

**EAST CAROLINA UNIVERSITY
2005-2006 FACULTY SENATE**

The second regular meeting of the 2005-2006 Faculty Senate will be held on **Tuesday, October 11, 2005**, at 2:10 in the Mendenhall Student Center Great Room.

FULL AGENDA

I. Call to Order

II. Approval of Minutes
September 13, 2005

III. Special Order of the Day

A. Roll Call

B. Announcements

C. Deirdre Mageean, Vice Chancellor for Research and Graduate Studies

D. Garrie Moore, Vice Chancellor for Student Life

E. Terry Holland, Director of Athletics

F. Catherine Rigsby, Chair of the Faculty

G. Tom Powell, Director of Admissions
Breakdown of the freshman class and number of home-schooled student admissions

H. Jan Tovey, Faculty Assembly Delegate
Report on the September 16, 2005, Faculty Assembly meeting.

I. Question Period

IV. Unfinished Business

Report from the Chancellor's Smoking Task Force, Bill Koch (attachment 1).

V. Report of Committees

A. Committee on Committees, Henry Ferrell

1. Nomination of regular member to the Appellate Grievance Board (attachment 2).

2. Nomination of three alternate members to the Appellate Hearing Committee (attachment 3).

B. Admission and Retention Policies Committee, Larry Seese

Proposed revision to the *ECU Undergraduate Catalog*, Section 5. Academic Regulations, relating to Class Attendance and Participation Regulations (attachment 4).

C. Faculty Governance Committee, Puri Martinez

Proposed Interpretation to the *ECU Faculty Manual*, Appendix D (attachment 5).

D. Faculty Grievance Committee, Gene Hughes

Overview of 2004-2005 Committee Activities (attachment 6).

VI. New Business

CHANCELLOR'S SMOKING TASK FORCE REPORT

Faculty Senate Resolution #04-36

Approved by the Faculty Senate: December 7, 2004

Approved by the Chancellor: **pending the formation of a Task Force to further study the issues**

Smoking Resolution

- Whereas, Cigarette smoke contains over 4,700 chemicals, over 200 poisons, and over 50 human carcinogens; and
- Whereas, The Environmental Protection Agency has classified environmental tobacco smoke as a "Group A" Carcinogen – a substance known to cause cancer in humans; and
- Whereas, In 2004 there will be about 173,770 new cases of lung cancer in the United States: 93,110 among men and 80,660 among women.
- Whereas, In 2004 about 160,440 people will die of this disease: 91,930 men and 68,510 women; and
- Whereas, The Center for Disease Control and Prevention estimates at least 440,000 deaths attributable each year to cigarette smoking; and
- Whereas, Lung cancer kills more people than breast cancer, colorectal cancer, and prostate cancer combined; and
- Whereas, More than 20,000 nonsmokers, predominantly female, are diagnosed with Lung Cancer in the United States every year; and
- Whereas, Secondhand smoke is the third leading preventable cause of death in the United States; and
- Whereas, The five-year survival rate for someone diagnosed with Lung Cancer is 15%; and
- Whereas, Exposure to the hazards of environmental tobacco smoke can be prevented by appropriate smoking regulations.

Therefore Be it Resolved, that East Carolina University adopt a campus-wide nonsmoking policy that would prohibit smoking in high traffic areas including entrances to buildings, all exterior stairwells, stairs, stairwell landings, elevator landings, and partially enclosed corridors outside of classrooms such as those in the new Science and Technology building. Such areas should have no-smoking signs, and faculty, staff and students should be made aware of nonsmoking policies.

Be it Further Resolved, that the University designate smoking areas well away from high traffic areas with signage that states "designated smoking area".

Be It Further Resolved, that the Chancellor establish a Task Force, to include the Chair of the Faculty, the Staff Senate Chairperson, and the Student Government Association President, to work with administration to further implement this resolution.

References

Link to the Center for Disease Control and Prevention
<http://www.cdc.gov/tobacco/datahighlights/Page4.htm>

Link to the American Cancer Society
http://www.cancer.org/docroot/lrn/lrn_0.asp

Link to the Women Against Lung Cancer
<http://www.4walc.org/risk.cfm>

CHANCELLOR'S SMOKING TASK FORCE SUMMARY OF PROGRESS

Task Force Members: Craig Becker, Karen Warren, Catherine Rigsby, Kitty Wetherington, Bill Koch (Chair), Brenda Swain, Carolyn Erwin, Heather Dickson (student), Bryant Morrison (student), Kim Wilson and John Toller

Key Points:

