. The decision shall be final, subject to appeal rights under The Code of the University of North Carolina.

EDUCATIONAL POLICIES AND PLANNING COMMITTEE REPORT

Report on the Proposal to Move Three Secondary Education BS Degree Programs from the College of Arts and Sciences to the School of Education

Additional supporting materials are available in the Faculty Senate office (140 Rawl Annex) and online at:

[HTTP://WWW.ECU.EDU/FSONLINE/ACADEMICCOMMITTEES/EP/APRIL2002/APRILREPORT.HTM](http://www.ecu.edu/fsonline/academiccommittees/ep/april2002/aprilreport.htm)

During the November 9th 2001 meeting of the EPPC, the committee consulted with Dr. Bob Thompson, VCAA, on the procedures to be followed in order to allow faculty input on a recommendation to move existing degree programs and their faculty from one existing academic unit to another existing academic unit. The committee concurred with the VCAA that the procedures to be followed are those contained in Appendix L of the Faculty Manual.

Note that all meetings of the EPPC are open meetings under state law. The agenda is public and is published in advance. In addition, representatives of all interested parties known to the committee were invited to attend each meeting during which the VCAA's proposal was discussed.

At its December 14th meeting, the committee initiated consideration of a proposal from the VCAA to move three education programs and their faculty from the College of Arts and Sciences to the School of Education (see Proposals for the Movement of Selected Education Programs). These following are the three programs the proposal recommends moving: the BS degree in English, Secondary Education, currently located in the Department of English, the BS degree in History, Secondary Education, currently located in the department of History, and the BS degree in Mathematics, Secondary education, currently located in the department of Mathematics. It was noted, unofficially, that the faculty in each of these three departments voted against the proposal to move their respective programs, and that their chairs and Dean did not concur with these votes. Faculty in the School of Education voted in favor of the proposal, and their Dean concurred with the vote. This information was confirmed during the process of review.

During the December 14th meeting procedural issues were decided. Three general considerations were adopted as relevant to the committee's review of the proposal: (a) the affect of the move on the overall quality of the programs, but especially as regards the impact on student learning, (b) the affect of the move on the faculty, especially as regards evaluation, reappointment, promotion, and tenure and (c) the effect of the move on the future development of the programs.

During the January 11th 2002 EPPC meeting it was decided that the committee chair should contact affected units and invite interested parties to attend a meeting on January 23rd. The purpose of the January 23rd meeting was to explain the criteria of concern to EPPC, how EPPC will proceed and how interested parties can provide input to the EPPC. A format was agreed upon as the format to be used by interested parties in presenting pro and con views on the proposed move (see the January 11th EPPC meeting minutes).

On January 23rd, 2002, the EPPC committee chair held a special meeting to inform all interested parties of the committee's criteria and of the procedures for providing input to the committee.

At its February 8th meeting the EPPC began reviewing materials submitted by interested parties in response to the proposal. (See Response to Proposal from the Department of Mathematics; Memorandum from Marilyn Sheerer, Dean of the School of Education; Department of History Report.) (The appendices to the first response from the mathematics faculty opposed to the move is not available in an electronic file. It is available for viewing in the Faculty Senate office.) The February 8th meeting was continued on February 13th and February 18th. As a consequence of the review of the materials submitted by interested parties (see the minutes of the February 8th-18th meeting), the committee drew up a list of questions for these parties (see Questionnaire to Parties Involved). The committee requested that responses to these questions be submitted by February 28th.

On March 1st the committee reviewed the responses it received to its questions and charged its members to determine if they had any remaining or new questions for the interested parties. (See Response to Committee's Questionnaire, Marilyn Sheerer, Dean of the School of Education; Response to Committee's Questionnaire, Department of Mathematics; Response to Committee's Questionnaire, Keats Sparrow, Dean of the College of Arts and Sciences; Response to Committee's Questionnaire, Department of History.)

