EAST CAROLINA UNIVERSITY
2011-2012 FACULTY SENATE

The seventh regular meeting of the 2011/2012 Faculty Senate will be held on **Tuesday, March 27, 2012,** at 2:10 pm in the Mendenhall Student Center, Great Room.

FULL AGENDA

(REVISED 3-26-12 where highlighted.)

I. Call to Order

II. Approval of Minutes
February 21, 2012

III. Special Order of the Day

A. Roll Call

B. Announcements

C. Steve Ballard, Chancellor

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

E. Marianna Walker, Chair of the Faculty

F. Approval of Spring 2012 Graduation Roster, including honors program graduates, subject to the completion of degree requirements.

G. Andrew Morehead, Faculty Assembly Delegate
Report on the March 23, 2012, Faculty Assembly Meeting.

H. Question Period

IV. Unfinished Business
University Budget Committee, Todd Fraley
Report on University Budget.

V. Report of Graduate Council and Committees

A. Graduate Council, Terry West
Formal faculty advice on curriculum and academic matters contained in the Graduate Curriculum Committee meeting minutes of February 15, 2012 which include curricular actions within the College of Nursing and Department of Geological Sciences.

B. University Curriculum Committee, Donna Kain
Curriculum and academic matters contained in meeting minutes of February 9, 2012 and February 23, 2012 which include curricular actions within Colleges of Allied Health Sciences, Health and Human Performance, Education, School of Theatre and Dance, and Departments of Mathematics, Anthropology, and Interior Design and Merchandising.

C. Writing Across the Curriculum Committee, Michelle Eble
Curriculum matters contained in the meeting minutes of February 13, 2012 and March 12, 2012 which relate to writing intensive designation (WI).

D. Foundations Curriculum and Instructional Effectiveness Committee, Linda Wolfe
   1. Approval of CLAS 3300 as a Humanities Foundation Curriculum Course.
   2. Approval of CLAS 3400 as a Humanities Foundation Curriculum Course.
   3. Approval of CLAS 3405 as a Humanities Foundation Curriculum Course.
   4. Approval of HIST 3680 as a Social Science Foundation Curriculum Course.
   5. Approval of ANTH 1001 as a Social Science Foundation Curriculum Course.
   6. Removal of Foundation Curriculum Course Credit for GEOG 4325 Resources, Population and Development, GEOG 4330 Agricultural Geography, and GEOG 4335 Geography of Tourism.
   7. Removal of Foundation Curriculum Course Credit for PSYC 4335 Psychology of Women, PSYC 4375 Abnormal Psychology, PSYC 3310 Introduction to Neuroscience, PSYC 3311 Neuropsychology, PSYC 3225 Psychology of Learning, PSYC 3226 Cognitive Psychology, and PSYC 2250 Selected Topics in Psychology.
   8. Recommendations to Increase Response Rate to Student Perception of Teaching Survey (attachment 1).

E. Faculty Governance Committee, George Bailey
   1. Proposed Revisions to the *ECU Faculty Manual*, Part V. Academic Information, Section I.H. Faculty Load (attachment 2).
   2. Proposed New Section to the *ECU Faculty Manual*, Part V. Academic Information, Section I. Use of Copyrighted Works (attachment 3).
   3. Proposed Revisions to the *ECU Faculty Manual*, Part VII. Research Information (attachment 4).
   4. Proposed Revisions to the *ECU Faculty Manual*, Appendix L. ECU Code (attachment 5).
   5. Formal Faculty Advice on Proposed ECU Patent Policy (attachment 6).

F. Grievance Board, Gregory Lapicki
   1. Proposed revisions to the *ECU Faculty Manual*, Appendix X. Grievance procedures for complaints of unlawful or prohibited harassment, discrimination or improper relationships brought against East Carolina University faculty members or administrators holding faculty status (attachment 7).
   2. Proposed deletion of the *ECU Faculty Manual*, Appendix J. Informal Faculty Grievance Procedures for Grievances Involving Sex Discrimination and Other Equal Employment Opportunity Complaints (attachment 8).
   3. Proposed revisions to the *ECU Faculty Manual*, Appendix V. Sexual Harassment, Discrimination, and Conflicts of Interest Policies (attachment 9).
   4. Proposed deletion of the *ECU Faculty Manual*, Appendix W. Racial and Ethnic Harassment Policies (attachment 10).

G. Admission and Retention Policies Committee, Joseph Thomas
   1. Proposed Revisions to the *ECU Faculty Manual*, Part V. Academic Information, Subsection I.J. Grade Appeal Policy (attachment 11).
   2. Proposed revisions to the *University Undergraduate Catalog*, Academic Regulations, Subsection: Grade Replacement Policy (attachment 12).
   3. Proposed revisions to the *University Undergraduate Catalog*, Academic Regulations, Subsection: Readmission under Forgiveness Policy (attachment 13).

H. Educational Policies and Planning Committee, George Bailey
Curriculum and Academic Program matters included in the March 16, 2012 meeting minutes, including:

1. Intent to Plan a Master of Arts in Hispanic Studies within the Department of Foreign Languages and Literatures.
2. Program Name Change from Rehabilitation Counseling to Rehabilitation and Career Counseling within the Department of Rehabilitation Studies in the College of Allied Health Sciences.
3. Proposed Revisions to the *ECU Faculty Manual*, Part V. Academic Information, Section III. Academic Program and Curriculum Development (attachment 14).

I. Calendar Committee, Charles Lesko

1. Proposed revisions to Policy for Making Up Missed Class Days (attachment 15).
2. Proposed Summer 2013 – Spring 2014 University Calendars (attachment 16).

J. University Athletics Committee, Stacey Altman
Resolution on Conference-USA Student-Athlete Travel (attachment 17).

K. University Environment Committee, Brian Glover
Environmental Sustainability Instruction at East Carolina University (attachment 18).

VI. New Business

Faculty Senate Agenda
March 27, 2012
Attachment 1.

FOUNDATIONS CURRICULUM AND INSTRUCTIONAL EFFECTIVENESS COMMITTEE REPORT

Recommendations to Increase Response Rate to Student Perception of Teaching Survey

Increasing the student response rate will likely involve implementing multiple strategies to encourage student response. The FCIE Committee recommends the adoption of the following recommendations from the SOIS II Committee. The purpose of adopting these strategies is to increase student participation in the Student Perception of Teaching Survey (SPOTS) process.

1. Provide enhanced incentives for student response.
    - Consider a university-wide incentive process similar to that used in the past to increase student participation in other surveys. For example, students who complete the survey are entered into a drawing for prizes or bookstore gift/book certificates, awarded Pirate Bucks, or given coupons from local restaurants, etc.

2. Reduce the burden of completing the survey.
    - Utilize a smart phone "app" to complete survey and/or make the survey interface accessible on mobile platforms.
    - Have faculty members set aside time in class for students to complete the surveys on their laptops.
    - Link to the survey site from Blackboard, Onestop, and the ECU mobile app.

3. Increase the personalized communication to students about the value and importance of completing the surveys.
    - Stress the anonymity of student ratings in all discussions of student ratings.
    - Ask the Provost and the Chancellor to include a discussion of the importance of completing the surveys in their interactions with students and student groups at the end of the semester.
    - Ask faculty members to discuss the importance of completing the survey repeatedly during the time of the survey window. This should include a discussion of the importance of the survey, how the university uses the results, and how the faculty member utilizes the results for improvement.
    - Encourage faculty members to discuss with students how they have used student feedback in the past to enhance teaching and learning.
    - Faculty members should include information on when the student rating window is and how to complete the survey on their course syllabus.
    - Faculty members can use the Announcements page on course management systems to remind students when/how to complete the surveys.
    - Provide pop-up announcements about student ratings during survey period.
    - Enhance the messaging on the email reminders to students. Include why the surveys are important, how the information will be used, and that giving feedback is a part of being a good university citizen. Stress that students who do not complete the surveys lose their opportunity to provide feedback to the university and their faculty members.
    - Notices regarding the importance of course evaluations should be advertised in *The East Carolinian*.

4. Develop resource materials for on how to increase survey response rates. These materials should be distributed to each unit administrator and at faculty orientation.

5. Promote the informal use of the survey items at mid-term to allow faculty members to use the feedback in the current semester and provide a demonstration to students that their feedback is being utilized.

6. Increase administrative commitment to appropriate use of SPOTS information.
    - Have the Provost, Chancellor, Chair of the Faculty, and Deans discuss the importance of the student ratings and the importance of having faculty members encourage students to complete the surveys.
    - Provide training to unit administrators on how to evaluate teaching and the proper use of student ratings in the evaluation of teaching.
    - Unit administrators should communicate the value of course evaluations to all their faculty members. Unit administrators should persuade faculty members to encourage share with students how they have used student feedback in the past to improve teaching and learning.
    - Use some portion of IPAR's Assessment Day to involve students in a discussion of the importance of completing the SPOTS.

Faculty Senate Agenda
March 27, 2012
Attachment 2.

FACULTY GOVERNANCE COMMITTEE REPORT
Proposed Revisions to the *ECU Faculty Manual*,
Part V. Academic Information, Section I.H. Faculty Load

Additions are noted in **bold** print and deletions in ~~strikethrough~~.

Revise and keep in the Faculty Manual.

H. Faculty Workload
A. Faculty Workload is defined by the Faculty Workload Administrative Regulation. This regulation describes how workloads are determined at the university, college, and departmental levels. The Brody School of Medicine and the School of Dental Medicine are governed by separate workload regulations. Refer to the University Regulation on Faculty Workload for more information.

B. The individual faculty workload is discussed in Appendix C - Personnel Policies and Procedures for the Faculty, *ECU Faculty Manual*.

C. Course reduction and reassigned time – Faculty members may apply for and be granted course reductions for the relevant period. Faculty who are granted a course reduction, shall be informed in writing by the unit administrator or department chair, including the purpose for the reduction.

A faculty member may apply for and receive 100 percent reassigned time for the relevant period, according to the Faculty Scholarly Reassignment Regulation (link to PRR) and upon the recommendation of the faculty member's department, school, or college personnel committee, the unit administrator and the next higher administrator, and upon the final approval of the appropriate vice chancellor.

D. The summer session, consisting of two summer terms, provides course work equivalent to that of the academic year. No faculty member can be guaranteed a teaching assignment in the summer session; tentative appointments (full time and part time) are made pending enrollment statistics. No faculty member on a nine-month contract will be assigned to more than one summer term in a session except when all faculty (including fixed term faculty) in the unit have had an opportunity to teach one term or in case of curriculum necessity.

~~H. Faculty Load~~

~~The standard teaching load for undergraduate courses is twelve semester hours per semester and nine semester hours per semester for graduate courses. Faculty members who are to be granted released time from teaching shall be informed in writing by the unit administrator of the purpose of the reduced teaching assignment. After soliciting faculty teaching preferences and 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 teaching duties and responsibilities. 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. See *Appendix D, Tenure and Promotion Policies and Procedures of East Carolina University*. If a unit can absorb his or her teaching responsibilities, a faculty member may receive 100 percent released time for research upon the recommendation of the personnel committee or an elected standing committee, the unit administrator, and the next higher administrator, and upon the approval of the appropriate vice chancellor.~~

~~The summer session, consisting of two summer terms, provides course work equivalent to that of the academic year. No faculty member can be guaranteed a teaching assignment in the summer session; tentative appointments are made pending enrollment statistics. No faculty member on a nine-month contract will be assigned to more than one summer term in a session except when all faculty in the unit have had an opportunity to teach one term, in case of curriculum necessity, or in case of unit administrators not hired on a twelve-month basis.~~

Faculty Senate Agenda
March 27, 2012
Attachment 3.