- 1990 (?) - ECU Board of Trustees approves a policy to prohibit smoking in all ECU facilities.
- 1993 - State legislature passes a bill that allows state agencies to prohibit smoking in buildings related to health care, health education, and child care. All other facilities must provide 20% of space for separate smoking areas, except assembly areas which must only provide space in their lobby areas for smoking.
- December 2004 - Faculty Senate passed a smoking resolution recommending the Chancellor create policy that moves smoking away from high traffic areas (i.e. building entrances, exterior stairwells, etc.).
- February 2005 - Task Force created by Chancellor to provide recommendations based on Faculty Senate smoking resolution.
- Since April 2005 the Chancellor's Smoking Task Force has met and concluded the following:
 - Health Hazard: Although a non-smoker's health exposure (impact) while entering a building where smokers congregate is minimal, the carcinogenic nature of cigarette smoke and the potential for other, cumulative exposures caused the task force to agree with the resolution's basic concept of moving smoking away from buildings. Other exposures can occur through entrainment of smoke through a building's ventilation or in facilities outside the University, such as restaurants and other state buildings.
 - Policy: All requests through UNC institution attorney offices, human resource departments and smoking cessation groups have revealed no university policies. This appears to be a result of the 1993 statute. Like ECU, other UNC institutions appear to have implemented voluntary prohibitions against smoking in their buildings.
 - Enforcement: The Staff Senate expressed concerns regarding equal enforcement among faculty, staff and students. The task force discussion of this revealed that there are different disciplinary systems for faculty, staff and students. The task force concluded that compliance with any policy would difficult to accomplish and unevenly enforced. The task force believes that the University community could simply continue the culture change started in 1990. Compliance has been very good since 1990 with very little enforcement needed.
 - Based on enforcement, political and legal concerns, the task force decided that a policy would not be viable. The attorney for the Office of the President agrees that a written policy could create serious political, budgetary and legal implications for ECU. It was decided that designated areas would be established with appropriate signage and education. The designated areas would be away from high traffic areas and provide reasonable shelter from the elements. Building exit doors away from main traffic areas (avoidable by non-smokers) and with an awning or overhang may be used as designated smoking areas. The Chancellor approved this concept in a meeting with Bill Koch and Kitty Wetherington on August 25, 2005.
 - The task force is considering the creation of a working group that could oversee an educational campaign, an improved smoking cessation program and discussions with UNC institutions and the Office of the President regarding smoking policies and legislation.
- Tasks for Completion
 - Letter for Chancellor to distribute to community – Bill Koch will provide rough draft to John Toller for review.

- Draft Report – Bill Koch to draft for next meeting
- Input from Community
 - Meet with Staff Senate. John Toller will put Bill Koch on agenda for Thursday's (9/22/05) meeting
 - Meet with Faculty Senate (Executive Committee first – next Tuesday?) Bill Koch will contact Catherine for direction.
 - Other Groups – none recommended at this time
- Draft Implementation Plan
 - Task Force to draft language for signage – entrances, designated smoking areas; Bill Koch to check available signage
 - Task Force to work with Chancellor's office to send memo to campus community
 - Task Force to draft campus smoking program – procedural, not policy; provides guidance and lists responsibilities
 - Task Force to draft marketing program
 - Task Force to draft cessation program
 - EH&S to identify buildings covered by law
 - EH&S to coordinate designated smoking locations with building administrators – consider security and lighting
 - Grounds to move cigarette urns
 - Facilities Services to purchase & install signs
 - Other – The group decided that the plan should include a budget request for smoking cessation and other expenses. They also determined that timing was important and changes should be implemented over winter or spring break.
- Other Tasks: The task force believes that the process of moving toward a formal policy and improved smoking cessation/education opportunities should continue, including a discussion with other UNC institutions and Office of the President to affect changes in legislation.

COMMITTEE ON COMMITTEES REPORT

Nominee for one position on the Grievance Appellate Board

Linda Mooney, Sociology

2005/2006 GRIEVANCE APPELLATE BOARD ROSTER

REGULAR MEMBERS (with vote)

| Name | Academic / Administrative Area | Term | Office Location | Tele # |
|---------------------|--------------------------------|------|-------------------|----------|
| Jonathan Wacker | Music | 2006 | Fletcher 383 | 328-6566 |
| Punam Madhok | Art and Design | 2006 | Jenkins 1319 | 328-6262 |
| Kathleen Treole Cox | Allied Health Sciences | 2006 | Belk Annex 2 | 328-5120 |
| Patrick Pease | Geography | 2008 | Brewster A221 | 328-6624 |
| Angela Thompson | History | 2008 | Brewster A-316 | 328-1035 |
| John Crammer | Technology & Computer Science | 2008 | Sci. & Tech. C111 | 328-9690 |
| Mary Schmidt | Education | 2008 | Speight 137 | 328-1102 |