Faculty Senate Agenda
April 23, 2002
Attachment 6. (continued)

On March 6th the EPPC met to hear a presentation made by VCAA Thompson, Dean Sparrow and Dean Sheerer supporting the proposal to move the programs. See the EPPC minutes for its meeting on March 6, 2002 for a summary of that presentation.

On March 27th the EPPC met to hear presentations made by representatives of the History and Math departments expressing opposition to the proposal to move the programs. See the EPPC minutes for its meeting on March 6, 2002 for a summary of those presentations. (See the meeting minutes and attachments Comments from the Department of Mathematics; Additional Comments from the Department of Mathematics, March 2002.) The History faculty also submitted a copy of the 2001 evaluation of its graduate program, noting items in the evaluation thought to tell against the proposal to move its education BS to the School of Education. This document is on file in the faculty Senate office.

Other material on file in the Faculty Senate office that EPPC reviewed:

1. Email between EPPC and participating parties.
2. Notes on the EPPC's initial discussion of the proposal.
3. The mission statement of the College of Arts and Sciences.
4. The mission statement of the School of Education.
5. Email from the history department chair and response from history department faculty representative.
6. Letter to Chancellor Muse from the Pitt Counts Coalition Against Racism opposing the move of the mathematics education program.
7. Email from Jeannie Boyd, Chairman of the English Department at Washington High School, opposing the move of the English education program.
8. A copy of the letter reporting the vote of the voting faculty in English department against the VCAA's proposal, and the non-concurring responses of the chair, the A&S Dean, and the VCAA.
9. A copy of the letter reporting the vote of the tenured faculty in Mathematics department against the VCAA's proposal, and the non-concurring responses of the chair, the A&S Dean, and the VCAA.
10. A copy of the letter reporting the vote of the tenured faculty in History department against the VCAA's proposal, and the non-concurring responses of the chair, the A&S Dean, and the VCAA.
11. A copy of the letter reporting the vote of the tenured faculty in School of Education, and the concurring response of the School of Education dean.
12. A copy of a letter from Darlene Houston, a non-traditional student and registered nurse who is earning a BS in English, Secondary Education, to Dean Sparrow, in which she opposed the move of the English program.
13. Materials on ECU's Interdisciplinary Ph.D. program in the Biological Sciences and ECU's Ph.D. program in Coastal Resources Management (provided to illustrate that such programs can exist and can be successful).
14. A petition signed by all twenty-three of the members of the social-studies faculty of the high schools of Pitt County who received degrees or teaching certification through the History department opposing the move of the education program in history.
15. A copy of the NCATE 2000 Unit Standards. (These were the standards used to evaluate Schools of Education for accreditation.)
16. A copy of an article from The Chronicle of Higher Education on teacher education.
17. A copy of the SOIS scores of mathematics faculty who teach math ed.

On April 8th, the EPPC met to discuss and vote on its recommendation regarding the proposal to move the three education programs. Voting separately on each program, the committee voted against the proposal to move the three education programs. The following outlines the reasons given by the committee as the basis for the committee's recommendation against the proposal:

Since an issue of significant prima-facie importance is the support issue, it is necessary to begin by noting that the committee agreed that the support issue is not part of the basis for the committee's decision. The committee based its decision on its conclusions regarding the impact of the move on the quality of the programs and associated issues exclusive of the support issue. By the "support issue" is meant the question of whether or not the ECU administration will continue to support the three education programs if they are left in the College of Arts and Sciences. In his presentation to the EPPC, Dean Sparrow explained that these three programs no longer fit the mission and culture of the college. He

Faculty Senate Agenda
April 23, 2002
Attachment 6. (continued)

oted that supporting these programs was analogous to having the college support a program of the sort currently found, for example, in the School of Social-Work. Just as it is not appropriate that the college support a social work program, so it is not appropriate that the college support the three education programs. VCAA Thompson agreed with Dean Sparrow that continuing to support the presence of the three education programs within the college was not appropriate given the present mission and culture of the college.