REVISED

FACULTY GOVERNANCE COMMITTEE REPORT
Proposed New Section to the *ECU Faculty Manual*,
Part V. Academic Information, Section I. Use of Copyrighted Works

Add new section in the Faculty Manual.

Use of Copyrighted Works

1. Appropriate Use of Copyrighted Works

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

2. Fair Use

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

a. Elements of Fair Use

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

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

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

iii. Amount of Work to be Used
The amount, substantiality and qualitative nature of the portion used in relation to the entire copyrighted work.

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

b. Procedure for Making Fair Use Determinations

The University Copyright Committee, together with the Office of the University Attorney, shall issue and, as necessary, revise guidelines to assist University faculty, EPA non-faculty employees, SPA staff employees, and students in making fair use evaluations. The Chancellor shall also maintain copyright and fair use resources at the ECU libraries. The Copyright Management Officer shall advise faculty, EPA-non-faculty employees, SPA employees and students regarding fair use determinations pursuant to Section 2 of this policy as well as Research Information found in the *ECU Faculty Manual*. ~~Section VI.B. hereinafter~~.

Faculty Senate Agenda
March 27, 2012
Attachment 4.

REVISED

FACULTY GOVERNANCE COMMITTEE REPORT

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

Link to current Part VII. located in the *ECU Faculty Manual.*

Revise and keep in the Faculty Manual.
The proposed new text would include a new title and read as follows:

Part VII. Faculty Research and Scholarship
CONTENTS

I. Faculty Research, Creative Activity, Scholarship, Innovation, Engagement, and Outreach
II. Scholarship/Research/Creative Activity Guidelines
    A. Funded Research
    B. Principles and Policy for the Protection of Human(s) in Research
        a. Statement of Ethical Principles
        b. Institutional Policy
        c. Implementation of Policy
    C. Animal Welfare Regulations
    D. Research Data and Records
    E. Patents
    F. Copyrights (created work)
III. Ethics in Research and Creative Activity

I. Faculty Research, Creative Activity, Scholarship, Innovation, Engagement, and Outreach

Faculty scholarship includes the scholarship of research, the scholarship of creative activity/innovation, and the scholarship of engagement and/or outreach. Scholarship is a fundamental faculty activity, and faculty have freedom to pursue scholarship on the subjects of their choosing. The quality of the scholarly works that faculty produce should be ~~determined by~~ based on the standards of the profession as determined by the community of scholars with the expertise and training to establish these standards. Appendix C of the ECU Faculty Manual establishes general criteria for the evaluation of scholarship in the appointment and promotion of faculty members and requires that the relative importance of each type of scholarly activity be clearly defined in the unit code. Faculty have the obligation to adhere to the research and scholarship guidelines established by East Carolina University, the federal government, and the community of scholars. This document provides guidelines for research and scholarship established by the ECU faculty and references to research and scholarship policies, rules, and regulations (PRRs) as well as research- and scholarship-related standard operating procedures established by East Carolina University.

Research and scholarship also form a basic part and are integrally linked to the faculty members' teaching responsibility. Original results of research and scholarship inform faculty members' interactions with students at all levels. Deeper understanding of research and scholarship is conveyed when faculty develop students so that they may participate in research and scholarly activities. Effective mentoring of students is critical to their transition to independent research and scholarship. While this document focuses on faculty research and scholarship, it also provides references to research- and scholarship-related PRRs relevant to collaborative scholarly work involving faculty and students.

II. Scholarship/Research/Creative Activity Guidelines

This section and the related policies and regulations, referenced within the section, contain guidelines for ECU researchers and scholars. Many of these guidelines are dictated by federal law and institutional policies and procedures. Guidelines within this section include those for externally funded research and scholarship, protection of humans in research, animal welfare in research, retention of research data and records, patents that arise from scholarly activity, and copyright of scholarly material produced by faculty. Faculty members are expected to be familiar with and to follow the guidelines that apply to their research and scholarly activities.

A. Funded Research

As a constituent institution of The University of North Carolina, East Carolina University receives its basic financial support from appropriations by the North Carolina General Assembly and from tuition and fees paid by students. However, to achieve and maintain a higher level of excellence than is possible with those funds and in accordance with the mission and strategic plan of ECU, grants and contracts are sought from governmental and other sources as well as gifts from alumni, friends, corporate entities, and foundations.

1. Definitions

Gift - A gift is an item of value, ownership of which is voluntarily transferred from one party to East Carolina University or one of ~~its~~ ECU's foundations without direct compensation to the first party. Gifts may be in the form of cash or in kind (e.g., art objects, equipment, securities, real estate, services, insurance, etc.). Gifts may be solicited (given in response to a request from ECU) or unsolicited (given at the donor's own initiative). Gifts are generally classified as unrestricted, i.e., use or disposition of the gift is at the discretion of the university Visit http://www.ecu.edu/cs-acad/grants/Policies.cfm, "Gifts vs. Grants" for more information.

Contract – The principal purpose of a contract is the acquisition of property or services for the direct benefit or use by the Government or other sponsor. The sponsor may select from several candidates to carry out the project and typically exerts fairly strict management control over the contract recipient. Contracts are typically awarded by the federal government in response to requests for proposals (RFP's), by state and local government agencies, and by for-profit commercial entities (single owner companies, partnerships, and corporations).

Grant – The purpose of a grant is to transfer money, property, services or anything of value from the government or other sponsor to the recipient in order to accomplish a public purpose. A grant is typically awarded for projects where most or all of the factors outlined above have not yet been determined. Grants are frequently awarded for experimental projects or for projects where the idea and purpose of the award have been suggested by the grantee. The grantee works independently and has considerable latitude in accomplishing the aims and goals of the project. Grants are typically awarded by the federal government and by private nonprofit foundations and organizations. The outcomes of the project are typically not of direct benefit to the sponsor of a grant.

Cooperative Agreement –A cooperative agreement is like a grant; howevers the government or sponsor expects to be more involved in project planning and implementation. The funding agency retains an interest in procedures, timetables, etc. and works cooperatively with the awardee ~~so as to~~ in order to share responsibility for achievement, changes in methods, delays, etc. A cooperative agreement is most likely to be used by certain agencies of the federal government, again to accomplish a public purpose.

2. Fundraising and Gifts

While all members of the university community are encouraged to participate in the process of identifying and qualifying prospective funding sources, the vice chancellor for institutional advancement is responsible for the coordination of all fund raising activities at the university which are direct gift solicitations. No solicitation or acceptance of gifts shall be made by any faculty member in the name of or for the benefit of the university without prior clearance through the Office of Institutional Advancement. Exceptions to this restriction may be documented in the PRRs for Institutional Advancement. Procedures for fundraising and the solicitation and acceptance of gifts are included in the Institutional Advancement PRRs.

ECU REG04.05.01. Gifts Affecting the Curriculum
ECU REG04.05.02. Coordination of Private Gift Fund-Raising Activities at East Carolina University

3. Contracts, Grants, and Cooperative Agreements

All proposals to governmental, private nonprofit, or corporate agencies or organizations for a contract, grant, or cooperative agreement to support research (including clinical research), instruction, public service, or other creative activities to be conducted by any faculty or staff member or other person associated with the university shall be coordinated, reviewed and approved in advance of submission to the sponsor with the Office of Sponsored Programs.

B. Principles and Policy for the Protection of Humans in Research

East Carolina University acknowledges and accepts its responsibilities for protecting the rights and welfare of individuals who act as participants in research conducted by its faculty, staff and students. The protection of humans in research activities was dealt within a president's (chancellor's) policy memorandum dated May 22, 1970. This earlier memorandum is hereby amplified and superseded.

1. Statement of Ethical Principles

East Carolina University has adopted as a guiding statement of ethical principles the three principles as set forth in the report of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research dated April 18, 1979, and entitled The Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research include respect for persons, as implemented through the informed consent process and documents, beneficence which is applied through the analysis of known risks versus potential benefits, and justice which ensure that the burden of research is not placed on any one population and the benefits of research are open to all who might gain from their participation.

In addition, East Carolina University acknowledges and accepts the requirements set forth in the Department of Health and Human Services Title 45 Code of Federal Regulations Part 46 (45 CFR 46) for all research involving humans regardless of funding source. ECU also applies the Food and Drug Administration regulations found at Title 21 CFR Parts 11, 50, 56, 312, 600, and 812 to all human research classified as a “clinical investigation” or that involves an article that falls within FDA’s purview. ECU also applies, as applicable, regulations from the Department of Defense, Department of Education, and other DHHS agencies. With international human research, ECU applies regulations set forth by the International Council on Harmonization.

2. Institutional Policy

It is the policy of East Carolina University that all research activities involving humans, through direct intervention or interaction or the use of private, identifiable information about humans, and is conducted by its faculty, staff or students must be submitted, reviewed, and approved by an appropriately established peer-review committee known as an Institutional Review Board. At ECU, there are three such committees, the Biomedical University Medical Center Institutional Review

Board (UMCIRB), the Social and Behavioral Institutional Review Board (BSS IRB) and the Summer Social and Behavioral Institutional Review Board (SBSS IRB). These committees consist of scientists, non-scientists and community members. The committee must meet federally mandated membership requirements. Committee members serve four year terms, as appointed by the Vice Chancellor of Research.

The Office for Human Research Integrity (OHRI) is responsible for providing support to ECU's IRBs, the Vice Chancellor for Research and faculty, staff and students who wish to engage in human research activities. OHRI also is responsible for providing education, quality improvement reviews, and orientation activities to IRB members, investigators and research personnel. It is the responsibility of this Office to make recommendations for IRB membership to the Vice Chancellor of Research to ensure compliance with federal regulatory requirements.

It is the responsibility of the OHRI staff, with consultation from IRB Chairs and Vice Chairs, to determine whether a research activity meets the definition of human research. This determination cannot be made by investigators, research personnel, or other bodies within ECU.

The type of review mechanism that a proposed research activity may receive is based upon criteria set forth in the federal regulations.

Researchers wishing to conduct human research activities must first complete training in human research protections. This training is offered through the Office of Human Research Integrity and can be accessed through its website at www.ecu.edu/irb.

It is the responsibility of Faculty acting as mentors to students conducting human research activities to ensure that the students complete the necessary training before submitting their applications through e-PIRATE, the electronic submission and review system found on the OHRI website.

East Carolina University requires all principal investigators and their research teams to comply fully with the appropriate federal regulations, institutional policies, and the UMCIRB Standard Operating Procedures.

3. Implementation of Policy

In all activities involving human research participants, the chairperson of the pertinent department or head of the academic unit is responsible for ensuring that the proposed research activities are scientifically sound, that the methods and procedures will adequately address the research question, and that the proposed research fits with the mission of the department or academic unit as well as the university.