ALTERNATE MEMBERS (with vote)

| | | | | |
|-------------------|------------------------|------|----------------------|----------|
| Jeff Phipps | Theatre and Dance | 2006 | McGinnis B1 | 328-4071 |
| Judy Bernhardt | Nursing | 2006 | Rivers | 328-4300 |
| open | | 2006 | | |
| Joe Ciechalski | Education | 2008 | Ragsdale 225 | 328-4218 |
| Joseph Kalinowski | Allied Health Sciences | 2008 | Greenville Cntr 2200 | 328-9852 |

COMMITTEE ON COMMITTEES REPORT

Nominees for three alternate positions on the Hearing Committee
Anne Dickerson, Allied Health Sciences (2006 term)

David Long, History (2006 term)

Jim Kirkland, English (2008 term)

2005/2006 HEARING APPELLATE COMMITTEE ROSTER

REGULAR MEMBERS (with vote)

| Name | Academic / Administrative Area | Term | Office Location | Tele # |
|----------------|--------------------------------|------|------------------|----------|
| Richard Mauger | Geology | 2006 | Graham 201 | 328-6016 |
| Greg Lapicki | Physics | 2007 | Howell E308 | 328-6894 |
| Beth Velde | Allied Health Sciences | 2007 | AHS Trailer 306B | 328-2301 |
| Maury York | Academic Library Services | 2008 | Joyner 3300 | 328-0252 |
| Claudio Sibata | Medicine | 2008 | L. Jenkins 172A | 744-3712 |

ALTERNATE MEMBERS (with vote)

| | | | | |
|-------------------|---------------------------------|------|-------------------|----------|
| open | | 2006 | | |
| open | | 2006 | | |
| K. Gopalakrishnan | Technology and Computer Science | 2007 | Science Bldg. 114 | 328-9688 |
| Open | | 2008 | | |
| Yong Wang | Geography | 2008 | Brewster A-223 | 328-1043 |

ADMISSION AND RETENTION POLICIES COMMITTEE REPORT

Proposed revision to the *ECU Undergraduate Catalog*, Section 5. Academic Regulations, relating to Class Attendance and Participation Regulations

Replace Section 5: Class Attendance and Participation Regulations with the following:

“CLASS ATTENDANCE AND PARTICIPATION REGULATIONS

Students are expected to attend punctually all lecture and laboratory sessions and field experiences and to participate in course assignments and activities as described in the course syllabus. Absences are counted from the first class meeting, and, at the discretion of the instructor, absences because of late registration may not be automatically excused.

Each instructor shall determine the class attendance policy for each of his or her courses, as long as the instructor's policy does not conflict with university policy as described herein. The instructor's attendance policy, along with other course requirements, will be presented to the class, preferably in writing, at the first class meeting. Faculty may include class attendance as criteria in determining a student's final grade in the course. If class attendance is to affect a student's grade, then a written statement to that effect must be part of the course syllabus.

Excused absences should not lower a student's course grade, provided that the student, in a manner determined by the instructor, is able to make up the work that has been missed and is maintaining satisfactory progress in the course. If a student anticipates that he or she may miss more than 10% of class meeting time as a result of university-excused absences, the student is required to discuss this matter with the instructor at the beginning of the semester and may be advised to drop the course.

Instructors may require that students provide reasonable advanced notice of a university-excused absence, when possible. It is the student's responsibility to obtain verification of a university-excused absence by contacting the Office of the Provost or his or her designee. Requests for university-excused absences should be submitted, whenever possible, to the Office of the Provost or his or her designee at least a week prior to the scheduled absence. Requests submitted after the fact will be disapproved unless circumstances made prior approval impossible.

The death of an immediate family member or student participation in religious holidays may be considered an excused absence under university policy. Should such a circumstance occur, and the faculty member desires verification, the student should contact the Office of the Provost or his or her designee for a university-excused absence and provide documentation of the particulars.

The Student Health Service does not issue official written excuses for illness or injury except in the case of a final examination when a grade of incomplete (I) is requested by the student. Upon student request, however, the Student Health Service will confirm that the student has received medical care.

The Office of the Provost or his or her designee may authorize university excused absences for the following activities:

1. Participation in authorized activities as an official representative of the university (i.e., sporting events, delegate to regional or national meetings or conferences, participation in and necessary travel to and from university-sponsored performances);
2. Participation in other activities deemed by the Office of the Provost or his or her designee to warrant an excused absence.

Any student who feels that he or she has been treated unfairly concerning absences or has been misinformed by a faculty member regarding that instructor's absence policy shall have the right to appeal through the appropriate Dean.”

