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**EAST CAROLINA UNIVERSITY
FACULTY SENATE
FULL MINUTES OF APRIL 18, 2006**

The eighth regular meeting of the 2005-2006 Faculty Senate was held on Tuesday, April 18, 2006, in the Mendenhall Student Center, Great Room.

Agenda Item I. Call to Order

Catherine Rigsby (Geology), Chair of the Faculty, called the meeting to order at 12:30 p.m.

Agenda Item II. Approval of Minutes

The March 21, 2006 and March 28, 2006 meeting minutes were approved as presented.

Agenda Item III. Special Order of the Day

A. Roll Call

Senator absent was: Professor Warren (Education).

Alternates present were: Professors Wolfe for Avenarius (Anthropology), Tedesco for Deena (English), and Coddington for Ciesielski (Technology and Computer Science).

B. Announcements

1. Special thanks were extended to Chancellor Steve Ballard for covering the cost of lunch and for all of the refreshments throughout the year for the Faculty Senate meetings.
2. Faculty members are reminded that very soon Chancellor Ballard would call for candidates for the prestigious 2006/2007 Oliver Max Gardner award. A copy of the University's nomination procedures is available at:
<http://www.ecu.edu/cs-acad/fsonline/customcf/committee/aa/maxgardneraward.doc>
3. A preliminary call for nominations for the *Board of Governors Award for Excellence in Teaching*, *Board of Governors Distinguished Professor for Teaching Award*, *Alumni Award for Outstanding Teaching*, and *University Award for Outstanding Teaching* has been distributed. Nomination materials will be due September 1 and portfolios due November 1. Information on the different award nominating procedures is available at
<http://www.ecu.edu/cs-acad/fsonline/aa/academicawards.cfm>.
4. There is no longer a curriculum submission deadline for inclusion in the official ECU catalog. Please direct any questions to members of the University Curriculum Committee at cuc@mail.ecu.edu. Faculty are reminded that the official ECU catalog is the on-line catalog and available online at <http://www.ecu.edu/cs-acad/aa/SrchCatalog.cfm>.
5. Faculty interested in periodically receiving issues of *The Chronicle of Higher Education* are asked to call the Faculty Senate office at 328-6537 and place their name on a list for distribution.
6. The following people have been asked by Provost Jim Smith to serve on the ECU Child Care Facility Committee: Bruce Flye (Chair/Administration and Finance), Rick Niswander (Business), Scott Buck (Administration and Finance), John Toller (Human Resources), Mark Sprague (Physics), Nancy Lee (Child Development and Family Relations), and Lessie Bass (Social Work). The charge of the Committee will be to meet to discuss and gather information relevant to possibilities for child care for ECU employees.
7. The Educational Policies and Planning Committee recommended to Chancellor Ballard on April 10, 2006, the approval of the Notification of Intent to Plan a DDS degree program.

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Following the announcements, Chair Rigsby requested a moment of silence in memory of those faculty members and administrators who had passed away during the year which included:

Linda J. Allred (Psychology)

Deana L. Astle (Academic Library Services)

William D. Bulloch (retired, Physics, Astronomy, and Mathematics)

Mary B. Eron (Mathematics)

Chia-yu Li (Chemistry)

James L. White (retired, Education)

Gay Wilentz (English)

Chair Rigsby asked for a motion to consider Unfinished Business first. Then to address Special Order of the Day at 2:30 and Report of Committees at 4:30. The motion was made and approved.

Agenda Item IV. Unfinished Business

Faculty Governance Committee, Puri Martinez

Discussion on proposed revisions to the *ECU Faculty Manual, Appendix D. Tenure and Promotion Policies and Procedures* began with the proposed amendment (proposed by Ken Wilson, Sociology) as follows:

“Amend Section IV.E.1. (2nd paragraph) to read: “A quorum is defined as three quarters of the membership for a committee that has twenty or fewer members; and a quorum is defined as two thirds of the membership for a committee that has more than twenty members. A list of all committee members who were absent during a vote on a personnel action will be forwarded with the recommendation. The committee may develop policies to designate certain absences as excused absences. Absences should be considered in annual evaluations.”

Brown (Psychology) offered a friendly amendment to change the second sentence to read: “A list of all committee members who were absent during a vote on a personnel action will be forwarded to the unit administrator.”

McMillen (Medicine) spoke against the motion as he did not see the advantage of sending this list. What is its purpose other than to flog faculty into attending the meeting. Chairperson Rigsby stated that when a person is not there this is considered a no vote and asked if Faculty Governance could address this issue. Edson Justiniano (Physics, member of the Faculty Governance Committee) stated that the governance committee was worried that providing a list would reveal the vote count. The recommendation was not to do this. He stated that such a list would lead to problems in keeping vote results a secret.