The principal investigator is responsible for conducting the research according to the ethical principles of the discipline, the ethical principles of the Belmont Report, university policies and procedures, and the methods and procedures approved by the Institutional Review Board.

The IRB has the federally mandated authority to approve, modify or disapprove proposed research. It also has the authority to suspend or terminate approval of research that is not being conducted in accordance with the IRB's requirements or that has been associated with unexpected serious harm to participants.. The IRB is obligated to report suspension and terminations through a report to the investigator, institutional officials, and sponsoring agency, if any. Principal investigators of research studies involving humans must submit a complete protocol and address all applicable questions in e-PIRATE, upload appropriate informed consent and assent documents, and any other study related materials. Access to the electronic system, e-PIRATE, requires completion of human research

protections training, registering with OHRI through e-PIRATE, and completing an Investigator Profile. A copy of all research study materials including signed informed consent and study related correspondence must be maintained by the principal investigator for at least 3 years, or longer if required by the research sponsoring agency.

If the research involves Protected Health Information or storage of data outside of ECU's maintained servers, additional requirements must be met. More information on those requirements can be found at www.ecu.edu/hippa or on the IRB website. Research documents that involve protected health information must be maintained for a minimum of 6 years beyond the end of the project.

Investigators are responsible for reporting the progress of UMCIRB-approved research to the Office for Human Research Integrity, through the use of a renewal or continuation review accessed through e-PIRATE. Federal regulations require that IRB approval be issued no less often than once per year as set forth in 45 CFR 46.109. In addition, research investigators are responsible for reporting promptly to their department chair and to the OHRI, any unanticipated problems which involve risks to the research participants or others.

C. Animal Welfare Regulations

The ECU Institutional Animal Care and Use Committee (IACUC), in conjunction with the University Attending Veterinarian (AV) and the Institutional Official (IO- vice chancellor for research and graduate studies), are charged with oversight of vertebrate animal care and use activities. Federal regulations require that anyone (faculty, staff, students) using vertebrate animals in research, teaching, and testing must obtain approval from the ECU IACUC prior to initiation of the activity. Animal Use Protocol (AUP) forms and additional information such as training requirements, occupational health and safety requirements, mechanisms for reporting animal welfare concerns, IACUC operations, rules and guidelines, and links to other relevant websites (e.g., the Department of Comparative Medicine home page: http://www.ecu.edu/comparativemedicine/, and the Prospective Health home page: http://www.ecu.edu/cs-dhs/prospectivehealth/index.cfm are located on the IACUC website (https://www.ecu.edu/iacuc/). The ECU IACUC regulations must comply with all relevant Federal regulations (for more information see: USDA Animal Welfare Act and Regulations (http://www.aphis.usda.gov/animal_welfare/), PHS Policy on Humane Care and Use of Laboratory Animals and Guide to the Care and Use of Laboratory Animals (http://grants.nih.gov/grants/olaw/olaw.htm).

D. Research Data and Records

1. Purpose

The preparation and retention, of accurate and appropriate records are essential components of a credible research endeavor. East Carolina University, its faculty, staff, and students have a common interest and a shared responsibility to assure that research data and records are recorded appropriately, archived for a reasonable length of time, and available for review by scholars and others under appropriate circumstances. Original research records are also essential to protect intellectual property rights, to answer ongoing questions regarding the management of a research program, and to address questions that may arise regarding the propriety of research conduct and methods. This policy defines the nature of research data and its associated records. It also describes the importance of good data and record keeping for obtaining and defending intellectual property rights, and the procedures to be used for the custody, retention, access, and transfer of research data and records.

This policy shall apply to all faculty, staff, and students of East Carolina University who are involved in the design, conduct, and/or reporting of research at or under the auspices of East Carolina University, regardless of source of funding.

2. Definition of Research Data and Records

Research data and records refers to recorded information, regardless of its form or the media on which it may be recorded, which is necessary for the reconstruction and evaluation of the reported results of a research project. Research data and records include more than just primary data (e.g., raw numbers generated by a measuring instrument; audiotapes or transcripts of survey interviews). They also include documentation or citation of a) the experimental methods for data collection, and b) the methods used for data processing and interpretation. In practice, they include, but are not limited to, the material contained in laboratory notebooks or other media such as computer disks and machine printouts. The term does not include the intellectual property generated by a research project; administrative information, such as financial data; or the tangible products of research, e.g., tissue banks, specialized tools or chemicals produced by the project. (Ownership and disposition of intellectual property or the tangible products of research are covered by other ECU policies.)

3. Intellectual Property Issues Involving Research Data and Records

Retention of maximum intellectual property rights places additional importance on the preparation and retention of research data and records. Documented research records are important in determining priority of research data, such as identifying who first conceived an invention or in defending against patent infringement. In order to protect the rights of investigators and the university to the intellectual property generated by their research programs, university technology transfer managers recommend specific record keeping and retention practices such as the use of bound laboratory notebooks. Maintaining good data records is recommended for all university laboratories, but is essential for any patentable or licensable research activity. Responsible faculty should be aware of and follow, as closely as possible, the record-keeping recommendations described in Addendum B. Section II of the OPERATIONAL PROCEDURES FOR IMPLEMENTATION OF FACULTY MANUAL PART VII, SECTION II http://www.research2.ecu.edu/ott/operating.html. The data management approaches above will also help defend an investigator and his/her work if there is an allegation of misconduct regarding this research.

4. Custody of Research Data and Records

Custody of original research data and records is the responsibility of the senior investigator of a project, usually a faculty member. This senior investigator (the responsible investigator) must ensure the integrity, preservation and security of the original research data and records. Expenses of data and record preservation and security are allowable costs to sponsored programs. As an aid to scholars and other appropriate individuals who may wish to review the research data and records, all research records must be appropriately organized and labeled to allow the identification of specific information within the records by someone who was not involved with the original project.

In situations where the vice chancellor for research and graduate studies ~~Economic Development and Community Engagement~~ (the designated ECU Integrity Officer) has received an allegation of research misconduct pursuant to ECU policy (Faculty Manual Part VII Section VI) or when patent litigation is imminent, the university may take immediate and preemptory custody of the original research data and records relating to the allegation or the patent. In this circumstance the university shall provide needed copies of data and records to the investigator that will allow active research projects to continue.

In multi-institutional studies, contractual agreements often stipulate that the home institution of the primary study director shall have custody of original primary data from all participating institutions. In situations where ECU is not the site of the home institution and will need to transfer the original data to the institution of the study director, ECU shall retain a true copy of all data and records generated for the multi-institutional study.

Senior members of research teams have obligations and are held responsible for discussing the responsibilities of data management and retention with other members of the research team. The senior member of the research team must directly oversee the data and record management of the technicians, post-doctoral fellows, students, and others working under his/her direct supervision.

5. Access to Research Data and Records

The university ultimately owns data and support records generated by its faculty, staff and students. Therefore the university has the right of access to (and to make copies of) the data and records for all research performed at the university or under university auspices provided such access to the records shall be for reasonable cause, at reasonable times and after reasonable notice (except in cases of misconduct allegations, see below). For example, the University Medical Center Institutional Review Board, the office for Human Research Integrity staff, and the Brody School of Medicine Compliance office, acting for the university, may review records and study data of projects that use human participants to assure compliance with regulatory human research protections. In cases involving an allegation of research misconduct, the university through the vice chancellor for research and graduate studies ~~Economic Development and Community Engagement~~ may request immediate, preemptory access and custody of original research records. When such records contain confidential information about human participants in research, the vice chancellor shall institute appropriate procedures to assure that participant confidentiality is maintained while the research records are in his custody.

Extramural sponsors providing support for East Carolina University and appropriate governmental officials also have the right to review the data and records resulting from that extramural support. In addition, investigators, co-investigators, students, visiting researchers, and students who are or were an integral part of a research project team have the right to review all records and data which are part of that project or support publications for which they are named authors. Similarly, investigators, co-investigators, students, visiting researchers, and students have a right to a copy of data that they personally generated or substantially analyzed unless prohibited by law, regulation, or contractual agreements. The responsible investigator in addition has the right to distribute to other scholars or individuals copies of any part the research records in his custody per the general practices of his/her field of study unless prohibited by law, regulation, or contractual agreements.

6. Retention of Research Data and Records

Research data and records, including the primary experimental results, should be retained for a sufficient period to allow evaluation and repetition by others of published results emanating from those data. In general, five years from the first publication date of the research results is specified as the minimum period of retention for research published in peer-reviewed journals. For sponsored research that is not published, the minimum retention period is five years from the date of the issuance of the final report to the research sponsor, unless the sponsor specifies a longer retention period. However, if an investigation, legal action or an official inquiry concerning a research project is underway, all data and records related to the project must be retained and made accessible until all issues are resolved. In addition, the records should be kept for as long as may be required to protect any patents or other intellectual property resulting from this work. If a research project is not funded with external or designated internal funds (e.g., an internal university grant), the above retention policy shall apply to these research data and records only when the project results in a publication, its data is used to support a grant or contract application, or it involves the use of animals or human participants. If research involves the generation, use, or disclosure of protected health information (PHI), the minimum retention of those records including consent and authorization agreements must be maintained for a minimum of six years beyond the end of the project. If a participant withdraws

authorization of use of PHI, the researcher must consider that request to constitute the end of the project and Day 1 of the six year retention period for that sample.

7. Transfer of Research Data and Records that Support University Patents or Were Funded by Federal Grants and Contracts

Pursuant to federal regulations (OMB Circular A-110, section 53) and the need of the university to protect its patent rights, original research data and records that support university patents or were funded by federal grants and contracts must remain in the custody of the university for the required retention period as discussed above. In the event the responsible investigator transfers to another institution or leaves the university for any reason the responsible investigator shall transfer custody of these original research data and records to the university. Exceptions to this policy are discussed at the end of this section. The responsible investigator, however, may make a copy of the data and research records at university expense for his/her personal use at a new institution unless prohibited by law, regulations or contractual agreements. Before his/her departure, the responsible investigator shall transfer custody of the original research data and records to his/her department chair or supervisor as required by this policy. These records shall be retained in the University Archives of Joyner Library pursuant to the retention paragraph above. These data and records shall be organized in a format to permit reasonable identification of specific experiments and data by individuals not involved with the original research.

These research data and records shall be used by the university only for patent litigation, misconduct inquiries and investigations, or for other purposes required by federal regulations for US government funded research.

Exceptions:

1) Currently Active Federal Grants and Contracts: If the responsible federal agency allows the transfer of an active grant or contract to the new institution of the principal investigator, and the new institution accepts the administrative responsibility for the federal award, the original research data and records may be transferred to the new institution upon the request of that institution. The university, however, shall retain a true copy, made at university expense, of all research records produced while the research project was active and under ECU jurisdiction.
2) Faculty Request for Transfer of Original Records: Per OMB Circular A-110 section 53c, a faculty member may request authorization from the responsible federal agency to substitute true copies of the research data and records in the University Archives in place of the originals. If so authorized, the investigator may then transfer his/her original data and records to the new institution.
3) Multi-Institutional Federal Grants and Contracts: If such federal awards designate a specific institution as the depository of original data and records for a multi-institutional project, the university shall comply with this requirement. However, the university shall retain a true copy of the original records produced at university expense.

