



Office of the Chancellor

East Carolina University

105 Spilman Building • Greenville, NC 27858-4353

252-328-6212 office • 252-328-4155 fax

www.ecu.edu

MEMORANDUM

To: Professor Jan Tovey
Chair of the Faculty

From: Steve Ballard
Chancellor

Date: June 19, 2009

Subject: Faculty Senate Resolutions: 09-11 and 09-19

Based on further review and new information, I will continue to hold Faculty Senate Resolutions 09-11 and 09-19 pending revisions by Faculty Senate. The rationale for continuing to hold these resolutions is outlined below.

Faculty Resolution 09-11

Revisions to the ECU *Faculty Manual*, Appendix D, Section V, Procedure for Review of Notice of Non-Reappointment or Non-Conferral of Permanent Tenure

Rationale:

This resolution was previously held for further study pending revisions to Appendix D, Section V.D.1., Procedures for the Hearing. The revisions to this section were made and sent forward as Faculty Senate Resolution 09-20, which I approved on April 9, 2009. The entire text of Faculty Senate Resolution 09-11 was not included in 09-20, so the approval was specifically for the identified section.

On May 21, 2009, Associate Provost Austin Bunch received a letter from Dr. Harold Martin, Sr. Vice President for Academic Affairs at General Administration. This letter contains revisions the university needs to make to ECU's Appendix D for full approval.

I suggest the Faculty Senate submit a new resolution containing the entire text of Faculty Senate Resolution 09-11, with the approved text from Faculty Senate Resolution 09-20, and the revisions outlined in the memo from Dr. Martin.

Faculty Resolution 09-19

Revisions to the ECU *Faculty Manual*, Appendix C, Personnel Policies and Procedures for the Faculty of ECU

Rationale:

This resolution was being held for further study; subsequently, an editorially revised version was submitted by Faculty Governance Committee for my approval. Section IX, Amendment Procedure, implies that no changes to Appendix C can be made unless and until the Faculty Senate approves the change. The Office of the University Attorney suggests and I agree that Section IX expresses one process for amending Appendix C, but not the only process. The Chancellor retains authority to make revisions how and when needed, upon consultation with the faculty to the extent required in Board of Governor's policy. It is also important that we develop only one amendment procedure for the Faculty Manual rather than different procedures for each section.

Additionally, there are areas involving fixed-term faculty employment which must be revised in Appendix C to comply with the revisions outlined in a memo from Dr. Harold Martin in regards to Appendix D.

pc: Dr. Marilyn Sheerer, Provost and Sr. Vice Chancellor for Academic and Student Affairs
Dr. Phyllis Horns, Vice Chancellor for Health Sciences
Dr. Deirdre Mageean, Vice Chancellor for Research and Graduate Studies

Faculty Senate Resolution #09-19

Approved by the Faculty Senate: March 31, 2009

Editorially revised by the Faculty Governance Committee: April 22, 2009

Approved by the Chancellor: **pending**

Approved by the Board of Trustees: **pending**

Proposed Revisions to the *ECU Faculty Manual*,
Appendix C. Personnel Policies and Procedures for the Faculty of ECU
(Proposed additions are noted in **bold** print and deletions in ~~striethrough~~.
Items editorially revised are highlighted in **yellow**.)

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Appendix C
PERSONNEL POLICIES AND PROCEDURES
FOR THE FACULTY OF EAST CAROLINA UNIVERSITY¹

I. Selection and Appointment of New Faculty

A. Determination of Number and Nature of Positions

~~Needed~~ Allocation of **faculty** positions is the prerogative of the **academic council**. ~~vice chancellor for academic affairs, the vice chancellor for health sciences and the vice chancellor for student life, as appropriate.~~

~~The unit administrator is responsible for recommending through administrative channels to the **academic council** vice chancellor for academic affairs, the vice chancellor for health sciences, or the vice chancellor for student life the number and nature of **faculty** positions needed to carry on the functions of the unit.~~

Acting in accord with the policies and procedures set forth in the Unit Code, the unit administrator shall recommend to the next higher administrator (for conveyance to the academic council) the number and nature of faculty positions needed to carry out the unit's mission and achieve the university, division, college and unit planning goals. Such recommendations shall be developed with input from the unit's fixed-term, probationary term, and tenured faculty, as appropriate, and shall contain justifications addressing the unit staffing plan and appropriate planning goals of the university, division, college and unit.