Given the position of the Dean of the college and the VCAA on the support issue, the EPPC had to decide whether or not this information should be taken into account in its deliberations. The committee decided that responsibility for the support issue belongs to the university administration. It was decided that the issue before the committee is what is best for the quality of the programs, on the assumption that the administration will support the programs wherever the administration decides to locate them. On this basis, EPPC set aside the support issue.

There are two other considerations that should be noted here. The committee agreed that the issue of whether or not education faculty will resign if their program is moved should not bear on the vote. The committee also agreed that it should limit its concern to the impact of the move on the quality of the undergraduate programs involved, not the existence, quality and growth of graduate programs.

What follows now are reasons accepted by the committee during the discussion at the final EPPC meeting on the proposal to move the education programs:

1. No compelling reasons were presented to the EPPC for the move. The proposal and responses from Deans Sheerer and Sparrow did not provide sufficient evidence that the quality or future development of math, history, and social studies education would be improved by moving these programs to the School of Education. The rebuttals from math and history offered substantial evidence that the present quality of these programs will be maintained best and improved if they remain in Arts and Sciences.
2. NCATE does not require that education programs be located in schools of education, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal.
3. The faculty of the three Arts and Sciences departments who voted on the proposal voted not to move their education programs.
4. All available evidence indicates that past and current students in the programs oppose the move.
5. The programs are successful, both in terms of student success and in generating grant money.
6. There are no significant problems with appointment, annual evaluation, reappointment, promotion or tenure criteria or other personnel actions for education faculty in the three college departments, contrary to what was stated or suggested in the VCAA's proposal or in information presented in defense of the proposal.
7. There is extensive contact between education faculty in the history and mathematics departments and the high schools, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal.
8. Education faculty in the mathematics department teach courses that are appropriate to the needs of secondary education teachers, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal.
9. Current national models for teacher education do not require or suggest that education programs be located in a school of education and some organizations, such as the National Science Foundation, prefer ECU's current model, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal.
10. The proposal to move the programs contradicts the College of Arts and Sciences Mission statement, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal.

Faculty Senate Agenda
April 23, 2002
Attachment 6. (continued)

11. Giving the Dean of the School of Education input on the appointment, evaluation, reappointment, promotion and tenure decisions of education faculty located outside of the School of Education can be accomplished without moving the programs, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal.
12. Many large research universities with NCATE accredited education programs locate their Mathematics, History and English education programs in the content departments, not in a School of Education, contrary to what was suggested in the VCAA's proposal or in information presented in defense of the proposal.
13. There is excellent rapport between the education faculty and the non-education faculty members in each of the three departments. The need to improve communication between the faculty in the college in the three departments who are not education faculty and the faculty in the school of education will not be met by moving the three programs, contrary to what was stated in the VCAA's proposal or in information presented in defense of the proposal. As acknowledged by the authors of both the proposal and rebuttals, an important aspect of the quality of teacher education programs is the collaboration between so-called "content experts" and "professional educators." First, one could question whether there is such a firm line dividing these groups of faculty, or whether it is helpful to consider faculty members with such categorizations. A less rigid distinction would seem to be constructive. Secondly, the collaboration between "content experts," such as mathematicians, and "professional educators," such as mathematics education experts, would logically be enhanced if these two groups of faculty are housed together, within a single department. Substantial evidence of the current existence of such collaboration was offered by the rebuttal from the mathematics department. The issue of collaboration seems to speak to the heart of any teacher education program, which consists of two main areas of focus: 1) content of the discipline, and 2) pedagogy. Since the degree programs in question are by definition a combination of these two aspects, joining the faculty members who are trained experts in the content and pedagogy of a discipline should create an ideal situation for meaningful collaborations in reviewing curricular issues and considering future development of a teacher education program, and also for fostering collaborations among faculty members in relevant research pursuits. Collaborations between faculty members of the School of Education and those in teacher education programs housed elsewhere are important and need to be fostered, but there is no reason that such collaborations can not occur within the present organizational situation.
14. The need to raise more money through obtaining grants for applied research suggests that more units should follow the model of mathematics and history. Mathematics is especially successful in obtaining grants for mathematics education research.
15. Many commentators around the country agree that secondary education teachers need degrees in the major content area. This move takes ECU even further from that goal.
16. The culture of the college that is described in the materials supporting the move is not the culture that is perceived by the faculty.
17. The suggestion in the materials supporting the move that applied research is not appropriate in the college is inconsistent with what a majority of the faculty in the college are doing.
18. Education programs previously moved from the college to the School of Education have not met with success.
19. The timing of this decision is inappropriate. The decision should not be made until after ECU has installed a Provost.