Following discussion, the amendment to Professor Wilson’s motion was approved and Chairperson Rigsby reread the amendment for discussion.

Tovey (English) offered a friendly amendment to the first sentence to read “... and a quorum is defined as a majority (50% plus one) of the membership for a committee that has more than twenty members.” There was no discussion and the friendly amendment to Professor Wilson’s original motion was accepted.

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Brown (Education) offered an editorial revision to include "Unexcused" in the last sentence to read: "Unexcused absences should be considered in annual evaluations." This was accepted by the body as editorial.

Cope (Psychology) asked does an excused and/or an unexcused absence count as a no vote. Martinez answered that the motion would serve well for those who have excused absences but it could still be used against the candidate.

Sprague (Physics) moved to replace "(50% plus one)" with "...as a majority, defined as 50% plus one, of the membership for a committee that has more than twenty members." This was also accepted by the body as editorial.

Following discussion, the proposed revision to Section IV.E.1. was approved as amended and reads as follows: "A quorum is defined as three quarters of the membership for a committee that has twenty or fewer members; and a quorum is defined as a majority, defined as 50% plus one, of the membership for a committee that has more than twenty members. A list of all committee members who were absent during a vote on a personnel action will be forwarded to the unit administrator. The committee may develop policies to designate certain absences as excused absences. Unexcused absences should be considered in annual evaluations."

Puri Martinez (Foreign Languages and Literatures), Chair of the Faculty Governance Committee, noted that due to the recently approved revisions to Part XII of the *ECU Faculty Manual*, additional wording was necessary to Section IV.F.

Brown (Psychology) moved to add the following text to Section IV.F. to coincide with the new Part XII. fo the *ECU Faculty Manual*: "The notification letter from the Tenure Committee and the notification letter from the unit administrator shall contain (a) the cumulative evaluation of the candidate's teaching, research and service, and any other relevant duties, in accordance with section B.3. Recommendations for Tenure of Part XII. Personnel Action Dossier of the *ECU Faculty Manual* and (b) the statement that the candidate has four working days from the date of the notification letter to include a response to the cumulative evaluation, in accordance with section D. Supporting Materials of Part XII. Personnel Action Dossier."

Wilson (Sociology) asked are the candidates notified of the letter that the tenure committee has to write. Martinez stated yes.

Niswander (Business) asked if there were any conflicts in what was being added. Martinez responded no. Long (History) asked what constituted proof of notification. Rigsby stated these is no conflict here with any other section which refers to proof of notification. Long stated that what proof do we have that notification has taken place. Rigsby responded that we have many other instances like this without proof. She stated that the letter is the proof and this has worked fine in the past. The candidate can always file a grievance if they did not get the letter.

Following discussion, the proposed addition to Section IV.F. was approved.

McMillen (Medicine) asked, in reference to Section V.B.1. who would train members of the Hearing Committee. Taggart (Music) stated we could provide a handbook for training faculty members .

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Rigsby noted that we are not sure of this yet. It is a problem we are trying to work out. Martinez stated that all members of the committee should receive training.

Horst (Music) asked why "sexual orientation" and "University Equal Employment Opportunity" were missing from Section V.B.2. Rigsby stated that Section 604B was included here in part and that references to those items did not go against 604B. Taggart (Music) stated that we are all right here as other issues are covered in other sections.

Sprague (Physics) moved to add "states in part" to Section IV.B.2., second paragraph to clarify this issue. Wilson (Sociology) asked for clarification on sexual orientation being a reason. Martinez stated that when this section was written the decision for a hearing was based on 604B. We decide as a faculty what were the reasons for a hearing. We could add that "the decision violated the University's Equal Employment Opportunity Policy".

Following discussion, McMillen (Medicine) stated that the proposed "states in part" was not necessary. Sprague (Physics) withdrew his motion.

Horst (Music) moved to revise the first sentence under Section IV.B.2. to read: "The basis for a request for a hearing must be found in one or more of the following reasons: (a) the decision was based on any ground stated to be impermissible in Section 604B of The Code of The University of North Carolina; (b) the decision violated the University's Equal Employment Opportunity policy; (c) the decision was attended by a material procedural irregularity." Taggart (Music) stated that 604B contains all the necessary criteria.

Niswander (Business) stated that UNCC says that we can do things and our code says we can do things but we need to make sure we are in compliance with the UNCC. Rigsby stated that this is the exact language from the UNCC. Wilson (Sociology) stated that if Chapel Hill put in "material procedural irregularity" and we want it, we should too.

Robbins (Biology) asked for a point of order. He stated that the Senate should only be discussing changes proposed by the Faculty Governance Committee and not any new text. Horst (Music) withdrew her motion. Chairperson Rigsby reminded everyone that only those areas changed could be amended.