In accord with the recommendations of the [ECU Administrative Task-Force on Fixed-Term Faculty Employment](#), the Academic Council and deans shall not require that a faculty position be fixed-term rather than probationary term unless sound reasons exist. Such reasons include, but are not limited to, (a) the position is not permanently assigned to the unit, (b) the position is addressing temporary needs, (c) the position cannot be filled by a faculty member with a terminal degree, (d) the duties of the position are primarily clinical, (e) the position is by its nature term limited (term-limited endowed professorship, for example), or (f) this reflects the preference of the faculty member taking the position.

~~The unit administrator, in keeping with the mission of the unit and the institutional context, shall follow the provisions of the unit code in making recommendations concerning the number and nature of positions needed.~~

B. Selection Procedure

The unit administrator shall notify the unit personnel committee of the number and nature of positions allocated to the unit. The **actual** selection process of **candidates** must then proceed in accordance with *Appendix D, Tenure and*

¹ For other policies and procedures dealing with faculty appointments, see *ECU Faculty Manual*, Appendix D.

Promotion Policies and Procedures and Part VI, *General Personnel Information*, the most recently revised Affirmative Action Plan, and applicable unit code provisions. **The type of search (i.e. local, regional, national) required is governed by University policies.**

C. General Criteria²

For appointment, ~~as well as reappointment and promotion~~, the **tenured and probationary term** faculty member is evaluated on **past achievements and potential for future contributions in:** ~~potential and achievements in:~~

- Teaching
- Creative Activity/Research
- Service to the university, the profession, and the community.

1. Teaching

East Carolina University recognizes the primary importance of teaching. East Carolina University expects each member of the faculty to have knowledge of subject matter commensurate with one's teaching assignment, to maintain awareness of developments in one's discipline, and to communicate to students one's knowledge of and interest in the discipline. The faculty member will encourage students in responsible and careful inquiry, in appreciation of the interrelation of various disciplines, and in recognition of the uses of learning and the value of the educated mind. Teaching includes activities and responsibilities beyond the classroom setting, e.g., advisement; mentoring; laboratory supervision; clinical rounds by a physician/professor accompanied by students; the direction of research projects and papers, dissertations, and theses; and other contacts and relationships outside the classroom.

2. Creative Activity/Research

East Carolina University encourages and supports the continuing efforts of faculty to develop a deeper appreciation of the importance of professional competency acquired through scholarship, research, and other creative activities appropriate to one's discipline. A faculty member's research and creative activities shall reflect the high professional standards incumbent upon those who enjoy full academic freedom; such activities must be measured by standards of quality, not merely by quantity.

3. Service

East Carolina University considers service to the university, the academic profession, and the community as an important aspect of academic performance. (See Section III).

For appointment, the fixed-term faculty member is evaluated on past achievements and potential for future contributions in areas of responsibility stated in the contract.

² These criteria are not designed to be used for persons with administrative rank to evaluate their administrative service. Criteria for that purpose shall be developed by proper administrative authority.

D. Requirements for ranks and titles

1. General Provisions

Appointments are made at the academic ranks of instructor, assistant professor, associate professor, and professor. These are the only ranks which may involve a permanent tenure commitment. Appointments to all other titles are for a definite term and do not involve a permanent tenure commitment.

The following are the minimum required qualifications which may be considered when making appointments.

2. Ranks of Probationary Term Appointments

Instructor

- has evidence of a sound educational background for the specific position, or has equivalent professional experience
- has completed most or all the requirements for the appropriate terminal degree
- has demonstrable proof that the degree will be obtained within a short period of time as agreed upon by the academic unit and the appointing officer
- has demonstrated potential for effective teaching
- has demonstrated potential for effective clinical practice in disciplines where appropriate

Assistant Professor

- has qualifications of the previous rank
- holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- shows evidence of potential for continued professional growth in teaching effectiveness, creative activity, or research
- has ability and willingness to participate in departmental, college, and university affairs
- has membership in professional organizations
- has demonstrated expertise in clinical practice in disciplines where appropriate