8. Transfer of other Research Data and Records

In the event the responsible investigator transfers to another institution or leaves the university for any reason, the responsible investigator shall provide a true copy at university expense of his/her research data and records that have been retained less than five years in the investigator's possession per the retention paragraph above. Before his/her departure, the responsible investigator shall provide these true copies of the research data and records to his/her department chair or supervisor. These data and records shall be organized in a format to permit reasonable identification of specific experiments by individuals not involved with the original research. These research data and records shall be used by the university only for misconduct inquires and investigations,

9. Resolution of Disputes Involving Research Data and Records

The vice chancellor for research and graduate studies ~~Economic Development, and Community Engagement~~ or his designee shall arbitrate all disputes involving research data ownership, retention, and access. Whenever possible, the Vice Chancellor or designee shall first attempt to mediate a resolution to the dispute acceptable to all parties. When the dispute involves faculty from the School of Medicine or the College of Arts and Sciences, the Vice Chancellor or designee shall consult with the designated Associate Deans for Research in those units.

E. Patents

East Carolina University is dedicated to the pursuit of instruction, research and scholarship, as well as engagement and innovation development activities, in an environment that is open to collaboration and publication. Inventions, discoveries and other intellectual assets sometimes arise as a result of these activities. These assets may qualify for intellectual property protection in the form of patents, copyrights, trademarks, and trade secrets. The Board of Governors of the University of North Carolina has determined that patenting and commercialization of these intellectual assets are consistent with the mission of the university.

The patent policy of the University of North Carolina is contained in Part 500.2 of the University of North Carolina Policy Manual. The patent policy of East Carolina University is contained in PRR (add link once PRR is approved). These policies address ownership of university inventions, distribution of income derived from licensing, assignment, or commercialization activities related to university inventions, and management of disputes. The patent policies also recognize limited circumstances in which publication of scholarly works may be delayed for short periods of time to allow for filing of patent applications. Premature publication or public use of an invention can constitute a statutory bar to the granting of a patent. In most cases, inventors may publish, present, and discuss their inventions freely once a patent application has been filed.

F. Copyrights (created work)

1. Introduction

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

2. Scope and Coverage

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

3. Definitions

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

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

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

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

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

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

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

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

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

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

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

SPA Staff (to include CSS employees): Employees designated by the North Carolina State Personnel Act who generally perform a support role for the university.

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

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

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

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

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

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

4. Copyright Ownership

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

Works by Faculty and EPA Non-Faculty Employees

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

a. Directed Works

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

b. Works Involving Exceptional Use of Institutional Resources

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

c. Sponsored Works Requiring the University's Ownership

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

i) Institutional Ownership: In the case of institutional ownership, provided there is no conflict with a sponsored agreement, the university may:
   a) Release or transfer its right to the creator under an agreement with the creator;
   b) Negotiate with the creator for joint ownership of the work;
   c) Require a shop right for the university's use of the work;
   d) Require expense reimbursement upon commercialization of the work; and/or
   e) Require income sharing upon commercialization of the work.

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

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

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

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

i) Sponsored or Externally Contracted Works
Ownership shall be in accordance with Section 4.iii ~~V.A.3.~~ of this Copyright Policy, Sponsored Works Requiring the University's Ownership, hereinabove.

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

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

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

6. Administration
a. University Committee on Copyrights
The University Committee on Copyrights is hereby established and shall have such responsibilities as the Chancellor may specify, including but not limited to the following:
b. Monitor trends in such areas as institutional copyright use policies, changes in copyright ownership models, and guidelines for fair use information;
c. Identify areas in which policy and guideline development or revisions are required, and make recommendations to the Chancellor;
d. Cooperating with the administration to propose university policies and guidelines regarding ownership and use of copyrighted or licensed scholarly works;
e. Assist in identifying educational needs of the faculty and others related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs; and
f. Under procedures specified herein, hearing and recommending resolution of disputes involving copyright ownership.

The committee shall consist of 13 members: representatives of the student body, EPA-non-teaching employees, SPA employees, the libraries, the Office of the University Attorney, the Office of Technology Transfer, the Copyright Management Officer, the Vice Chancellor for Research and

Graduate Studies or designee who shall chair the Copyright Committee, and five faculty members who will be elected by the Faculty Senate. Student representatives shall serve for one-year renewable terms. Other representatives shall serve for three-year renewable terms.

7. Copyright Management Officer

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

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

8. Works Subject to Both Copyright and Patent Protection

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

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

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

10. Dispute Resolution

a. Jurisdiction

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

b. Conduct of the Hearing

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

c. Disposition

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

III. Ethics in Research and Creative Activity

A. Policy

Faculty, staff, post doctoral fellows and students of East Carolina University have the responsibility to seek honestly and to promulgate ethically the truth in all phases of work. This responsibility governs not only the production and dissemination of research and creative activities, but also all applications for funding, reports to funding agencies, and teaching and publication of teaching materials.

East Carolina University subscribes to the following principles in its research and creative activities:

1. Honesty and truth must underlie all professional relationships of faculty, staff, post doctoral fellows and students with those in their profession, the academic community, and the public.
2. Fabrication and falsification of information that a researcher claims is based on experimentation or observation are unethical.
3. Intentionally selecting data or the treatment of data to present views known by the researcher to be false is unethical.
4. Plagiarism, defined here below to include, without limitation, dissemination under one's own name of the tangible products of another person's work without due credit to that person, is not acceptable.
5. Other practices that seriously deviate from those that are commonly accepted within the scientific or academic community for proposing, conducting, or reporting research are not acceptable.
6. Publication of essentially the same article in more than one journal of a study without citing the duplication is unethical, as is any equivalent duplicity.
7. Faculty and staff members must be fully conversant with and able to defend their part in any work disseminated with their permission under their names and should be generally conversant with the said work as a whole. The guidelines of the International Committee of Medical Journal Editors are, in part, that "authorship should be based only on substantial contributions to (a) the conception and design, or analysis and interpretation of data; (b) drafting the article or revising it critically for important intellectual content; and on (c) final approval of the version to be published. Conditions (a), (b) and (c) must all be met. Participation solely in the acquisition of funding or the collection of data does not justify authorship. General supervision of the research group is also not sufficient for authorship.
8. Faculty and staff members must list co-authors of a work, disseminated in any form, but only with those persons' expressed consent. The unwarranted inclusion of co-authors who have not been substantially involved in the work is unethical and may lead to violations of item 7., above.
9. Students completing theses or taking research courses for credit should not be relegated to purely routine work without training or participating in the design of the project or the analysis of the data. Therefore, the involvement of unpaid student assistants in research must be structured to enhance students' education and creative activities. Graduate students must be authors on publications that contain substantial parts of their thesis and/or dissertation. The chair and/or members of graduate student's thesis or dissertation committee should encourage the student to prepare a manuscript(s) for publication based on his or her thesis or dissertation research. If a student prepares a manuscript for publication based on a thesis or dissertation, he or she should be the first author on the resulting publication. Service on a thesis and/or dissertation committee does not in itself entitle a faculty

member to co-authorship of a manuscript or an abstract unless the provisions of this section (Section V.A.7 above) are met.

10. When it is appropriate for students to participate as subjects in research, faculty and staff must assure potential subjects that participation is absolutely voluntary, that participation as a research subject shall not be a course requirement, that participation shall have educational value, that students shall be told at the beginning of the course if there are to be opportunities for extra credit, that alternative opportunities for extra credit shall be available for students not wishing to participate as subjects in research, and that students may withdraw from participation for extra credit at any time without penalty. (*See Principles and Policy for the Protection of Human in Research* above.)

11. In all cases of research involving human beings or animals, faculty and staff members must be familiar with and adhere to special regulations and issues of ethics and humane treatment associated with research on these subjects. (See *Animal Welfare Regulations* above.)

12. Faculty and staff members must comply with all regulations and laws affecting research and publication (including fiscal management, the use of hazardous materials and patents, licensing, technology transfer), whether these be derived from the grantor, the local community, the university, or the state or federal government. An intentional violation of copyright laws or the intentional use of materials, developed by others without permission, is prohibited ~~for personal profit is unethical~~. All members of the university community have a personal responsibility for implementing this policy in their research and creative activities.

B. Procedures for Reporting, Investigating, and Determining Penalties for Unethical Activities

The university shall investigate substantive allegations of research misconduct in the proposing, conducting, or reporting of research and creative activities with all practical dispatch, with fairness, and with consideration for the rights of the accused and the accuser. The university is obligated to notify all parties affected by such acts, where proven, at appropriate times.

1. Definitions

a. Allegation: An allegation is any means any written or oral statement or other indication of possible research misconduct made to an institutional official.

b. Claimant: A person or organization alleging that research misconduct has occurred. An individual claimant is also commonly referred to as a "whistleblower", a term preferred by the federal government.

c. Conflict of Interest: Faculty selected for service on a panel or a committee must be free from conflict of interest due to associations with either a claimant, if an individual, or a respondent. Examples of such associations include, but are not limited to, collaborations, co-authorships or manuscripts, and co-investigation on any grants or contracts.

d. Deciding Officer: This office is the institutional official who makes final determinations on allegations of research misconduct and any responsive institutional action. This individual is the Chancellor or his/her delegate, who may carry out any responsibility of the Chancellor under this policy to the extent consistent with the Chancellor's delegation.

e. Finding of Research Misconduct: A finding that:
   i) There is a significant departure from accepted practices of the relevant research community;
   ii) The misconduct is committed intentionally, or knowingly, or recklessly; and
   iii) The allegation is proven by a preponderance of evidence.

f. Inquiry: The inquiry is an assessment of supporting materials and information from witnesses and respondent by a faculty panel to determine whether an research investigation is warranted. This may be known as an "allegation assessment" or an "informal inquiry" in some government documents.

g. Investigation: The investigation is a formal examination and evaluation of all relevant facts to determine if misconduct has occurred, and, if so, to determine the responsible person(s) and the seriousness of the misconduct. The investigation is conducted by a committee of faculty to include at least one member from outside the unit and when deemed necessary by the Vice Chancellor for Research (VCR), from outside the university. Hearings and testimony are to be recorded.

h. Preponderance of the evidence: This refers to proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

i. Research: Research is defined as a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. For the purposes of this policy, research includes all basic, applied, and demonstration research in all academic and scholarly fields. Research fields include, but are not limited to, the arts, the sciences, liberal arts, applied sciences, social sciences, the professions, and research involving human subjects or animals.

j. Research Integrity Officer: This officer is the institutional official responsible for assessing allegations of research misconduct and determining when such allegations warrant inquiries and for overseeing inquiries and investigations. This individual is the VCR or his/her delegate, who may carry out any responsibility of the VCR under this policy to the extent consistent with the VCR's delegation.

k. Research Misconduct: Misconduct that is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting the results.
   i) Fabrication is making up data or results and recording or reporting them.
   ii) Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record. The research record is the record of data or results that embody the facts resulting from the research inquiry and includes, but is not limited to research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, books, dissertations, and journal articles.
   iii) Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
   iv) Research Misconduct does not include honest error or differences of opinion.

l. Research Record: This record is defined as any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of research misconduct. A research record includes, but is not limited to grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

m. Respondent: A responded is the person against whom an allegation of scientific misconduct is directed or the person whose actions are the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.

n. Retaliation: This refers to any action that adversely affects the employment or other institutional status of an individual that is taken by an institution or an employee because the individual has in good faith made an allegation of research misconduct or of inadequate institutional response thereto or has cooperated in good faith with an investigation of such allegation.