Voting separately on each BS program in Secondary Education, the EPPC voted against the VCAA's proposal to move the three education programs. The EPPC recommends to the Faculty Senate that the three BS programs in Secondary Education presently located in the departments of English, History and Mathematics remain in their current locations.

FACULTY INFORMATION TECHNOLOGY COMMITTEE REPORT
Report on the Proposed Student Computer Requirement

RECOMMENDATION

The Faculty Information Technology Committee recommends against a student computer requirement (SCR) until the problems below are addressed.

Of particular and serious concern to the committee are the effects of the recent tuition increases and the financial burden imposed by a computer requirement.

An additional concern was the number of faculty polled who stated 1) they would not alter their instruction with a computer requirement; 2) their students would not suffer if there were no computer requirement.

The FITC remains available to review these issues in the next academic year.

FINANCIAL RAMIFICATIONS

In light of impending tuition increases and the ongoing student computer fee requirement, what financial impact will this requirement have on students?

What financial aid will be available for disadvantaged students?

What financial aid will be available for students in the financial "middle" – those who are not in a position to get grants, but do not want to increase their student loan load or to be forced to work extra hours to pay for a computer?

Will this requirement have any effect on the way student computer fees are used? If so, in what way?

Is maintaining ECU's "most wired" status a justification for the additional financial burden imposed by a SCR?

ACADEMIC/PEDAGOGICAL RAMIFICATIONS

Will the requirement apply to all students, including part time and distance education students, or just full-time students?

What specific policy will be put in place for students who choose a major that requires a computer different from the one purchased in freshman year? Would it be better to require all students to purchase a computer at the time they declare a major? Could such a delay also decrease the possibility that students will graduate with dated hardware and software?

Because the student computer requirement will not be enforced, what tangible impact will it have on the educational mission of the university?

How would non-enforcement affect the stated goal of student computer literacy at graduation?

Would student ownership cause problems for faculty who couldn't depend on the current level of student access to our well-maintained and up-to-date general-purpose labs?

Faculty Senate Agenda
April 23, 2002
Attachment 7. (continued)

How would a SCR affect the overall number and distribution of on-campus computers available for student use? Faculty members are concerned that any reduction in the availability of computer lab resources would be detrimental to the educational mission of the university.

Would students be required to have Internet access in their homes? If so, what type of service will be required and at what additional cost to the students? If not, how will faculty who use the web in class assignments be assured their students will be able to complete those assignments?

Working in on-campus labs has an advantage: students interact over complex problems. What physical computer facilities will remain in place to allow non-discipline-specific, face-to-face, collaborative group work?

Many classes require specialized software and hardware currently available in campus computer labs. (Requiring students to purchase such software and hardware would be prohibitively expensive.) What steps will be taken to insure that a SCR won't reduce support of such high-end software and hardware?

Would faculty be provided sufficient support – hardware, software, training, and instructional technology consultation – to handle the suddenly increased deployment of computers on campus?