Associate Professor

- has qualifications of the previous rank
- has demonstrated teaching effectiveness
- has a record of creative or research activity resulting in publication or comparable productivity
- has demonstrated ability and willingness to participate in department, college, and university affairs
- has a record of effective service to the profession
- has a record of effective clinical practice in disciplines where appropriate

Professor

- has qualifications of the previous rank

- has an established record of excellence in teaching
- has a significant record of creative or research activity resulting in publication or comparable productivity
- has demonstrated excellent ability and willingness to participate in department, college, and university affairs
- has a record of significant service to the profession
- has a record of effective clinical practice in disciplines where appropriate

3. Titles of Fixed-Term Appointments

a. Faculty with duties primarily in instruction

Teaching Instructor

- holds, at a minimum, a master's degree appropriate to the area of instruction, or has equivalent professional experience
- has demonstrated potential for effective teaching

Teaching Assistant Professor

- has qualifications of the previous title
- holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- has demonstrated effectiveness in teaching

Teaching Associate Professor

- has qualifications of the previous title
- has demonstrated superior teaching ability
- engages in professional development activities

Teaching Professor

- has qualifications of the previous title
- has demonstrated excellence in teaching
- engages in professional development activities
- has demonstrated a degree of proficiency sufficient to establish an excellent reputation among colleagues
- is qualified and competent in mentoring others (such as graduate students, teaching instructors, etc.)

b. Faculty with duties primarily in research

Research faculty are typically externally funded. Research faculty are encouraged to give seminars and teach occasional courses in their specialty. Teaching is at the discretion of the unit and the availability of funds.

Research Instructor

- holds a minimum of a master's degree appropriate for the specific position or has equivalent professional experience
- has demonstrated potential for effective research
- should be capable of carrying out individual research or should be trained in research procedures

- should have had the experience and specialized training necessary to develop and interpret data required for success in such research projects as may be undertaken

Research Assistant Professor

- has qualifications of the previous title
- holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- has demonstrated effectiveness in research
- is qualified and competent to direct the work of others (such as technicians, graduate students, etc)

Research Associate Professor

- has qualifications of the previous title
- has extensive successful experience in scholarly or creative endeavors
- has the ability to propose, develop, and manage major research projects

Research Professor.

- has qualifications of the previous title
- has demonstrated a degree of proficiency sufficient to establish an excellent reputation among colleagues
- has demonstrated scholarly production in research, publications, professional achievements or other distinguished and creative activity.

c. Faculty with duties primarily in clinical teaching

Clinical Instructor

- holds, at a minimum, a graduate degree appropriate for the specific position or has equivalent professional experience
- has demonstrated potential in clinical practice and teaching in the field

Clinical Assistant Professor

- has qualifications of the previous title
- holds the appropriate professional degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned
- has training and experience in an area of specialization
- has demonstrated expertise in clinical practice and teaching in the field

Clinical Associate Professor

- has qualifications of the previous title
- has extensive successful experience in clinical or professional practice in a field of specializations, or in a subdivision of the field, and in working with and/or directing others (such as professionals, faculty members, graduate students, etc) in clinical activities in the field
- has demonstrated superior teaching ability

Clinical Professor

- has qualifications of the previous title

- has demonstrated a degree of sustained excellence in clinical practice and teaching sufficient to establish an outstanding reputation among colleagues

d. Additional faculty titles

Artist-in-Residence; Writer-in-Residence. These titles may be used to designate temporary appointments, at any salary and experience level, of persons who are serving for a limited time or part-time, and who are not intended to be considered for professorial appointment.

Adjunct Instructor; Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor. These titles are used to appoint outstanding persons who have a primary employment responsibility outside the university or in a different department in the university, and who bring some specific professional expertise to the academic program. These positions are typically unfunded.

Affiliate Instructor; Affiliate Assistant Professor; Affiliate Associate Professor; Affiliate Professor. These titles are used in the School of Medicine to appoint outstanding persons who have a primary employment responsibility outside the university and who bring some specific professional expertise to the academic program. These positions are typically unfunded.