Robinson (Mathematics) moved to add a new paragraph under Section IV.B.2. to read "In addition, the University Equal Employment Opportunity policy prohibits employment discrimination based on sexual orientation." Given (Foreign Languages and Literatures) spoke in favor of the amendment. Sprague (Physics) suggested a friendly amendment to make Robinson wording into a new paragraph. Dobbs (Medicine) stated that adding the wording does not solve the problem.

Following discussion, the proposed new paragraph under Section IV.B.2. was approved as presented.

Wilson (Sociology) asked if a fixed-term person is hired and they do not show, do they still get paid? Martinez responded no they would not.

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Long (History) discussed his concerns about University Attorneys' involvement in appellate hearings as referenced in Section V.B.1. He spoke against the change as there is a conflict of interest. How can you advise the respondents in an appeal hearing and advise the committee as well? How can you have loyalty to serve different clients?

University Attorney Paul Zigas responded by stating that UNC policy states that it is acceptable policy to council both groups. We are very sensitive on how we implement this process. He spoke of the process of fire walls.

Gilliland (Medicine) stated that she works with attorneys a lot and sees fire walls as effective. The attorneys have fire walls in their heads. Yalcin (Philosophy) responded that we are not talking psychological capabilities. It is a point of ethics not to represent both.

Rose (Nursing) stated can we keep things separate. Taggart (Music) stated this addition is in reference to when the Due Process Committee asks for council from the University attorney.

Zigas noted we are very strict about observing fire walls. Rigsby asked did the Hearing Committee meet with Governance about conflict issues. Martinez stated the Hearing Committee and Governance did meet to come with these suggestions. They made sure that fire walls were addressed in Appendix D.

Robinson (Mathematics) stated that the University Attorneys' job was to shield the University from legal liability and that there is a conflict of interest in this section. He then moved to strike the paragraph in Section V.B.1. that reads: "The committee may at any time consult with an attorney in the office of the University Attorney who is not presently nor previously substantively involved in the matter giving rise to the hearing, nor will advise the University administrator(s) following the committee action(s). (See *Part VIII, Responsibilities of Administrative Officers.*)"

Brown (Psychology) spoke against the motion stating the Office of the University Attorney 's job is to give council to all and that the word "may" gives the committee the option to consult or not. Long (History) spoke for the amendment and stated that this is fine until it is you or a colleague and the University Office of the Attorney has access to your personnel file. He has never read where a fire wall can adequately cover the Office of the Attorney. The attorney cannot advise two different parties in a proceeding. May consult does not matter. This is wrong.

Eason (Nursing) spoke against the motion, noting that as it stands the committee should have the privilege to utilize the University Attorneys' office if necessary. McMillen (Medicine) spoke against the motion and asked that when the committee has a procedural question who is the best person to answer the inquiry? An out side attorney could not come up to speed very quickly and this would be costly. Martinez agrees with McMillen.

Taggart (Music) states we are talking about the Due Process Committee, which deals with the lowering of rank. Attorneys at this point are most likely already in service. It is very important for the committee to be able to speak with the University Attorney. He reiterates again that this is the Due Process Committee.

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Gilliland (Medicine) stated that this is a fairly narrow issue. It is not a matter of taking sides for or against the person in question but making sure we have dotted all the I's and crossed all the T's. It is not for the attorney to decide but for the committee to decide. She spoke against the motion.

Following discussion, the motion to strike a paragraph in Section V.B.1. failed.

Winstead (Academic Library Services) stated that she had a faculty member inquiring as to Faculty Senate Resolution #99-10. Martinez noted that Professor Ralph Scott's concern on this matter had already been addressed by the Faculty Governance Committee.

At this point all of the section had been reviewed and Chairperson Rigsby asked for a motion to accept the document. However further discussion continued.

Taggart (Music) made a motion to consider a new revisions to Section IV.A.c.10. to read: "The unit Personnel Committee may, at its discretion, appoint a search committee to fulfill the responsibilities of soliciting and screening applicants and recommending to the unit's Personnel Committee candidates for initial appointments. For initial appointments for tenured and tenure track faculty, at least two-thirds of the membership of the search committee must consist of voting faculty either from the unit conducting the search or from units whose members would provide expertise useful for a successful search. At the discretion of the unit Personnel Committee, additional members may consist of fixed-term faculty, staff and/or students invited to participate on the search committee in an advisory capacity without vote. For initial appointments of fixed-term faculty, a majority of the membership of the search committee must consist of voting faculty. The remaining members of the committee may be fixed-term faculty (with vote) and/or staff and students without vote." Taggart made reference to Don Sexauer and stated that the section as written would not pass his test. It is this spirit that he makes this motion. By a standing vote, the motion was accepted for consideration.