2. Procedures

a. Principle of Procedure--Every effort will be made to protect the privacy and reputations of those whose allegations of misconduct are made in good faith and of those against whom allegations of misconduct are not confirmed.

b. Policies and Regulations-Federal and State policies pertaining to the institution's responsibilities for responding to allegations of research misconduct are on file in the office of Sponsored Research and are available for review.

c. Initiation by an Allegation-If a member of the faculty or other employee of ECU is suspected of Research Misconduct, as defined in the *ECU Faculty Manual,* Policy and Procedures on Ethics in Research and Creative Activities, that person will be reported to the unit's senior administrator unless there is a potential conflict of interest. (Policy and procedures regarding students are described in the *ECU Faculty Manual*, *Academic Integrity Policy.*) Either documentation or the location of documentation and information pertaining to the allegation will be provided. If claimant brings the allegation to the respondent's supervisor and if the supervisor is neither a chair nor a dean, the supervisor will bring the information to the chair or dean for that unit if considered to be substantive. Thus, if discussions between a supervisor and a claimant suggest that the allegation(s) is(are) serious, and neither frivolous nor malicious, the allegations and supporting information will be presented in a timely manner to the chair or dean, not the respondent.

d. Determination of Procedure-The chair or dean should consult with the Research Integrity Officer before determining whether the allegations may be dealt with informally or require proceeding with the formal steps for making an Inquiry because the allegations are neither frivolous nor malicious and are deemed substantive. The chair or dean will determine whether and what form of misconduct is alleged to have occurred, what parties are involved or may be affected by the allegations (i.e., co-authors, collaborators, funding agencies, etc.) and what documentation is needed to pursue the allegation. The chair or dean shall notify the VCR of their course of action (i.e., informal solution or recommendation for an Inquiry) regarding all allegations. If the evidence suggests that an Inquiry is warranted, the VCR will be notified immediately. Only the Vice Chancellor for Research has the authority to convene an Inquiry panel or an Investigation Committee. If human or animal subjects are involved, the chair or dean may ask the Administrative University and Medical Center Institutional Review Board or the Animal Care and Use Committee, respectively, to conduct an audit.

e. If the allegations meet any of the following conditions, the office of Research Integrity of the Department of Health and Human Services or any other appropriate federal agency, should be notified immediately by the VCR.

i) there is an immediate health hazard involved;
ii) there is an immediate need to protect Federal funds or equipment;
iii) it is probable that the alleged incident is going to be reported publicly;
iv) the allegation involves a public health sensitive issue such as a clinical trial;
v) there is reasonable indication of a possible Federal criminal violation.

f. If the allegation is not judged to be frivolous, interim administrative actions will be taken, as appropriate, to protect any Federal funds and the public health, and to ensure that the purpose of any Federal financial assistance is carried out. Such actions may include but not be limited to freezing grant or contract accounts, suspending clinical trials or appointing an interim project director.

g. Protecting the whistleblower - The VCR will monitor the treatment of individuals who bring allegations of misconduct or of inadequate institutional response thereto, and those who cooperate in inquiries or investigations. The VCR will ensure that these persons will not be retaliated against in the terms and conditions of their employment or other status at the institution and will review instances of alleged retaliation for appropriate action. Employees

should immediately report any alleged or apparent retaliation to the VCR. Also the institution will protect to the maximum extent possible ~~protect~~ the privacy of those who report misconduct in good faith. For example, if the whistleblower requests anonymity, the institution will make an effort to honor the request during the allegation assessment or inquiry within applicable policies and regulations and state and local laws, if any. The whistleblower will be advised that if the matter is referred to an Investigation Committee and the whistleblower's testimony is required, anonymity may no longer be guaranteed.

h. Protecting the Respondent - Inquiries and investigations will be conducted in a manner that will ensure fair treatment to the respondent(s) in the inquiry or investigation and confidentiality to the extent possible without compromising public health and safety or thoroughly carrying out the inquiry or investigation. Institutional employees accused of research misconduct may~~, at their own expense,~~ consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) at their own expense to seek advice and may bring the counsel or personal advisor to interviews or meetings on the case.

i. The Inquiry-

i) The VCR will present to the respondent, in writing, the allegations and a copy to respondent's supervisor or chair. If it is necessary to secure notes, data books, computer data, specimens, drafts of manuscripts, grants, contracts or other materials, these will be collected at the time the letter of notice is given to the respondent. Either the VCR or his/her designee will be responsible for securing these items. All materials will be cataloged, receipts provided to respondent, and secured in a locked storage container appropriate for the materials. The Inquiry will be completed within 60 calendar days from the date of delivery of the letter of notice. If the inquiry cannot be completed in 60 days and Federal funds are involved, then the VCR will submit to the appropriate agency a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes any other necessary steps to be taken.

ii) The Inquiry Panel shall consist of three faculty without administrative appointment or conflict of interest. At least one person shall be from outside the department of the respondent. If respondent is a member of the School of Medicine, the Associate Dean for Research will be consulted by the VCR prior to selecting faculty for an Inquiry panel. All will have sufficient expertise to review the materials and interview witnesses and respondent. The VCR will present the allegations to the panel, review ECU policy and procedures, any special requirements for an affected awarding agency, and establish a time line for conducting the inquiry. The panel will decide for itself which materials to review, which individuals to interview and their order. The Inquiry panel will not receive unsolicited input from faculty or staff except through the VCR. Questions regarding the Inquiry will be referred to the VCR. Refusal to answer questions or otherwise cooperate with an Inquiry or a Research Misconduct Investigation may be used as evidence against the respondent. If the panel finds substantiation of any one allegation, this will be reported immediately to the VCR in writing. It is neither necessary nor desired to proceed through a list of allegations once substantiation of one allegation is established by the Inquiry panel. The function of the Inquiry Panel ends with its written report.

iii) The written inquiry report will be prepared by the panel which consists of the name and title of the panel members; the allegations; the PHS support; a summary of the inquiry process used; a list of the records reviewed, summaries of any interviews; a description of the evidence in sufficient detail to demonstrate whether an investigation is warranted; and

the committee's determination as to whether an investigation is recommended.

iv) The VCR will provide the respondent with a copy of the draft inquiry report for comment and rebuttal and will provide the whistleblower, if he or she is identifiable, with portions of the draft inquiry report that address the claimant's role and opinions in the investigation. Within 14 calendar days of their receipt of the draft report, the claimant and respondent will provide their comments, if any, to the inquiry committee. Any comments that the claimant or respondent submits on the draft report will become part of the final inquiry report and record. Based on the comments, the inquiry committee may review the reports as appropriate. If respondent is from the School of Medicine, a copy of the report will be give to the Associate Dean for Research, also. If review of the materials and interviews fail to confirm the allegations, a description of the inquiry process and the finding will be reported in writing to the VCR. The VCR will inform all affected parties of the finding, including respondent, claimant, respondent's chair, dean and any other parties informed of the inquiry. The VCR will expunge any reference to the allegations from respondent's personnel file.

v) If the Vice Chancellor for Research, in consultation with the Vice Chancellor for Academic Affairs or Vice Chancellor for Health Sciences, decide that an investigation should be conducted, the VCR will notify the appropriate federal or non-federal agency and will provide them with a copy of the final inquiry report and the institution's policies and procedures for conducting investigations.

vi) If Federal funds are involved and the inquiry is terminated prior to completion of all the steps required by the appropriate agency, the VCR will notify that agency of the planned termination and the reasons therefore.

vii) A detailed documentation of the inquiry, regardless of its outcome, will be kept in the VCR's office for at least five years following completion of the report and will provide copies of this report to any authorized sponsoring agency upon written request of that agency.

j. Additional Procedures if Externally Funded Activities are Involved--The Vice Chancellor for Research will be responsible for informing the funding agency that an Inquiry involving one of their grants or contracts is being initiated. When the findings of the Inquiry Panel are given to the VCR, the appropriate information will be relayed to the funding agency. Since different Federal and State agencies have different regulations which change over time, it is imperative that the VCR assure that the Inquiry and any subsequent investigation meet the funding agency's requirements.

k. The Investigation--A determination that substantive evidence exists supporting allegations of research misconduct necessitates a formal Research Misconduct Investigation to begin within 30 calendar days of the Inquiry Panel's written report. All appropriate sponsors will be notified immediately that an investigation will be performed. The investigation will be completed and a report submitted to the appropriate sponsoring organization within 120 calendar days of the committee's formation. If the investigation cannot be completed in 120 days and Federal funds are involved, then the VCR will submit to the appropriate agency a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes any other necessary steps taken to date. That the respondent voluntarily leaves or admits guilt does not suffice to terminate the process.

i) The Investigation Committee shall consist of five faculty without administrative appointment or conflict of interest, including not more than 2 members from respondent's department and at least 1 member from outside the unit (College or School) or the university, all of whom shall have the necessary expertise to evaluate the evidence and

issues related to the allegations, interview the principals and key witnesses and conduct the investigation. If the allegations pertain to a project funded by an external source, one committee member must be from outside the university. If respondent is from the School of Medicine, the Associate Dean for Research will be consulted prior to selection of the committee. The VCR is responsible for charging the panel, including: review of all allegations, this appendix and related university documents that may have a bearing on the investigation, results of the Inquiry Panel and what documentation is available and setting a schedule to complete the investigation within 120 calendar days. If external funds supported the project, then the VCR will communicate progress on the investigation to the funding agency. Documents and specimens will remain secured. All participants must bear in mind that when external funding, human subjects or animal subjects are involved there is the potential for criminal charges being filed and a "chain of evidence" must be maintained: anyone wishing to remove materials from storage must obtain the permission of the VCR and must sign for each item removed.

ii) The Investigation Committee, with advice from the VCR, will decide on the order of presentation of materials and witnesses and schedule one or more hearings. All documentary evidence presented to the committee by the VCR will be made available to respondent at least 10 working days before the hearing. Legal advice shall be provided by the university for the committee. The hearings shall be closed to the public. The respondent shall have the right to be present during presentation of the evidence to the committee. The respondent shall also have the right to an advisor, to present the testimony of witnesses and other evidence, to confront and cross examine witnesses. The respondent's advisor does not have any right to cross examine witnesses. The Chair of the committee has the discretion at any time to allow respondent's advisor to have an active role in the hearing, either by directly questioning witnesses or by submitting questions in writing through the Chair, or to restrict the advisor to advising the respondent only. An audio recording of all hearings will be made and minutes prepared to be included with the committee's report: both the chair of the committee and respondent will sign the minutes in order to indicate that the minutes accurately represent the proceedings during the hearing. The committee needs to determine whether a preponderance of the evidence exists supporting a Finding of Research Misconduct, as defined by the Policy on Ethics in Research and Creative Activities, has occurred. (Note: This is a less stringent standard than "clear and convincing evidence" and less stringent than "beyond any reasonable doubt.") When the committee has made its determination, a written report will be given to the VCR that describes both the process and the findings of the investigation.

iii) Federal funds are involved and the investigation is terminated prior to completion of all steps required by the appropriate agency, the VCR will notify the agency of the planned termination and the reasons therefore.