Visiting Instructor; Visiting Assistant Professor; Visiting Associate Professor; Visiting Professor. The prefix "visiting" before an academic title is used to designate a short-term full or part time appointment without tenure. Therefore the visiting title shall not be used for periods of time beyond the initial contract period. It shall be used only for those fixed-term faculty members who are visitors, temporary replacements, or for whose disciplines the institution in good faith expects to have only a short-term need. Use of the visiting title for an individual for more than 3 years is a misuse of this title.

4. Emeritus status

Upon recommendation by the unit personnel committee and appropriate administrators, the Chancellor may confer the titles "emeritus" or "emerita" ~~will be conferred~~ upon a retired faculty member, including a Phased Retirement participant, who has made a significant contribution to the university through a long and distinguished record of scholarship, teaching, and/or service.

E. Initial Appointment

[For additional provisions related to initial faculty appointments, see *ECU Faculty Manual*, Appendix D.II.]

Appointment to the faculty is made by the chancellor or his/her designee.³ Upon receiving recommendations by appropriate unit committees and administrators, the chancellor or his/her designee shall issue a contract for initial appointment to the faculty that becomes binding upon being executed by the faculty appointee.

The contract shall specify, at minimum: rank or title; salary rate; length of appointment, tenure status [either fixed term, probationary term, or appointment with permanent tenure as defined in the *Faculty Manual*, Appendix D]; initial assignments and/or responsibilities; and reference to the criteria for evaluation of faculty performance, as provided in Appendix D, unit codes, and other appropriate documents; and any specific terms and conditions of employment.

Any action conferring permanent tenure with the initial faculty appointment requires approval of the Board of Trustees.

~~Appointment to the faculty is made by the chancellor or his/her designee.^[3] Criteria for evaluation of faculty performance shall be provided in writing and discussed before initial employment. A record of this discussion shall be placed in the faculty member's personnel file. Any action conferring permanent tenure with the initial appointment requires approval of the board of trustees. The initial contract shall be signed by the chancellor, or his designee, and the appointee. This contract shall be accompanied by and elaborated on by a letter signed by the chancellor, or his designee, and a letter signed by the unit administrator.~~

~~The chancellor's letter shall specify rank or title; salary; length of appointment; and tenure status, whether fixed term, probationary term appointment, or appointment with permanent tenure (*ECU Faculty Manual*, Appendix D). The unit administrator's letter shall establish the specific conditions of employment.~~

II. Assignments

A. Assignment of Teaching Responsibilities

Prior to making final faculty assignments and at least two weeks prior to the beginning of each semester, the unit administrator shall apprise each unit faculty member, in writing, of the duties and responsibilities in teaching, after soliciting faculty teaching preferences. If changes in a faculty member's assignment become necessary, the faculty member shall be notified of such changes prior to the effective date of the amended assignment.

B. Assignment of Released Time

Faculty members who are to be granted released time from teaching shall be informed in writing of the purpose of the reduced teaching assignment.

³ Reference to the chancellor's designee shall include and be limited to the **academic council vice chancellor of academic affairs, vice chancellor for student life, or the vice chancellor for health sciences.**

For information about 100% released time, please see Part V.I.H. of the *ECU Faculty Manual*.

C. Fixed-Term teaching load

Full-time, fixed-term faculty members whose primary responsibilities are teaching should not be required to teach more than 12 credit hours per semester or 6 credit hours per each summer session, with the exception of faculty members who voluntarily teach directed readings and like courses. If exceptional circumstances require that a faculty member be assigned more than 12 credit hours in a semester, he or she should be appropriately compensated for the excess teaching load during that term or be given the equivalent reduced teaching load the following semester.

III. Evaluation

Each faculty member with **either a fixed-term, probationary term, or permanently tenured appointment** shall receive annually an evaluation of his/her performance from the unit administrator which shall be based upon current academic year data. ~~except that data from the previous year's spring semester survey of student opinion of teaching may be utilized when current spring semester survey data are~~ unavailable^[4]. This annual evaluation shall:

- be in writing;
- ~~state the percentage of variable salary increment available to the unit to be recommended by the unit administrator for the faculty being evaluated;~~
- be discussed with the faculty member prior to being sent to any other administrator or placed in the faculty member's personnel file; in the case of faculty members with probationary **term** ~~period~~ appointments, a record of this discussion shall be placed in the faculty member's personnel file;
- be signed and dated by the unit administrator and the faculty member, who may attach to the evaluation a concise comment regarding the evaluation. The signature of the faculty member signifies that the faculty member has read, but does not necessarily concur in, the evaluation.