ACADEMIC AWARDS COMMITTEE REPORT
Proposed Selection Procedures for the Max Ray Joyner Award
for Faculty Service through Continuing Education

Purpose

The purpose of the Max Ray Joyner Award for Faculty Service Through Continuing Education is to honor an outstanding faculty member who has shown commitment and enthusiasm in teaching and mentoring off-campus students and who has demonstrated excellence in the delivery of courses offered through Continuing Studies, face-to-face and/or distance education. Hereafter, such classes, both distance education classes and face-to-face classes taught off-campus, will be referred to as distance education classes.

Background

The Max Ray Joyner Award for Faculty Service Through Continuing Education was first awarded in 1998 as part of East Carolina University's celebration of 50 years of service to the region through the offering of continuing education opportunities to adult learners. The award is named for Max Ray Joyner, a long time supporter and advocate of East Carolina University since his days as an adult learner who returned to school after military service and a former chair of East Carolina University's Board of Trustees. He has endowed the award and has made possible an award of \$500 annually. In addition to the monetary award, a trophy is given, and an additional \$1,000 in professional development funding will be awarded. The trophy is a smaller replica of a sculpture located in Joyner Library. This sculpture, suggesting a flame, symbolizes the spirit of education as interpreted by its designers. Three students from the School of Art—Julie Spivey, Anne Partna, and Tripp Jarvis—designed the trophy. Beginning with the 1998 award, the recipient was selected by the Continuing Education Committee based on nominations solicited from students. Beginning with the award to be given in May 2003, the award recipient will be selected by the procedures described below.

Selection Procedures

1. Each faculty unit is invited to nominate candidates for the annual Max Ray Joyner Award for Faculty Service Through Continuing Education. Each unit is to determine its own method for selecting nominees based on Faculty Senate Resolution #91-29, "Seven Characteristics of Effective Teaching", and should allow consideration of any eligible faculty member who requests consideration for nomination. No more than one nominee for each ten faculty members in the academic unit can be nominated for the award.
2. Any full-time faculty member who has taught a distance education class and who has taught at ECU for 3 or more years is eligible to be considered for a teaching award. Four years must have elapsed before a faculty member who has won this award can be considered again. Award recipients will be invited to place their portfolios and CDs in the Faculty Development Center.
3. An announcement on the upcoming call for nominees will be distributed to all faculty and unit code administrators each year by the end of spring semester. Deadlines for the submission of these materials will be specified in the call letter for nominees each year. An official call for nominees will be distributed to unit code administrators at the beginning of the fall semester. This call will include a brief statement that each unit is to determine its own method for selecting nominees. Nomination letters from the unit code administrators must be received in the Faculty Senate office no later than September 15 of each year. The nomination letter, addressed to the ad hoc Joyner Award Committee in care of the Faculty Senate office, shall include a listing of the names and departments of all nominees. Nominated faculty who wish to pursue the award shall submit the portfolio of all evaluative materials to the Faculty Senate office no later than December 1 of each year. The chair of the ad hoc Joyner Award Committee will forward format guidelines to each candidate.

Faculty Senate Agenda
April 23, 2002
Attachment 8. (continued)

4. The candidate, once nominated by the unit, shall provide the following portfolio of evaluative materials to the Ad Hoc Teaching Awards Committee:
 - A. 2-page cover letter describing his/her teaching philosophy, including efforts for effective teaching and learning in distance education,
 - B. current nomination letter from the unit code administrator,
 - C. list of all courses taught over the past 3 years via distance education, average credit/contact hours per semester, and representative samples of course outlines, tests, and teaching materials for distance education courses. Samples do not have to include all courses taught,
 - D. student evaluations for courses taught by distance education during the past 3 years, and the corresponding grade distributions for each course,
 - E. peer evaluations of distance education courses, if available, or other approved evaluation methods as listed in Faculty Senate Resolution #91-28, "Methods for Assessing Teaching Effectiveness" (attachment 2), and
 - F. three letters of support from former distance education students (not to exceed 2 double-spaced pages each). Include names, addresses, phone numbers of students, and the title and date of course attended.