Tovey (English) spoke against the motion stating that it replaces "prescribed by unit code" and that the wording of the motion can be included in unit codes. Winstead (Academic Library Services) agreed with Tovey and spoke against the motion stating that the search committee recommends to the personnel committee.

Given (Foreign Languages and Literatures) spoke against the motion stating that it is important that we have diversity on a search committee. Spoke of when as a student he was on a search committee. He had a vote and was able to make a difference. We need diversity of opinion and you will get the best candidates this way.

Horst (Music) spoke in favor of the motion stating that it allows for a diversity of views. Robinson (Mathematics) spoke in favor of the motion noting his preference to using faculty from other units. Taggart (Music) stated that he has respect for diversity but we must acknowledge those who have the necessary expertise.

McMillen (Medicine) spoke against the motion pointed out that we have outstanding faculty who are fixed-term and choose to be. With this amendment they would have no vote. Taggart stated that this was not true. Rigsby stated that the amendment allows fixed-term faculty to serve on fixed-term positions, however, McMillen still spoke against the motion.

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Martinez stated that this amendment adds more diversity than the one before. Boklage (Medicine) spoke against the text "as prescribed by the unit's code" because the School of Medicine allows for faculty from other units.

Schisler (Business) spoke against the motion stating that it micromanages the units and does not let units decide for themselves.

Sprague (Physics) stated that he was unclear as to the wording. We are speaking about voting faculty and voting and we need to clear up the wording.

At 2:45, the body stopped discussion on Appendix D to address other items on the agenda.

Agenda Item III. Special Order of the Day

C. Chancellor's Report.

The chancellor addressed the master planning process. The Board is very anxious to get a handle on this. We have a lot of opportunities and a lot of needs. We must integrate our thinking about safety. We will not make major promises without a city guarantee of safety. More must be done. We do not have an outside source of funds to buy the sites we need and it must be part of the planning process. It will be at least a year before any decisions are made as to what properties will be acquired.

The Chancellor offered some perspective on the past year and made reference to the advances we have made. We have great capacity, which is being recognized. He stated that faculty recruitment must be funded and we must be able to get our first choices. No position should be taken away if not hired in year one. He said that nothing is more important than what we do for new faculty in the first three years of their employment including start up funds and teaching loads. With 100 searches this year and 40 next year, this is a tough job to do. We are making great progress and if we do this everything else will be positive.

The Chancellor stated that our new President, Eskine Bowles, has taken a great interest in our University and was blown away by the quality of what we are doing. We are a leader and he sees this not only in distance education but other areas as well.

He stated that huge progress has been seen in the Health Sciences Division. We have the opportunity to be seen not only in the state but also in the nation. Our partnership between faculty and administration is one of the best.

The Board of Governors has recognized the status of ECU and the Dental School is an example of this. It is believed that we have the capacity to deal with the oral crisis in our state. Also our peer group has been accepted and it is the right list for us to be compared to. We are competitive with many and on track to compete with others.

The Chancellor stated that the funding of the academic building will be a tough process. We are also thinking about a fine arts center. The funding will be there to support our growth. He appreciates all the work of the Faculty Senate.

Tabrizi (Technology and Computer Science) stated concerns with the diversity ratio of faculty and students. He stated that we do not have guidance from Administration to deal with this issue and asked for a task force to consider this issue. Chancellor Ballard responded that we need to do more and asked that Provost Smith address this issue with members of the Diversity Council.

Brown (Education) asked where the site would be for the new academic building. Chancellor Ballard responded that if he knew he would say. There are some sites he would like but if he mentioned them the price goes up. We need to do more assessing before we can answer that question.

D. Kevin Seitz, Vice Chancellor for Administration and Finance

Vice Chancellor Seitz discussed the update on the Master Plan. He stated that they are trying to be very careful that the process will be open and will provide the most benefits to everyone. They are looking at how they want to structure the process. They need to plan for where buildings will go as well as for those which may need updating. The Academic Plan must be in place. The plan will include both campuses and all aspects of the physical plant including green space. We have not gotten that far into it yet.

Christian (Business) asked for the 2 top capital projects for 2006 and what would the 4.5 million be used for. Seitz responded the School of Dentistry and Academic Building. This amount is close to what we asked for the pre-planning process. We are not a point to be able to plan the building for the School of Dentistry.

Wolfe (Anthropology) asked about the progress of the Regional Science Center and city museum. Seitz responded that he was not sure what Prof. Wolfe was referring to. There could be a museum project downtown and Regional Science Center. This has not been talked about for awhile and they would be looking for government funding.