The unit administrator shall forward to each faculty member a copy of that member's annual evaluation within ten days ~~of after~~ completing the evaluations of unit members.

For contract renewal, the fixed-term faculty members shall be evaluated for their performance of duties as stated in their contracts. Unit codes shall contain criteria and procedures for evaluating fixed-term faculty members for initial appointment, contract renewal, annual performance evaluation, salary increase, advancement in title, and/or multi-year contracts. For evaluations pertaining to contract renewal at a higher title, the criteria shall be stated in the unit code and in accordance with the descriptors listed in **section I.D.3** above.

The unit administrator's annual performance evaluation of faculty members shall employ the criteria contained in the unit code approved by the chancellor (*ECU Faculty Manual*, Appendix L). The evaluation shall be based upon that year's assigned duties and responsibilities (~~except, as earlier noted, for the previous year's Spring semester survey of student opinion~~) and shall consider:

1. teaching

The quality of teaching must be evaluated by means of

- a. data from surveys of student opinion, when such data have been gathered in accordance with established procedures of the department or the university which guarantee the integrity and completeness of said data. As part of the effort to evaluate the teaching of faculty members, each unit shall either: develop and use its own instrument(s) as approved by the chancellor to determine student opinion of teaching or utilize the instrument developed by the Teaching Effectiveness Committee to determine student opinion of teaching.
 - b. formal methods of peer review, including direct observation of the classroom teaching of new and tenure-track faculty.
 - c. procedures provided for in unit codes;
2. research and creative activities;
3. patient care;
4. services rendered on department, school, college, and university committees, councils, and senates; service to professional organizations; service to local, state and national governments; contributions to the development of public forums, institutes, continuing education projects, patient services and consulting in the private and public sectors; and
5. other responsibilities as may be appropriate to the assignment.

The relative weight given to teaching, research/creative activity, and service in personnel decisions shall be determined by each unit code. In no case, however, shall service be weighed more heavily than either teaching or research/creative activity.

IV. Reappointment of Probationary Term Faculty Members
Please refer to Appendix D of the *ECU Faculty Manual*.

V. Reemployment of Fixed-Term Faculty Members

Faculty positions that are occupied by faculty members holding fixed-term contracts shall periodically be evaluated to determine if it is feasible to convert the position to one that is tenure eligible. When it is recommended that a position that is occupied by a fixed-term faculty member be made tenure eligible, the personnel committee and unit administrator should determine collaboratively the appropriate kind of search recommended (search waiver, internal search or external search), with the final approval authority for the type of search (i.e. local, regional, national) governed by University policies.

The repeated re-employment in full-time, fixed-term positions of faculty members whose qualifications are on a par with those of the tenure eligible faculty members in the unit is justifiable only when special conditions apply such as: (a) the position is not permanently assigned to the unit, (b) the position is addressing temporary needs, (c) the position cannot be filled by a faculty member with a terminal degree, (d) the duties of the position are primarily clinical, (e) the position is by its nature term limited (term-limited endowed professorship, for example), or (f) this reflects the preference of the faculty member taking the position. Qualified full-time, fixed-term faculty members should be encouraged to apply for tenure eligible positions.

Contract renewal for part-time fixed-term faculty members should be subject to the same conditions listed in a-f in the above paragraph. The continuous re-employment of faculty in part-time or temporary positions should be avoided, unless mutually desirable for the candidate and the unit.

VI. ~~IV~~. Professional Advancement

Advancement in title for fixed-term faculty and pPromotion for tenured and probationary term faculty are is-a means through which professional achievement is encouraged, recognized, and rewarded by the university. Evaluation of faculty for purposes of promotion **or advancement in title** shall accord with the regulations established in accordance with the unit code and shall employ the criteria contained in the unit code approved by the chancellor (*ECU Faculty Manual*, Appendix L).