Please note that finalists for the award shall provide a CD that demonstrates and summarizes their distance education classes. The technology used, community building strategies, examples of interactivity, and any other parts of the distance education classes that would be helpful to the selection committee shall be included. The Chair of the ad hoc Joyner Award Committee will contact the finalists at a later date concerning arrangements for making CDs.

The total packet of materials submitted to the ad hoc Joyner Award Committee is not to exceed 50 single-sided pages. All materials must be up-to-date, using at least a size 12-font and be double-spaced. The course materials, counted in the 50 single-sided page limit, do not have to be in a size 12-font or be double-spaced. Packets that do not follow all specified guidelines will be eliminated from consideration.

5. The ad hoc Joyner Award Committee will consist of 2 members elected from the Academic Awards Committee, 1 faculty member appointed by the Vice Chancellor for Academic Affairs, 1 faculty member appointed by the Vice Chancellor for Health Sciences, and 1 member appointed by the Division of Continuing Studies. It will be chaired by a member of the Academic Awards Committee and have at least one member who is experienced in the delivery of distance education courses. The Committee will receive the materials, which will be read by at least 3 committee members, and evaluated using the criteria in Faculty Senate Resolution #91-29 (attachment 1). The seven characteristics of effective teaching will all have equal weight.
6. The chair of the ad hoc Joyner Award Committee will contact the final pool of not more than twelve applicants. A copy of this correspondence will also be sent to the Vice Chancellor for Academic Affairs and Vice Chancellor of Health Sciences for their information.
7. The ad hoc Joyner Award Committee will evaluate the materials, including the CDs, and by scoring determine the winning candidate.
8. The name of the winning candidate will be announced during the annual teaching awards ceremony that is held at the end of the spring semester. The finalists will be publicly recognized at that time.

COMMITTEE ON COMMITTEES REPORT

Proposed additions to the Student Scholarships, Fellowships, and Financial Aid Committee Charge
(noted in **bold print**)

1. Name: Student Scholarships, Fellowships, and Financial Aid Committee
2. Membership:
7 elected faculty members.
Ex-officio members (with vote): The Chancellor or an appointed representative, the Vice Chancellor for Academic Affairs or an appointed representative, the Chair of the Faculty, one faculty senator selected by the Chair of the Faculty, and one student member from the Student Government Association.

The chair of the committee may invite resource persons as necessary to realize the committee charge. The chair of the committee may appoint such subcommittees as he or she deems necessary.
3. Quorum: 4 elected members exclusive of ex-officio.
4. Committee Responsibilities:
 - A. The committee recommends policy guidelines for granting scholarships, fellowships, and other financial aid programs.
 - B. The committee recommends recipients of specified student financial aid scholarships.
 - C. The committee recommends recipients of other specified student scholarships.**
 - D. The committee keeps up-to-date information on scholarships and fellowships available to students.
 - E. The committee reviews periodically the overall operation of the Student Financial Aid Office.
 - F. Committee members can participate in the Scholarship Weekend activities.**
5. To Whom The Committee Reports:
The committee makes its recommendations concerning policies and procedures to the Faculty Senate. The committee recommends recipients of specified student financial aid scholarships to the Director of Financial Aid. **The committee recommends recipients of other specified student scholarships to the appropriate authorities, as needed.**
6. How Often The Committee Reports:
The committee reports to the Faculty Senate at least once a year and at other times as necessary.
7. Power Of The Committee To Act Without Faculty Senate Approval:
The committee is empowered to make recommendations regarding the granting of specified student financial aid scholarships.
8. Standard Meeting Time:
The committee meeting time is scheduled for the fourth Monday of each month.