Sprague (Physics) stated his concerns with the carnival set-up in the Frisbee Golf area. This carnival was never brought to the Green Space Committee for approval. Vice Chancellor Seitz stated the carnival was moved to this spot for the Pig Skin Pig Out. He was not at the meeting to discuss this. He responded that there has been a communication problem with how that came about and that Chancellor Ballard has asked for future procedures to include faculty input. This will not happen again and the Green Space Committee will be included.

E. Catherine Rigsby, Chair of the Faculty

Professor Rigsby thanked everyone who attended the faculty officer's forum and she hopes that this will continue in the future.

Chair Rigsby took a moment to commend the UNC Faculty Assembly Chair, Brenda Killingsworth (Business) for her efforts on behalf of all faculty within the UNC system. She complimented Professor Killingsworth on her speech at President Bowles' installation ceremony and noted that Professor Killingsworth was representing the faculty well in her talks with various people in the General Administration, UNC Board of Governors, and Legislature and encouraged her to keep up the good work.

F. Brief Moment in History

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Henry Ferrell (History) continued a story begun a couple of months ago. He spoke of a dark time in our history where student fees were handled incorrectly and many faculty were dismissed without due process. But the University has always prevailed and weeded out those Presidents and Trustees who did not act in the interest of the school.

G. Written Report on the Faculty Assembly Meeting of April 7, 2006.

John Cope (Psychology) presented a written report on the Faculty Assembly Meeting.

H. Question Period

Robinson (Mathematics) thanked the Chancellor for the pay raise initiative for the lowest paid SPA employees. He spoke of the revision to Appendix C and was concerned that the Deans would be encouraging the veto of this revision through close door meetings. He asked the Provost how can we resolve this.

Provost Smith stated that there really wasn't anything to be resolved. The Deans may have some issues but he is not aware of anyone asking the Chancellor to veto Appendix C and he expects that he will approve it. He made reference to the Fixed -Term task force and stated there was a completeness issue. Without the report from the task force the information was not complete for approval. An issue of concern is the meeting of the Dean or Director with the Personnel Committee. Completeness of the evaluation process needs to be addressed. He stated that there is no great veto engine out there. He would rise to speak if he had any great issues. His respect for the Faculty Manual is intact. He stated that there is a lot of work to be done next year. The Chancellor may want to wait to see what is coming but he did not think so.

Long (History) asked for Provost Smith's views on a possible Plus/Minus Grading Policy, stating that a proposed policy approved by the Faculty Senate ten years ago was denied by the Chancellor. Long stated that he asked the Chancellor about this who said that he would be in support if the Administrators were in support. Since there was no great opposition where do we stand on this issue? The Provost answered that he was under such a system when he was a student. He thinks it is a wonderful idea. It is a faculty decision and he is not against it. He does not remember what the argument against was.

Yalcin (Philosophy) asked what was the amount of discretionary funds available. The Chancellor responded that the process will start in early May. There is 5% from the legislation, campus based tuition and some one time funds for start up costs. He wants a clear statement from the faculty that if we can do nothing else we must do this. If it is childcare or healthcare the faculty must make this known then as the budget comes in we know where to put the funds.

Sprague (Physics) asked for an update on the ECU Child Care Facility Committee. Provost Smith responded that it is a committee as opposed to a task force and he has asked several to serve. He needs to know that this is a priority. With only 2.5 million to work with this will not go far. We need the give and take of what we want versus what we have to work with. Let's see what the budget is and then talk.

Levinen (Medicine) asked about the rationale for, during football season, putting faculty and staff in the corner near the end zone. The Chancellor responded that this is a money issue and he will refer the issue to Terry Holland.

Tabrizi (Technology and Computer Science) stated that the rules of the Faculty Manual are vague. He stated that Appendix L is in great need of revision and must be clarified. He asked if the Faculty Governance Committee would consider take this into consideration. Asked if the Faculty Chairperson could ask for the revision of Appendix L be next and create the right process for hiring administration. Martinez stated that Appendix L. needs to address that issue and asked Prof. Wilson to make a survey as to what the senate thought needed to be done next. Chairperson Rigsby thought this was a good idea.

McMillen (Medicine) asked if faculty and students would be asked to serve on the Vice Chancellor for Student Life Search Committee. The Chancellor responded that over the next few weeks we first need to establish an interim. This should occur before June 1st. Then a full open national search will take place with student involvement. The process will be the same as other Vice Chancellor searches.

Glascoff (Health and Human Performance) commented that many faculty senate members will not be coming back as their terms are expiring. She asks for a show of appreciation for all who have been involved in the senate this year and will not be back next year.

Following the conclusion of Special Order of the Day, the body returned to discussion on Appendix D.