Departments in professional schools may also establish guidelines for evaluation of faculty for promotion **or advancement in title** consistent with the criteria in their school's unit code. Specific regulations and criteria governing evaluation of faculty for purposes of promotion **or advancement in title** may vary from unit to unit. **For evaluations pertaining to Fixed-Term contract renewal at a higher title, the criteria shall be stated in the unit code.**

As a minimum each unit shall:

- apply published criteria in teaching and creative activity and service for evaluating faculty for promotion **or advancement in title**;
- make available procedures which will permit each faculty member to report achievements annually or on a more frequent basis;
- assure each faculty member the right to discuss one's candidacy with the unit administrator and/or the personnel committee at any time; and
- notify each faculty member within four days of receipt of the administration's call for promotion **or advancement in title** recommendations.

Upon request by the faculty member, the unit administrator and the unit personnel committee shall evaluate the faculty member for promotion **or advancement in title**. Following such evaluation, the unit administrator and the personnel committee shall inform the faculty member of their respective recommendations. Promotion **or advancement in title** shall be based primarily upon the faculty member's total demonstrated professional competence and achievement. Procedures to be

followed for promotion are found in *ECU Faculty Manual*, Appendix D. **Procedures to be followed for advancement in title should be specified in each code unit in accordance with *ECU Faculty Manual*, Appendix D.II.B.3., III. and IV.; and Appendix C. section I.D.3.**

Among the many qualifications which may be considered when making recommendations for promotion, the **qualifications in section I.D.2. above following: are essential.**

Assistant Professor

- ~~has qualifications of the previous rank~~
- ~~holds the appropriate terminal degree, as evaluated by the academic unit and affirmed by the appointing officer and the profession concerned~~
- ~~shows evidence of potential for continued professional growth in teaching effectiveness, creative activity, or research~~
- ~~has ability and willingness to participate in departmental, college, and university affairs~~
- ~~has membership in professional organizations~~
- ~~has demonstrated expertise in clinical practice in disciplines where appropriate~~

Associate Professor

- ~~has qualifications of the previous rank~~
- ~~has demonstrated teaching effectiveness~~
- ~~has a record of creative or research activity resulting in publication or comparable productivity~~
- ~~has demonstrated ability and willingness to participate in department, college, and university affairs~~
- ~~has a record of effective service to the profession~~
- ~~has a record of effective clinical practice in disciplines where appropriate~~

Professor

- ~~has qualifications of the previous rank~~
- ~~has an established record of excellence in teaching~~
- ~~has a significant record of creative or research activity resulting in publication or comparable productivity~~
- ~~has demonstrated excellent ability and willingness to participate in department, college, and university affairs~~
- ~~has a record of significant service to the profession~~
- ~~has a record of effective clinical practice in disciplines where appropriate~~

Promotion usually in **academic rank** should be accompanied by a salary increment which shall be separate from any and all other increments to which the individual may be entitled. Notwithstanding any previous statement that has appeared herein, competence for promotion to a specific rank may be attested to by advanced study, culminating in appropriate graduate degrees, or by extensive work experience in the teaching fields or in a professional practice which is demonstrably of highest quality.

Advancement in title for fixed-term faculty members should be accompanied by a salary increment which shall be separate from any and all other increments to which the individual may be entitled. Notwithstanding any previous statement that has appeared herein, competence for advancement in title may be attested to by demonstrated excellence in the performance of duties specified in the contract of the fixed-term faculty member and supported by the faculty member's annual performance evaluation.

VII. ~~Salary~~

A. Initial Salary

Initial salary shall be based on degree attainment, pertinent experience, professional activity, scholarly publication or its equivalent, and level of responsibility, consideration being given to the salaries of personnel presently in the unit and salaries within the discipline in comparable institutions.

B. Determination of Annual Salary Increments

The unit administrator shall recommend annual salary increments to appropriate administrative officials in accordance with requirements imposed by the North Carolina General Assembly, The University of North Carolina Board of Governors, **and the ECU Board of Trustees**, and the university administration, and shall employ any additional criteria that have been established in this appendix, in units codes, or in policies required by unit codes. Basic criteria for assessing merit shall include the degree of teaching excellence; creative activity and research; service to local, state, and national governments; as well as contributions to the development of public forums, institutes, continuing education projects, and patients' services. The unit administrator shall report annually to the unit, in dollar amounts and percentages, the total increment allotted, mean salary increment, and range in salary increments for the unit. Each faculty member shall be informed by the unit administrator of any salary increment recommendations made on behalf of the faculty member by the unit administrator.