iv) Upon initiation of an investigation, interim administrative action will be taken, as appropriate, to protect any Federal funds and the public health, and to insure that the purpose of any Federal financial assistance are carried out. Such action may include but not be limited to freezing grant or contract accounts, suspending clinical trials or appointing an interim project director.

l. Completion of the Investigation--When the Investigation Committee has completed its investigation, it will prepare a draft report; and this report, along with minutes of all hearings and tape recordings of the hearings and recommendations will be given to the VCR. If respondent is from the School of Medicine, a copy of the draft report will be given to the Associate Dean for Research.

i) The report must describe the policies and procedures under which the investigation was conducted, describe how and from whom information relevant to the investigation was obtained, state the findings, and explain the basis for the findings. The report should include the actual text or an accurate summary of the views of any individual(s) interviewed.

ii) The VCR will provide the claimant, if he or she is identifiable, with those portions of the draft investigation report that address the claimant's role and opinions in the investigation. The report should be modified, as appropriate, based on the claimant's comments.

iii) The draft report will also be given to the respondent for comment and review. If the respondent elects to provide a rebuttal, he or she must do so within 10 calendar days. The respondent may rebut orally or in writing, and these responses will become part of the permanent record.

iv) The draft investigation report will be transmitted to the institutional counsel for a review of its legal sufficiency. Comments should be incorporated into the report as appropriate.

v) In distributing the draft report, or portions thereof, to the respondent and claimant, the VCR will inform the recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to ensure such confidentiality. For example, the VCR may request the recipient to sign a confidentiality statement or to come to his or her office to review the report.

vi) If the committee makes a Finding of Research Misconduct proven by a preponderance of evidence to have occurred in violation of the principles set forth in this policy, the committee may include recommendations for sanctions.

vii) If the respondent provides a rebuttal to the evidence for the VCR, the VCR may submit this information to the committee and may request additional deliberations or recommendations from the committee. After deliberation, or if no timely response is received, the committee shall issue its final written report to the VCR. If the VCR disagrees with one or more aspects of the report, the VCR may submit a separate report, but may not modify the committee's report without explicit permission by the majority of committee members. In addition to the findings of the committee, the VCR's report will include recommendations with respect to notification of any journals or other publications with already published or pending publications which are deemed relevant, collaborating institutions or individuals, awarding agencies, and any other individuals or agencies judged to "need to know" in order to avoid further consequences of potentially misleading or fraudulent information. These reports and any rebuttal provided by respondent will be given to the Chancellor and to the appropriate vice chancellor for action as provided herein below. If respondent is from the School of Medicine, copies of these reports and any rebuttal will be given to the Associate Dean for Research.

viii) If the committee finds insufficient evidence of fraudulent or unethical behavior in violation of the principles set forth in this policy, the chair of the committee shall notify the VCR who shall immediately notify all individuals and groups involved that the charges have been dismissed; and every attempt will be made to clear the public and private record of the respondent including letters to be sent to all awarding agencies, journals or others who had been informed that a formal inquiry process had been initiated.

ix) Investigative offices of Federal agencies will be notified promptly by the VCR as and to the extent required by applicable law regulation, to include:

a. if at any time during the investigation there is reasonable indication of possible criminal violations,

b. if there are any developments which disclose facts that may affect present or potential funding for the respondent, and

c. of the final outcome of the investigation.

x) The detailed documentation to substantiate the findings of the investigation will be maintained for at least five years after the final report is delivered to the VCR or Federal agencies. The report to Federal or other external awarding agencies will include a description of the process used to arrive at the findings within the report.

m. Prohibition of Expenditure of Funds-If there are any developments during any time of the investigation which disclose facts which suggest that specific funds from awarding agencies are not being expended in an appropriate fashion, a recommendation by the committee to the VCR may be forwarded to the appropriate vice chancellor that the university prohibit further expenditures of these funds pending final outcome of the Research Misconduct Investigation.

n. Action by the Appropriate Vice Chancellor-

i) The appropriate vice chancellor, after consultation with respondent's dean and VCR, shall determine what disposition to make of the case. The determination shall be transmitted to the respondent promptly. If the vice chancellor determines that the case has not been proven, the vice chancellor may either ask the VCR to provide more information or dispose of the case as in Section V.B.2.i.2. above with the VCR to notify all affected parties that the charges have been dropped. If the vice chancellor chooses this latter action, a written rationale for disposing of the case must be provided by the vice chancellor for the VCR and members of the Investigation Committee.

ii) If the appropriate vice chancellor concurs with the reports by the Investigation Committee and the VCR that misconduct has occurred and determines that a sanction will be imposed, the vice chancellor will consult with the VCR and respondent's dean regarding recommendations for appropriate sanction(s), to include but not limited to, censure, suspension from employment, reduction in rank, removal of tenure, or dismissal and will proceed in accordance with the *ECU Faculty Manual*. Whether or not sanctions are imposed on the respondent, the vice chancellor may prescribe corrective action responsive to the alleged misconduct and take other appropriate action including the recommended notifications of journals, funding agencies and other affected parties by the VCR. The VCR shall notify respondent's dean in reference to ~~of~~ sanctions or other actions imposed.

iii) Respondent may appeal imposition of sanctions through the appropriate appellate committee as described in the *ECU Faculty Manual, Appendix D, Tenure and Promotion Policies and Procedures of East Carolina University* or, if discharge or serious sanctions are not imposed, through *ECU Faculty Manual, Appendix Y.*

Faculty Senate Agenda
March 27, 2012
Attachment 5.

REVISED ENTIRE REPORT

FACULTY GOVERNANCE COMMITTEE REPORT

Proposed Revisions to the *ECU Faculty Manual*, Appendix L. ECU Code

In March 2011, the Faculty Senate approved revisions to Appendix L (#11-45) that are currently being held for further study and pending approval by the Chancellor. The below proposed new section addresses code units and two of the remaining three sections left in Appendix L. The current text in Appendix L would be deleted and is shown here in ~~strikethrough~~.

Remove referenced text in Appendix L and create a new section in the Faculty Manual.

Guidelines for creating and changing code units and for the creation and revision of unit codes.

CONTENTS

I. Code Units
- A. Definition of Code Unit
- B. Organizing as a Code Unit
- C. Creating New Code Units and Making Changes to Existing Code Units

II. Unit Codes
- A. Definition of Unit Code
- B. Approval Process for New and Revised Unit Codes
- C. Faculty Who May Vote on a Unit's Code of Operation
- D. Minimal Unit Code Requirements
- E. Use of "Guidelines" by a Code Unit
- F. Five Year Review of a Unit Code
- G. Faculty Senate Office Records
- H. Unit Code Training
- I. Unit Code Availability

Guidelines for creating and changing code units and for the creation and revision of unit codes.

I. Code Units

A. Definition of Code Unit

In virtue of their professional disciplinary and inter-disciplinary expertise, East Carolina University faculty members are responsible for creating and implementing degree programs, associated curricula, and for performing numerous other activities essential to educating students, advancing knowledge and serving the university and the community. To fulfill this responsibility effectively, faculty members organize into self-governing departments, schools or colleges. The resulting organizational boundaries are neither arbitrary nor a reflection of individual interests. Disciplinary and interdisciplinary boundaries derive naturally from differences in the subjects studied and the methods required to generate new knowledge of these subjects. The operations of a faculty group organized around shared subject matters and research methodologies are governed by a document referred to as a "unit code." ECU uses the expression "code unit" to refer to a department, school or college whose operations are governed by a unit code. Differences between unit codes arise because of the subject matter and research methods of different code units. These differences require unique procedures that govern teaching, research, service and other assignments as well as the specific code unit's criteria for appointment, reappointment, promotion and tenure, for example. The unit code

document is created by a group of faculty members and approved by the appropriate tenured faculty, the Unit Code Screening Committee, the Faculty Senate, and the Chancellor. In this process, the administrator to whom the unit administrator reports (a dean, vice-chancellor or provost) reviews a draft code and may provide advice.

B. Organizing as a Code Unit

Requirements: To be eligible to organize as a Code Unit, a new or existing department, school or college, (or departments, schools or colleges created by splitting or combining existing code units), shall satisfy the following requirements:

1. Code Units shall contain sufficient faculty members to create and sustain one or more degree programs and their associated curricula (excepting the libraries). What suffices in any given case will be decided by the appropriate Provost or Vice Chancellor for Health Sciences in consultation with the tenured and tenure-track faculty who will be members of the Code Unit if established, the chairperson(s) or director(s) and the appropriate dean.
2. Code units shall be organized so as to distribute faculty and administrative responsibilities as follows (this list is not exhaustive of the duties of faculty members and administrators):
(a) Faculty: Faculty members are responsible for providing course instruction in one or more degree program and in Foundations courses as appropriate, for advising majors, for supervising graduate theses and dissertations and for initiating recommendations on curriculum, degree program requirements, personnel actions, evaluation criteria, the unit's strategic plan, the unit's assessment activities, student, faculty and staff awards and the unit's code of operations.

   When the code unit is a college and the college contains departments or schools, some or all of the responsibilities of the code unit's faculty members may separately be performed by the faculty members of each department or school.

   If the code unit is a school and the school contains departments, some or all of the responsibilities of the code unit may separately be performed by the faculty members of each department or school.

   If the code unit is a department and the department contains separate disciplines, some or all of the responsibilities of the code unit may be performed separately by the faculty members of each discipline.

   (b) Administration: The lead administrator is responsible for faculty evaluation, for assigning duties to the unit's faculty members, for recommendations regarding initial faculty salaries and salary increments, for the use of the unit's budget, for fundraising, for maintaining the unit's contracts, records and reports, for managing the unit's support staff, for the unit's compliance with all university policies, rules and regulations and for the unit's compliance with all actions required by higher administration.

C. Creating New Code Units and Making Changes to Existing Code Units

1. Proposals recommending the creation of a code unit or units, or changes to an existing code unit: Proposals shall be initiated by a Code Unit Proposal Committee. A Code Unit Proposal Committee may be self-constituted by action of at least one-fourth of an existing code unit's faculty members (but no fewer than three faculty members) or may consist of at least three faculty members appointed by a chairperson, director, dean, the vice-chancellor for health sciences, the provost or the chancellor. The faculty members appointed to the committee will be some or all of the faculty members who will be members or the new or changed unit(s)

except in a case when the people who will constitute the faculty of a new unit are not yet employed by ECU. In the case of the creation of a new code unit or changes to an existing code unit, proposals will include a provisional code of operations for the new or changed unit(s).

2. A Provisional Code will conform to the ECU Faculty Manual and, as much as is practicable, to the guidelines and requirements for Unit Codes that are set forth in this document [see II.D below]. A Provisional Code will be approved by the Educational Policies and Planning Committee, the Faculty Senate and the chancellor, and will be used for a maximum of three semesters after the formal development of the new unit. No later than three semesters after the creation of a new code unit having a Provisional Code, the faculty of the unit will develop and have approved an official Unit Code.

3. In the case of a provisional code that has been in use for three semesters in a code unit in which there are fewer than three full-time tenured faculty members who have been employed for at least twelve consecutive months in the unit, the deadline for developing and having approved an official unit code shall be extended until there are three faculty members in the unit who are eligible to vote on the unit's code (seeII.C below).