FACULTY WELFARE COMMITTEE REPORT
Resolution on Health Insurance

- Whereas, a goal for East Carolina University is to become an outstanding national university; and
- Whereas, to achieve the above goal, East Carolina University must be competitive in recruiting and retaining excellent, productive, respected faculty members;
- Whereas, the North Carolina University System is ranked in the top five systems nationally yet ranked 36th of 43 for the cost of family indemnity coverage;
- Whereas, the 2001-2002 premiums for health coverage have increased while the actual coverage has decreased and this reflects a trend that is expected to continue for the next 5-10 years;
- Whereas, the non-competitive nature of the health insurance benefits package is having a demonstrable detrimental effect on the recruitment and retention of faculty;

Therefore, be it resolved, that the Faculty Senate Welfare Committee recommends that East Carolina University investigate changes in coverage to reflect fair, equitable, and affordable family health care coverage;

Be it further resolved, that the Faculty Welfare Committee recommends that East Carolina University develop and implement strategies to improve faculty health care benefits and that the Chancellor's office educate the Board of Trustees and legislators about the impact that the lack of competitive health care benefits has on recruiting and retaining quality faculty.

NEW BUSINESS

Resolution on Mathematics Education at ECU

- Whereas, the best interests of mathematics students who are prospective and practicing teachers of mathematics (including those students in the Masters of Mathematics Education program, and the Bachelor of Science in Mathematics for the Preparation of Teachers program, as well as students in the Elementary program, the Middle Grades program and other programs with a Concentration in Mathematics) are served by a Mathematics Education Area and Programs housed in the Department of Mathematics; and
- Whereas, the Mathematics Education Area has historically been a cornerstone of the Mathematics Department; and
- Whereas, Mathematics Education at ECU is nationally regarded as top flight, with one of its programs recently being singled out for an award from the United States Department of Education for its effectiveness in preparation of good mathematics teachers; and
- Whereas, the majority of Mathematics majors are seeking the B.S. in Mathematics for the Preparation of Teachers; and
- Whereas, a high percentage of Mathematics Masters candidates will be seeking the M.A.Ed; and
- Whereas, recruitment of Mathematics Education faculty has stressed the traditional close association and professional cooperation of Mathematics and Mathematics Education and has further emphasized that Mathematics Education is housed in the Department of Mathematics; and
- Whereas, a significant factor in the decision of many present Mathematics Education faculty members in the selection of ECU as their professional residence was that Mathematics Education is housed within the Department of Mathematics and that Mathematics Education and Mathematics at ECU have traditionally enjoyed a strong and productive symbiotic relationship which was, at the time of recruitment, expected to continue – traditional arrangements which are now being called into serious question and which, if abandoned, undermine prior and recent career goals and decisions of faculty; and
- Whereas, a strong and viable Mathematics Education Area serves the best interests of the Mathematics Department and ECU; and
- Whereas, the Mathematics Department is steadfast in its conviction that Mathematics Education is an integral part of Mathematics.

Therefore Be It Resolved by the faculty of the Mathematics Department that:

- 1) The Mathematics Education Area, Faculty and programs remain housed in the Department of Mathematics.
- 2) The Mathematics Education Area and programs continue to support students in the Masters of Mathematics Education, the Bachelor of Science for Preparation of Teachers, the Elementary program, the Middle Grades program and other programs with a Concentration in Mathematics.
- 3) Any Mathematics Education faculty positions vacated by upcoming retirements or other transitions be returned to Mathematics Education in the Mathematics Department.
- 4) Those Mathematics Education faculty holding tenure-track positions be afforded fair and equitable treatment in seeking tenure in the Mathematics Department.
- 5) No relocation of the Mathematics Education Program or Faculty be effected without:
 - a. A program review conducted by an outside expert panel (e.g. the Mathematical Sciences Education Board); and
 - b. Approval by a vote of the Mathematics Department Voting Faculty; and
 - c. Approval by a vote of the Mathematics Education Voting Faculty.