C. Benefits and Salary Increases for Fixed-Term Faculty

Equitability of salary and benefits for fixed-term faculty members should be reviewed annually. When salary increments are provided by the Board of Governors, full-time fixed-term faculty who have completed one year of employment and have been reemployed for a second or subsequent year should be considered for a salary increase based upon their annual evaluation and criteria established by the Board of Governors, ECU Board of Trustees, and the unit code.

Full-time, fixed-term faculty are entitled to the same benefits as all other full-time employees of ECU.

VIII. Faculty Personnel Files

~~(Please refer to *ECU Faculty Manual* Interpretation [#190-1](#).)~~

~~North Carolina law defines a personnel file as any information gathered by East~~

~~Carolina University that relates to an individual's application, selection or non-selection, promotion, demotion, transfer, leave, salary, suspension, performance evaluation, disciplinary action, or termination of employment, wherever located and in whatever form.~~

Article 7 of Chapter 126 of the General Statutes of North Carolina shall govern matters relating to personnel files, contents and permissible access.

A faculty member's primary personnel file shall reside in the code unit office under the supervision of the code unit administrator. The location and custodian of other **known** files containing personnel records will be listed in the *Personnel File Checklist* attached to the inside cover of the primary personnel file. All evaluative documents will be contained in the primary personnel file. **In particular, official copies of Personnel Action Dossiers, as outlined in Part XII. of the ECU Faculty Manual, including those documents submitted by faculty for consideration in the tenure, reappointment and promotion processes,** shall reside in the primary personnel file.

The unit administrator is responsible for providing faculty members access to their personnel file. Faculty members are encouraged to examine their primary personnel file often, subject to certain restrictions of state law. Faculty members may examine other files containing personnel records subject to the same restrictions. A faculty member may obtain copies of any materials that are not restricted by State law in the personnel file and may attach a concise statement in response to any item therein. This concise statement shall be submitted to the custodian for inclusion as an attachment to the specific document. A person designated by the faculty member may examine that employee's personnel file with the written authorization of the faculty member. **Willful disclosure of confidential information or unauthorized access to a personnel file by any person violates State law and University regulations and may result in disciplinary action under University regulations. Any person who knows of these violations but does not act, has neglected his or her duties and may also be disciplined in accordance with University regulations.**

No material obtained from an anonymous source shall be placed in the primary personnel file or any other file containing personnel records except for data from student opinion surveys. Data from student opinion surveys shall be used in the annual evaluation and shall be submitted by the authorized surveying agent to the faculty member and the unit administrator. Evaluative materials or summaries thereof prepared by peer committees as part of a regular evaluation system may be placed in the primary personnel file when signed by a representative of the committee. ~~Faculty members must be made aware within a reasonable time of any change in their personnel file. The procedures of Article 7 of Chapter 126 of the General Statutes of North Carolina shall govern matters relating to personnel files.~~

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

IX. VII. Amendment Procedure

Amendments to *ECU Faculty Manual, Appendix C. Personnel Policies and Procedures* may be proposed by any full-time member of the faculty, by any faculty committee, or by any member of the administration of East Carolina University. The proposed amendment(s) shall be submitted to the Faculty Senate for consideration and shall be handled as any other item of legislation which comes before the senate. Such proposed amendments, if approved by the senate, shall be submitted to the chancellor, and then to the board of trustees for its approval.

X. Effective Date

All provisions of these policies and procedures shall become effective on the date they are approved by the East Carolina University Board of Trustees.

Approved: Faculty Senate Resolution #94-05
18 March 1994
ECU Board of Trustees

Amended: Faculty Senate Resolution #94-05, March 1994
Faculty Senate Resolution #96-4, March 1996
Faculty Senate Resolution #97-20, April 1997
Faculty Senate Resolution #97-43, December 1997
Faculty Senate Resolution #99-7, March 1999
Faculty Senate Resolution #00-12, March 2000
Faculty Senate Resolution #05-09, April 2005
Faculty Senate Resolution #06-11, July 2006

Interpretation:
Interpretation made to Section VI. (2-15-90)