

Feb 07



Office of the Chancellor

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To: Professor Jan Tovey
Chair of the Faculty

From: Steve Ballard
Chancellor

Date: October 22, 2008

Subject: Faculty Senate Resolution 07-04
Revisions to the ECU Faculty Manual Part VI.I.J. Salary Policies

Following my own review of this resolution, I have discussed the resolution with the Academic Council and the University Attorney. I must reject the resolution.

The UNC Code (Appendix I) clearly delegates authority in this area to the boards of trustees.¹ The ECU Board of Trustees has delegated authority to the Chancellor to “establish salary ranges within different disciplines based on the relevant data and fix compensation for faculty with permanent tenure.” I cannot change that delegated authority, which, to some extent, would be the effect of approval of the proposed resolution. Moreover, the Board of Trustees is authorized to adopt personnel policies not otherwise prescribed by superseding law or policy (e.g., the UNC Code) for personnel in all areas of university employment.² The scope and nature of the policy issues that would be decided by adoption of this resolution are more appropriate for consideration by the ECU Board of Trustees.

Email copy: Mr. Robert J. Greczyn Jr., Chair, ECU Board of Trustees
Faculty Senate Officers
Dr. Marilyn Sheerer, Provost and Vice Chancellor for Academic and Student Life
Dr. Phyllis Horns, Interim Vice Chancellor for Health Sciences
Dr. Deirdre Mageean, Vice Chancellor for Research and Graduate Studies

¹ The UNC Code, Appendix 1, I.A.1, addressing appointment and compensation says: “Upon recommendation of the chancellor, the board of trustees of a special responsibility constituent institution with management flexibility for personnel appointments shall, for all positions exempt from the State Personnel Act except the position of the chancellor, appoint, promote, and set the compensation for such employees consistent with the policies and salary ranges set by the Board of Governors and the regulations and guidelines established by the Office of the President.”

² See UNC Code, Appendix 1, I.C.