Current Text reads as follows:

"CLASS ATTENDANCE AND PARTICIPATION REGULATIONS

Students are expected to attend punctually all lecture and laboratory sessions and field experiences and participation in course assignments and activities as described in course syllabus. Absences are counted from first class meeting, and absences because of late registration will not be automatically excused. The student is held accountable for the work covered in each class meeting.

Each instructor shall determine the class attendance policy for each of his or her courses. This policy, along with other course requirements, will be presented to the class, preferably in writing, at the beginning of the semester or summer school term.

The Student Health Service does not issue official written excuses for illness or injury except in the case of a final examination when a grade of incomplete (I) is recommended. Upon request, however, the Student Health Service will confirm that the student has received medical care. If a faculty member needs additional information regarding the nature and/or scope of an illness or injury, the student must authorize the release of the information by signing a release of information form in the Student Health Service.

Instructors are expected to recognize and honor university-excused absences, i.e., treat the absence as an excused absence. Instructors may require that students provide reasonable advanced notice of a university-excused absence, when possible. If required by the instructor, verification of a university-excused absence may be obtained by the student by contacting the Office of the Provost or his or her designee.

The death of an immediate family member or student participation in religious holidays may be considered an excused absence under university policy. Should such a circumstance occur, and the faculty member desires verification, the student should contact the Office of the Provost or his or her designee for a university-excused absence and provide documentation of the particulars.

University-excused absences may be authorized by the Office of the Provost or his or her designee for activities as follows:

1. participation in authorized university activities as an official representative of the university (i.e., sporting events, delegate to regional or national meetings or conferences, participation in and necessary travel to and from university-sponsored performances);
2. participation in activities directly related to university course work and part of the course requirements; or
3. participation in other activities deemed by the Office of the Provost or his or her designee to meet the spirit of these requirements by furthering the mission and enhancing the reputation of East Carolina University.

To qualify for a university-excused absence, as in 2., above, an activity must

- be directly related to the course work;
- be of a nature that prevents it from being accomplished at a time that does not conflict with a class;
- be announced on the first day of class with complete information regarding date, time, purpose, and duration;
- be limited to one per course per term; and
- be submitted by the course instructor, through the appropriate departmental chairperson, director, or dean, to reach the Office of the Provost or his or her designee not later than one month prior to the start of the term.

Except as provided above, requests for a university-excused absence should be submitted, whenever possible, to the Office of the Provost or his or her designee at least a week prior to the scheduled absence. Requests submitted after the fact will be disapproved unless circumstances made prior approval impossible or unreasonable."

FACULTY GOVERNANCE COMMITTEE REPORT
Proposed Interpretation to the *ECU Faculty Manual*, Appendix D. Section IV.

Issue:

Can fixed-term faculty members serve on search committees?

Interpretation:

Appendix D concerns all Procedures for Initiation, Review, and Approval of Appointments, Reappointments, Promotions, and the Conferral of Permanent Tenure. Appendix D's definition of voting faculty must be used when selecting search committee members. Only voting faculty members, as defined by Appendix D may vote on the selection of a search committee. Only voting faculty members may serve on search committees.

FACULTY GRIEVANCE COMMITTEE REPORT
 Overview of 2004-2005 Committee Activities

Number of Grievants in Grievance Process for Academic Year 2004-2005
 (April 31, 2004 through May 1, 2005)

| | Time in Step | | | |
|-----------------|---------------------|----------------|------------------|------------------------|
| | Less than One Month | One-Two Months | Two-Three Months | More than Three Months |
| <u>Step One</u> | 0 | 0 | 0 | 0 |

Number of Grievances Filed (Completed Step One) by:

Fixed Term Faculty 0 Probationary Faculty 0 Tenured Faculty 3

| | | | | |
|-------------------|---|---|---|---|
| <u>Step Two</u> | 0 | 0 | 0 | 1 |
| <u>Step Three</u> | 1 | 0 | 0 | 0 |
| <u>Step Four</u> | 0 | 0 | 0 | 0 |

Step Five Hearing

Scheduled for Hearing 1 Hearings Completed 2 In Report Stages 0 Reports Issued 2

Reports Issued in Favor of
 Grievant 0 Respondent 0 Both Grievant and Respondent 2

Number Appealed to Chancellor 0 Reports Issued by Chancellor 2

Number at Faculty Governance 0

Reports at Rewrite or Reissued by Faculty Governance Committee 0

Number Successful at Mediation 0 Number Successful at Chancellor Review n/a

Number Terminated by Grievant 0 Number Terminated by Committee 0