   If faculty members will be displaced by the creation of new code units or by changes to existing code units, the proposal must address this situation.

   In addition to creating new code units, some of the changes to existing code units that proposals may address include but may not be limited to:

   a. dissolving a code unit without terminating the employment of the faculty members in the unit
   b. dividing a code unit into two or more code units,
   c. merging a code unit with one or more other units,
   d. moving a code unit to another school or college,
   e. changing a code unit's status from a department in a college to a school, or from a school to one or more departments in a college, or the reverse,
   f. renaming a code unit, (changes in unit name nomenclature shall be approved by UNC General Administration),
   g. moving groups of faculty and/or disciplines from one coded unit to another. (This type of move does not require UNC General Administration approval.) (Faculty Senate Resolution #98-28, November 1998)
   h. any combination of the above.

   Changes in all code units will not be implemented until the faculty members in the units affected and the Faculty Senate have the opportunity to recommend to the Chancellor approval or disapproval of the proposed changes as originally presented or as amended by the affected units or the Faculty Senate. (Faculty Senate Resolution #98-28, November 1998)

4. Procedures for creating or changing code units:

   (a) The Code Unit Proposal Committee will provide copies of its proposal to all of the faculty members and administrators of the departments, schools or colleges addressed by the proposal.
   (b) Within 15 working days after the proposal has been distributed, the Code Unit Proposal Committee will meet to discuss the proposal with the faculty members of affected

departments, schools and/or colleges or with representatives elected by each affected unit, with the unit administrators, and with the appropriate deans and vice chancellors (or their representatives).
(c) Within 10 working days after this meeting, the permanently tenured faculty members of each affected unit, including the unit administrator(s), will meet and vote their approval or disapproval of the proposal in its original form or as amended by their action.
(d) Within 10 working days the chair of the Code Unit Proposal Committee will forward to the next higher administrator the results of the unit's action.
(e) Within 10 working days the next higher administrator will communicate in writing to the Code Unit Proposal Committee and to the appropriate vice-chancellor(s) the following items: the unit faculty's action and his or her concurrence or non-concurrence with that action.
(f) The Code Unit Proposal Committee shall present copies of the proposal, the affected units' faculty recommendations, and the relevant administrators' concurrence or non-concurrence to the chair of the Educational Policies and Planning Committee. The committee shall consult with appropriate deans and vice-chancellors, and, if it deems necessary, with other faculty members and administrators. Within 40 working days (during the regular academic year), the committee will report its recommendations to the Faculty Senate.
(g) The Faculty Senate will vote, in a timely manner, to recommend to the Chancellor the approval or disapproval of the proposal as originally received by the Educational Policies and Planning Committee or as amended by the Faculty Senate.
(h) If the proposal is approved by the Chancellor (and higher authority if necessary), implementation of the proposal will be overseen by the next higher administrator(s) over the new or changed code units.

Upon approval of new unit codes, the old unit code of a unit that has undergone a change of the sort listed above will become null-and-void.

If faculty members in code units that meet the conditions for splitting into separate code units do not choose to do split into separate code units, faculty in individual departments or schools (as appropriate) may democratically develop written rules for their internal organization and operation. These rules will be housed in the department's or school's administrative office.

II. Unit Codes

A. Definition of Unit Code

Each Code Unit shall develop a Unit Code of Operations that will provide for the conduct of the unit's affairs according to *Robert's Rules of Order, Newly Revised* and the requirements set out below at "D". A new or revised Unit Code shall be approved by a majority of the "Code Unit Voting Faculty Members" of the unit, as defined herein (see "B" below). A copy of each Unit Code, after approval, is housed within the Faculty Senate Office, the Code Unit Office, and is available for review by faculty and administrators within the unit.

B. Approval Process for New and Revised Unit Codes

Each Code Unit will develop its own Unit Code of Operations, following the process described in this section of this document. Upon approval at the unit level, the unit administrator shall forward the new or revised Unit Code to the next higher administrator above the unit for advice. The Code Unit shall consider advice received and may amend its proposed code if this is the will of a majority of the Code Unit's voting Faculty. The Unit Code next is submitted to the Unit Code Screening Committee of the Faculty Senate for review. Upon being approved by the Unit Code Screening Committee, the Unit Code is submitted to the Faculty Senate for review and, if approved, to the Chancellor for final approval. If the Chancellor requires revisions, he or she shall so indicate in writing and shall return

the Unit Code to the unit for the required revisions. After revision, the code shall be approved by a majority of the "Code Unit Voting Faculty Members" of the unit and upon approval shall be dealt with as described above, up to and including receiving the chancellor's approval or request for further revisions.

C. Faculty Who May Vote on a Unit's Code of Operations

Responsibility for voting on a Unit Code rests with the permanently tenured faculty. A permanently tenured, full-time faculty member who is and has been employed for at least twelve consecutive months in a greater than 50% assignment in a unit counts towards a quorum and may vote on the unit's new or revised unit code. This includes administrators who meet these conditions. A faculty member on medical or other leave from a greater than 50% assignment in a unit may vote if the faculty member wishes to do so but does not count towards a quorum unless he or she is present at a vote. Faculty members with 50% or less assignment in a unit do not vote on the unit's code.

D. Minimal Unit Code Requirements

To provide consistency, unit codes should be developed following an approved outline that includes at least:

(a) a preamble
(b) definitions of the unit's faculty, its criteria for serving as a voting faculty member of the unit, and, where appropriate, its approved criteria for appointment to the graduate faculty
(c) criteria for emeritus status in the unit
(d) the administrative organization of the unit
(e) the membership, terms, and duties of standing committees
(f) current, updated, and approved guidelines, criteria, and weights governing the evaluation of tenured, and tenure-track faculty members annually and otherwise for all personnel actions, including recommendations for raises, merit awards, reappointment, promotion and the award of permanent tenure (*ECU Faculty Manual, Appendices C and D*).
(g) guidelines, criteria, and weights governing the evaluation of fixed-term faculty members annually and otherwise for all personnel actions, including, new or subsequent appointments, performance evaluations and advancement in title
(h) Standards for post-tenure review
(i) procedures for meetings within the unit
(j) procedures for the unit's voting faculty members to indicate in a timely fashion and by vote their approval or disapproval of the unit's major planning documents, assessment documents, Guidelines for Unit Academic Program Review, and other major reports prior to their submission in final form to person(s) outside the unit
(k) procedures for discussing with its unit administrator the unit's annual budget request and annual report
(l) amendment procedures.

E. Use of "Guidelines" by a Code Unit

When a Code Unit maintains separate guidelines stating procedures to be followed with regard to faculty evaluation and/or matters not addressed in the unit's code, the Faculty Manual, or the ECU Policy Manual, the guidelines shall be approved by a majority of the Code Unit's voting faculty members (see "B" above). Amendments to Guidelines shall be approved by a majority of the Code Unit's voting faculty members (see "B" above). Guidelines shall be referenced in the Unit Code, shall be in compliance with all policies in the *ECU Faculty Manual* and the *ECU Policy Manual*, shall be housed in the Code Unit's administrative offices, in the office of the next-higher administrator and in the Faculty Senate office. At the time of the mandatory review of a unit's code, a unit's guidelines, if

any, shall also be reviewed by the Unit Code Screening Committee for compliance with university policy.

F. Five Year Review of a Unit Code

The Unit Code Screening Committee shall report to the Faculty Senate at its last regular meeting of the academic year on the status of each unit code reviewed during the academic year, noting whether each code meets the current Faculty Senate guidelines for codes and is in compliance with all university policies, rules and regulations.

G. Faculty Senate Office Records

A copy of each approved Unit Code shall be maintained in the Faculty Senate office. Included with the approved code shall be a page containing the signatures of the chair of each reviewing body and the Chancellor or the Chancellor's delegate.

H. Unit Code Training

The Chair of the Faculty and the Chancellor, or the Chancellor's delegate, shall include an introduction to unit codes and guidelines in the annual new faculty and new administrator orientation sessions.

I. Unit Code Availability

Every tenured, tenure-track and fixed-term faculty member in a Code Unit shall be provided with a copy of or link to the Unit Code and the unit Guidelines, if any, upon becoming a 51% FTE or greater member of the unit.

~~C. Development, Screening, and Implementation of Unit Codes~~

~~1. Each autonomous, self-governing unit shall democratically develop a code of operations. This code must be approved by a majority of the permanently tenured faculty members of the unit. The code will provide for the conduct of unit affairs according to *Robert's Rules of Order, Newly Revised*. Each code will be submitted to the Faculty Senate and the chancellor for review and ratification. In the colleges and schools electing to organize into self-governing, autonomous units at the department level, codes shall be submitted to the appropriate dean for advice prior to submission to the Faculty Senate. After consultation with the Provost or Vice Chancellor for Health Sciences, the chancellor shall ratify a code or shall return the code document to the code unit for revision and appropriate approval.~~

~~2. The faculty may democratically decide to organize into self-governing, autonomous units at the department, school, or college level in accordance with guidelines established by the Faculty Senate. A school's or college's proposal to organize into self-governing, autonomous units will be reviewed by the Faculty Governance Committee. If the Faculty Governance Committee finds the proposal conforms to the guidelines, the proposal will be forwarded to the Faculty Senate for their consideration. If the Faculty Senate acts favorably, the proposal will be forwarded to the Chancellor. With the Chancellor's approval, codes of operation for the individual units shall be democratically developed. Upon approval of the codes, the code of the school or college will become null-and-void. Said school or college may democratically develop a constitution as a governance document. However, this constitution may not conflict with the authorities, responsibilities, and characteristics of the constituent units. If faculty members of schools or colleges do not choose to organize into self-governing, autonomous units, faculty in individual departments may democratically develop rules for the internal organization and operation of their departments. (Faculty Senate Resolution #03-51,~~

~~December 2003)~~

~~3. To provide consistency unit codes should be developed following an approved outline that includes at least:~~

~~a. a preamble~~
~~b. definitions of the unit's faculty, its voting faculty, its graduate faculty~~
~~c. the administrative organization of the unit~~
~~d. the membership, terms, and duties of standing committees~~
~~e. a section that states regulations, criteria, and weights governing the evaluation of faculty members annually and otherwise for all personnel actions, including recommendations for merit awards, reappointment, promotion, and the award of permanent tenure (*ECU Faculty Manual, Appendices C and D*).~~
~~f. procedures for meetings within the unit~~
~~g. procedures for the unit's faculty members to indicate in a timely fashion and by vote their approval or disapproval of the unit's major planning documents, assessment documents, and other major reports prior to their submission in final form to person(s) outside the unit (Faculty Senate Resolution #03-37, October 2003)~~
~~h. procedures for discussing with its unit administrator the unit's annual budget request and annual report~~
~~i. procedures for developing criteria for salary increases (Faculty Senate Resolution #05-08, April 2005)~~
~~j. amendment procedures.~~