In reference to Taggart's earlier motion to revise Section IV.A.c.10, Sprague (Physics) moved to insert the words "on the committee" to the end of sentence three and in two places in sentence five, so that the text would read: "The unit Personnel Committee may, at its discretion, appoint a search committee to fulfill the responsibilities of soliciting and screening applicants and recommending to the unit's Personnel Committee candidates for initial appointments. For initial appointments for tenured and tenure track faculty, at least two-thirds of the membership of the search committee must consist of voting faculty either from the unit conducting the search or from units whose members would provide expertise useful for a successful search. At the discretion of the unit Personnel Committee, additional members may consist of fixed-term faculty, staff and/or students invited to participate on the search committee in an advisory capacity without vote on the committee. For initial appointments of fixed-term faculty, a majority of the membership of the search committee must consist of voting faculty. The remaining members of the committee may be fixed-term faculty on the committee with vote and/or staff and students without vote on the committee." The motion passed.

Brown (Psychology) moved to strike "either" and "conducting the search or from units whose members would provide expertise useful for a successful search" from sentence two of the new text in Section IV.A.c.10 and add after that sentence "In the case of a joint appointment, the personnel committee may appoint voting members from the second unit to serve on the search committee (with vote on the committee)."

Provost Smith stated speaking for the amendment that if you have a joint position this would solve this issue. Martinez stated that she likes the amendment but we would still have a joint position problem. Brown (Psychology) responded that under this amendment we would still 1/3 of the committee to address some of these issues.

Gilliland (Medicine) spoke against the motion, stating that there were some units within the School of

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Medicine that do not have any voting faculty members, only fixed term faculty members and that this revision would hinder their efforts.

Schisler (Business) spoke against the motion asking why the unit could not do as they are need to. Martinez responded that the research on joint appointments showed that the unit which has 50% of the position makes the search and has the vote. This amendment may hurt this issue. Chairperson Rigsby reads the amendment again.

Following discussion, the proposed amendments to Section IV.A.C.10 were approved by a standing vote.

Given (Foreign Languages and Literatures) stated that he wanted to redefine "expertise" and offered an amendment to the motion on the floor, changing "additional" to "remaining", by replacing "in an advisory capacity without vote" to "with vote" and change the fifth sentence to read: "The remaining members of the committee may be fixed-term faculty, staff and/or students with vote on the committee."

Allen (Chemistry) asked do we want fixed-term faculty to have vote on search committees. If my unit allows fixed-term faculty am I running against the faculty manual. If the original wording does this then way are we amendment the amendment. Martinez responded that with the original wording you could not put fixed-term faculty on the committee. Only members who can be on the personnel committee can be on the search committee.

Sprague (Physics) stated he could live with fixed-term faculty on committees but do we really want to give vote to staff as well. Is this where we really want to go? Wilson (Sociology) spoke against the motion.

Tovey (English) spoke against the motion stated that she does not want Masters' fixed-term faculty deciding on tenure track faculty. Horst (Music) spoke in favor of the motion because it gives fixed term faculty voting rights. She is fixed-term faculty and wants to serve on search committees and feels she is qualified. Brown (Psychology) spoke against the motion. He understands giving some leeway but we must have consistency for tenure track faculty. Positions of this type are best left with the voting members of the unit.

Following discussion, the proposed amendments to Section IV.A.C.10 failed.

Taggart (Music) offered an editorial revision to his original motion changing "additional" to "the remaining". The editorial change was accepted.

Provost Smith stated that there is a lot at issue here. We must acknowledge that Health Sciences works differently.

Culbertson (Allied Health Sciences) spoke against the proposed new wording for Section IV.A.C.10. and stated that she preferred to keep it as it was originally proposed by Professor Winstead.

Martinez stated that research was done on our peer institutions. All have a very specific policy that only tenured and tenure track faculty should serve on tenure and tenure track search committees.

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What does and does not work for us. We need to be flexible but not so flexible. At what point do we have a common system

Rose (Nursing) spoke against the motion stating that it should stay as it was earlier decided.

Wilson (Sociology) offered an amendment to include "Units may continue to follow search committee procedures currently prescribed by their unit code." Brown (Psychology) asked for a 5 minute recess to discuss various options with Faculty Senators.

Following the recess, at 4:30, the body again stopped discussion on Appendix D to address other items on the agenda.

Agenda Item V. Report of Committees

A. Admission and Retention Policies Committee

Larry Seese (Business), Chair of the Committee, presented a proposed addition to the Undergraduate Catalog, Section 4: Academic Advisement, Progression, and Support. The Committee proposed to add the following underlined two sentences to Section 4, subsection Writing Intensive Requirement in order to clarify the policy that entering ECU with credit for 1100 & 1200 does not affect the requirement that students must complete 12 s.h. of writing intensive classes in order to graduate from ECU.

"Writing Intensive Requirement

Students enrolling at East Carolina University must fulfill the writing across the curriculum requirement prior to graduation. To do so, each student must complete a minimum of 12 s.h. of writing intensive courses, including ENGL 1100, 1200; at least one 3 s.h. writing intensive course in the major; and any other 3 s.h. writing intensive course of the student's choice. Students entering ECU with transfer credit for ENGL 1200 have satisfied the General Education requirement in the area of English. Such students are still required to complete a total of 12 hours of credit in Writing Intensive courses. All second degree students will be required to complete at least 3 s.h. of writing intensive course work in the major. Writing intensive courses/sections of courses are identified each semester in the course schedule listing and will be designated WI on the student's transcript. A complete listing of courses approved as writing intensive may be found at the University Writing Program web site, www.ecu.edu/writing. A course will transfer into ECU as WI under two conditions. The course must either be a writing intensive course in a writing across the curriculum program at the university or college where it was taken and/or the course must have the words "writing" or "communication" (e.g., "Writing for Business and Industry" or "Business Communications") in the course title. Courses meeting either of these two criteria will be accepted as WI and count as writing intensive for ECU degree requirements."

There was no discussion and the proposed revision to the Undergraduate Catalog were approved as presented. **RESOLUTION #06-17**

B. Faculty Welfare Committee

Dawn Clark (Theatre and Dance) presented a report from the 10th Street Safety Committee, which is a subcommittee of the Faculty Welfare Committee.

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Sprague (Physics) asked if the Subcommittee would consider changing the speed limit on 10th. street since it is a school zone. He also stated that school buses are not yielding to pedestrians.

Long (History) stated that buses don't yield and that a University policy officer should be assigned to the area to patrol for speeding. Winstead (Academic Library Services) stated that there was a need for a "No Turn On Red" sign. Tovey (English) noted that people have to press the correct button at the crosswalk to be given plenty of time to cross the road.

Tabrizi (Technology and Computer Science) stated that a pedestrian overpass would solve the problem. Clark stated that she would take all of these items back to the Subcommittee for their deliberations.

C. Libraries Committee

Marianna Walker (Allied Health Sciences), Chair of the Committee, presented a review of both the Joyner Library and Laupus Library Operating Budgets. Walker stated that 14.3 million was budgeted for all 3 libraries on campus and that there had been a 50% increase in the budget over the past few years.

D. University Curriculum Committee

Cheryl Estes (Health and Human Performance), Secretary of the Committee presented the curriculum matters contained in the minutes of the March 9, 2006, and April 13, 2006, Committee Meetings.

There was no discussion and the minutes were approved as presented. **RESOLUTION #06-18**

Taggart (Music) asked if the liaison program was successful. Estes responded that yes liaisons served in facilitation roles and not approving roles. She noted that the curriculum volume was overwhelming and that the liaison program was needed. She stated that the Committee was surveying units and that there would be some fine-tuning to the program, but the service provided was invaluable and making positive difference to the process.

Following discussion of Committee Reports, the body again addressed issues relating to proposed changes to Appendix D.

Brown (Psychology) spoke against the most recent motion on the floor to include "Units may continue to follow search committee procedures currently prescribed by their unit code." He stated that this is about protecting tenured faculty and this is very important to the East Carolina higher education system.

Cope (Psychology) stated that Appendix L addresses some of these issues and offered a substitute motion to read "The Division of Health Sciences may define voting faculty for the purpose of this provision in accordance with their unique structure, subject to the approval of the Faculty Senate." Winstead (Academic Library Services) noted that faculty and staff in her unit were still being left out. Dobbs (Medicine) spoke against the motion.

Tovey (English) asked if Appendix L actually said what Cope said it does. Chairperson Rigsby stated that it does and reread the amendment again.

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Following discussion, the proposed substitute motion passed. Brown (Psychology) called the question and a vote was held on the original motion, as now amended to Section IV.A.c.10 to read: "The unit Personnel Committee may, at its discretion, appoint a search committee to fulfill the responsibilities of soliciting and screening applicants and recommending to the unit's Personnel Committee candidates for initial appointments. For initial appointments for tenured and tenure track faculty, at least two-thirds of the membership of the search committee must consist of voting faculty from the unit. In the case of a joint appointment, the personnel committee may appoint voting members from the second unit to serve on the search committee (with vote on the committee). At the discretion of the unit Personnel Committee, the remaining members may consist of fixed-term faculty, staff and/or students invited to participate on the search committee in an advisory capacity without vote on the committee. For initial appointments of fixed-term faculty, a majority of the membership of the search committee must consist of voting faculty. The remaining members of the committee may be fixed-term faculty on the committee with vote and/or staff and students without vote on the committee. The Division of Health Sciences may define voting faculty for the purpose of this provision in accordance with their unique structure, subject to the approval of the Faculty Senate." The motion failed.

Therefore, the text in Section IV.A.c.10 remains as follows: "The personnel committee may elect a search committee as prescribed by the unit's code to fulfill the responsibilities of soliciting and screening applicants and recommending to the unit's Personnel Committee candidates for initial appointments. A majority of the search committee must be voting faculty."

Discussion returned to Appendix D in its entirety.

Robinson (Mathematics) stated that the way it reads now Administrators can serve on search committees and this goes against a two track system. We need to preserve this and moved to add to Section IV.A.C.10: "The remaining members may be fixed term faculty, staff, and/or students." Wilson (Sociology) stated that administrators are not voting faculty members.

Rose (Nursing) offered a friendly amendment to include "professional" staff. Winstead (Academic Library Services) stated that it was too difficult to define "professional" staff within the current SPA structure.

Brown (Psychology) offered a friendly amendment to Section IV.A.c.10 to read: "For the purposes of this section, administrators may not be a part of the committee." Sprague (Physics) asked if a faculty member who serves in an administrative position $\frac{1}{4}$ of the time, would be precluded from serving on the committee? The amendment to Section IV.A.c.10. was approved.

Wilson (Sociology) called the question and moved approval of the entire Appendix D as amended. There was no objection and the proposed revisions to the *ECU Faculty Manual Appendix D. Tenure and Promotion Policies and Procedures of East Carolina University* were approved as amended.

RESOLUTION #06-19

Provost Smith thanked the current senate officers and especially Chairperson Rigsby for their efforts this year on important issues.

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VI. New Business

A 2/3 vote of the Faculty Senate to accept new business was achieved and Chair Rigsby presented the Joint Conditional Interpretation of the *ECU Faculty Manual* stating that she and Provost Smith had been asked to interpret the *ECU Faculty Manual* requirements regarding sharing with administrators the numbers of faculty votes either yea or nay or abstaining in secret ballot voting. She stated that it was their view, notwithstanding the fact that some committees have in fact shared some numbers, that the intent in the minds of the authors of these *ECU Faculty Manual* passages as well as the expectations of a majority of the current faculty at ECU was and is that such numbers not be shared. In small departments and in unanimous votes, secrecy would automatically be, or well could be, compromised. Additionally, to say that retribution could be handled separately if it occurred is not sufficient to address such concerns. Hence, the interpretation is that such numbers not be shared with administrators.

Given (Foreing Languages and Literatures) spoke against the interpretation stating that it went against *Robert's Rules of Order*. Parliamentarian Anderson noted that personnel committees keep records as a committee and that there was no mandate that the vote count be forwarded on up to the next group or committee. Therefore, she stated that this joint conditional interpretation did not go against *Robert's Rules of Order*.

Following discussion, the joint conditional interpretation that the numbers of faculty votes either yea or nay or abstaining in secret ballot voting can not be shared with administrators was approved as presented and will be considered a permanent interpretation until such time that the *ECU Faculty Manual* can be revised to reflect this interpretation. **RESOLUTION #06-20**

Following approval by Chancellor Ballard, this interpretation will be added to the ongoing list of permanent interpretations to the *ECU Faculty Manual* that are available online at: <http://www.ecu.edu/cs-acad/fsonline/customcf/facultymanual/interpretations.htm>.

There being no further business to come before the body, the meeting adjourned at 5:15 p.m.

Respectfully submitted,

Christine Zoller
Secretary of the Faculty
School of Art and Design

Lori Lee
Administrative Officer
Faculty Senate office

FACULTY SENATE RESOLUTIONS APPROVED AT THE APRIL 18, 2006, MEETING

06-17 Addition to the Undergraduate Catalog, Section 4: Academic Advisement, Progression, and Support in order to clarify the policy that entering ECU with credit for 1100 & 1200 does not affect the requirement that students must complete 12 s.h. of writing intensive classes in order to graduate from ECU.

Disposition: Chancellor

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06-18 Curriculum matters contained in the minutes of the March 9, 2006, and April 13, 2006, University Curriculum Committee Meetings.

Disposition: Chancellor

06-19 Revised *ECU Faculty Manual*, Appendix D. Tenure and Promotion Policies and Procedures of East Carolina University.

Disposition: Chancellor, Senior Vice President for Academic Affairs/General Counsel, President of UNC System

06-20 Interpretation that the numbers of faculty votes either yea or nay or abstaining in secret ballot voting can not be shared with administrators.

Disposition: Chancellor