~~4. Each faculty member within a unit should have the most recent version of the unit's code.~~
~~5. With each quadrennial evaluation the unit administrator and the appropriate committee reviewing the unit's code should report to the Faculty Senate that the unit's code meets the current Faculty Senate guidelines for codes.~~
~~6. Unit codes that have been reviewed and approved by the Unit Code Screening Committee, the Faculty Senate, and the Chancellor should be deposited in the Faculty Senate office. The original should include a page containing the signatures of the chair of each reviewing body and the Chancellor or the Chancellor's delegate. If the Chancellor upon reviewing the unit's code requires changes in the code, the document should be returned to the unit for the required revisions and should continue through the review cycle until no further changes are required.~~
~~7. Immediately prior to the unit's quadrennial evaluation of its unit administrator, the Chancellor shall remind the unit's faculty and administrator that they must follow the unit's code.~~
~~8. The Chair of the Faculty and the Chancellor, or the Chancellor's delegate, shall arrange and schedule an orientation program for newly appointed administrators, to be conducted during the fall semester of each academic year.~~

~~D. Code Unit Changes~~

~~1. The policies and procedures set forth in this section apply to the following code unit changes:~~
~~a. dissolving a code unit without terminating faculty members' employment,~~
~~b. dividing a code unit into two or more code units,~~
~~c. merging a code unit with one or more code units,~~
~~d. moving a code unit,~~
~~e. changing a code unit's status from a department in a college to a school, or from a school to one or more departments in a college,~~
~~f. renaming a code unit, in addition, changes in unit nomenclature shall be approved by UNC General Administration before such changes become effective. [Please refer to interpretation #05-19.]~~
~~g. any combination of the above.~~

~~Changes will not occur until the faculty members in the units affected and the Faculty Senate have the opportunity to recommend to the Chancellor approval or disapproval of the proposed changes as originally presented or as amended by the affected units or the Faculty Senate. (Faculty Senate Resolution #98-28, November 1998)~~

~~2. Proposals recommending code unit changes of the sort listed above may be initiated by:~~

~~a. at least one-fourth of a code unit's faculty members or~~

~~b. by administrators holding faculty status.~~

~~Proposals must include at least a vestigial code of operations reflecting the changes and detailed plans for any faculty who might be displaced by the change. [Please refer to interpretation #01-17.]~~

~~3. Procedures for making code unit changes are as follows:~~

~~a. The person(s) initiating a proposal will provide copies of the proposal to the faculty members and unit administrators of all code units to be altered by the proposed changes.~~

~~b. Within 15 working days after the proposal has been distributed the initiator(s) will meet to discuss the proposal with the faculty members of the unit(s) or with representatives elected by each affected unit, the unit administrators, and the appropriate deans and vice chancellors (or their representatives).~~

~~c. Within 10 working days after this meeting, the permanently tenured faculty members of each affected unit will meet and vote their approval or disapproval of the proposal in its original form or as amended and then will communicate in writing the results of their action to their unit administrator. The unit administrator will not participate in this vote. (Faculty Senate Resolution #00-20) (Faculty Senate Resolution #03-37, October 2003)~~

~~d. Within 10 working days the unit administrator will forward to the next higher administrator the results of the unit's action and his or her concurrence or non-concurrence with the unit's action.~~

~~e. Within 10 working days the next higher administrator will communicate in writing to the initiator(s) and to the appropriate vice-chancellor(s) the following: the unit faculty's action, the unit administrator's concurrence or non-concurrence with that action, and his or her concurrence or non-concurrence with that action.~~

~~f. The initiator(s) shall present copies of the proposal, the affected units' faculty recommendations, and the relevant administrators' concurrence or non-concurrence to the chair of the Educational Policies and Planning Committee. The committee shall consult with appropriate deans and vice-chancellors, and, if it deems necessary, with other faculty members and administrators. Within 40 working days (during the regular academic year), the committee will report its recommendations to the Faculty Senate.~~

~~g. The Faculty Senate will vote in a timely manner to recommend to the Chancellor the approval or disapproval of the proposal as originally received by the Educational Policies and Planning Committee or as amended by the Faculty Senate.~~

~~h. If the changes are approved by the Chancellor (and higher authority if necessary), implementation of these changes will be overseen by a committee including a faculty member appointed by the Chancellor, a faculty member appointed by the Chair of the Faculty, and a faculty member appointed by the Educational Policies and Planning Committee. The committee will provide timely reports on progress to the Educational Policies and Planning Committee.~~

Faculty Senate Agenda
March 27, 2012
Attachment 6.

FACULTY GOVERNANCE COMMITTEE REPORT

Formal Faculty Advice on Proposed ECU Patent Policy

No changes are being proposed at this time.

EAST CAROLINA UNIVERSITY PATENT POLICY

Authority: Board of Trustees (approval also needed from UNC President)
History: First Issued: March 1984, Amended May 2006, Amended July 2010
Related Policies: Equity Acquisition Policy

Additional References: UNC Code Appendix II; U.S. patent statutes (35 U.S.C. §§ 1-376); Bayh-Dole Act (37 C.F.R. 401); ECU Copyright Policy; ECU Trademark/Trade Secret Policy; ECU Policy on Conflicts of Interest and Commitment; ECU Policy Statement on External Professional Activities of Faculty and other Professional Staff; *Speck v NC Dairy FND 311 NC 679 (1984)*

Contact for Info: Director, Office of Technology Transfer
2200 South Charles Boulevard
Greenville Centre Room 2400
Mail Stop 163
East Carolina University
Greenville, NC 27858-4353
252-328-9549 Office
252-328-0799 Fax
www.ecu.edu/ott

---

1. Introduction
   East Carolina University (the "University") is dedicated to the pursuit of instruction, research, scholarship, engagement, innovation development and the extension of knowledge for the benefit of the public good in an environment that is open to collaboration and publication. Inventions, discoveries and other intellectual assets sometimes arise as a result of the conduct of these activities by University personnel, including students and University volunteers, utilizing University resources; which may qualify for intellectual property protection in the form of patents, copyrights, trademarks, and trade secrets. The Board of Governors of the University of North Carolina has determined that patenting and commercialization of these intellectual assets are consistent with the mission of the University.

2. Coverage
   The University Patent Policy, as amended from time to time, shall apply to and be deemed to be a part of the conditions of employment for every employee of the University including, but not limited to, EPA faculty, non-teaching EPA employees, employees subject to the State Personnel Act (SPA), clinical support services employees (CSS), student employees, and University volunteers. Further, these policies are a condition of enrollment and attendance by every student at the University. Upon prior written agreement between non-University persons, research sponsors or collaborators, and the University, these policies may be applied when the further development and refinement of inventions are compatible with the research programs of the University.

3. Ownership

3.1 Patent Agreement

All faculty, staff, visitors, volunteers, and students engaged in on-campus University related or sponsored research, shall sign an East Carolina University Patent Agreement (employees, visitors and volunteers; students). However, students who are not engaged in research related activities are not obligated to sign an East Carolina University Patent Agreement unless they make an invention subject to these policies. If a student makes an invention that is, or may be, subject to this policy, the student shall disclose that invention to the University as provided under this policy.

University personnel shall not: (1) sign agreements with outside persons or organizations which may abrogate the University's rights and interests as provided in this Patent Policy or as provided in any grant or contract funding the Invention; nor (2) without prior authorization, use the name of the University or any of its facilities in connection with any invention subject to this Patent Policy.

3.2 University Ownership of Inventions

The term *Invention*, as used in this policy, means an invention or discovery of any new and useful process, machine, manufacture, or composition of matter; or any new and useful improvement thereof, including compounds, prototypes, biological materials, software, complex multimedia works and tangible research results, provided that such invention or discovery (1) is patentable or commercializable; (2) is obligated under a sponsored research agreement; or (3) is created to support the administrative operations of the University.

Unless otherwise agreed upon in a written agreement signed by a University official with delegated authority, the University shall own all right, title and interest in any Invention that is developed with the aid of University facilities, staff or students, or through funds administered by the University. Upon request, inventors shall execute promptly all contracts, assignments, waivers or other legal documents necessary to vest in the University or its assignees any or all rights to such Invention, including complete assignment of any patents or patent applications relating to the Invention. Such Invention is hereby assigned by the inventor(s) to the University in accordance with this policy.

3.3 Inventor Ownership of Inventions

An inventor that is a University employee, student, or volunteer may own all right, title and interest in certain Inventions (each an "Inventor-Owned Invention") under either of the two following circumstances:

3.3.1 If the subject matter of the Invention is outside the scope of the inventor's University activities (such activities including, but not limited to, the inventor's research, teaching, administrative, service or permitted entrepreneurial activities) at the University, an Invention may be an Inventor-Owned Invention if it was made:

(a) without the material use of University facilities, equipment, materials or resources,

(b) without funds administered by the University, and

(c) without interfering with the inventor's obligation to carry out all of his/her primary University duties in a timely and effective manner.

3.3.2. If the subject matter of an Invention is within the scope of the inventor's University activities (such activities including the inventor's research, teaching, administrative, service activities or permitted entrepreneurial activities) at the University,

the Invention may be an Inventor-Owned Invention if it qualifies as an "external professional activity invention." An "external professional activity invention" means an Invention that:

(a) meets the conditions set forth in section 1(a) through (c) above,

(b) is made in the course of inventor's external professional activities in compliance with the University's Policy on External Professional Activities of Faculty and Other Professional Staff (or any substitute or complementary policy),

(c) is not based on or, if to be practiced, does not require the use of intellectual property owned by the University,

(d) arises out of a specific scope of work defined in a written agreement between the inventor and a third party, and

(e) if such Invention is within the specific subject area of the inventor's current and ongoing University research activities, such inventor has received prior approval from his/her departmental chair, school dean, unit director or similar administrative officer to engage in such external research activity, and notice of such approval has been provided to the University's Office of Technology Transfer.

The University does not claim any rights in Inventor-Owned Inventions.

4. Revenue Sharing

The University shall share revenue earned from technology transfer activities with the inventors as specified in this section. Specific provisions of grants or contracts may govern rights and revenue distribution regarding inventions made in connection with sponsored research; consequently, revenues the University receives from such inventions may be exclusive of payments of royalty shares to sponsors or contractors. Moreover, the University may contract with outside persons or organizations for the obtaining, managing and defending of patents. Any expenses incurred for the services of such persons or organizations, as well as any and all incremental expenses incurred by the University in obtaining and maintaining patents and/or in marketing, developing, and licensing and defending patents or licenseable inventions, shall be deducted before the University distributes revenues as provided below.

The revenues that the University receives from a patent or invention shall be distributed as follows:

	1st $1000 (Gross Receipts)	Next $100,000 (Net Receipts)	Greater Than $101,000 (Net Receipts)
Inventor(s)	100%	50%	40%
Department(s)	n/a	15%	15%
School/College(s)	n/a	5%	5%
Invention Management Fund	n/a	25%	30%
Division of Research & Graduate Studies	n/a	5%	10%

Applicable laws, regulations or provisions of grants or contracts may, however, require that a lesser share be paid to the inventor. In the case of co-inventors, each percentage share described

in this paragraph as due a sole inventor shall be subdivided equally among the co-inventors unless all the co-inventors provide the University a written instrument signed by each of them allocating ownership among them other than in equal shares. In no event shall the share payable to the inventor or inventors in the aggregate by the University be less than 15% of gross royalties received by the University.

To the extent practicable and consistent with State and University budget policies, amounts allocated to the University pursuant to the above chart will be dedicated to support University scientific research, development, commercialization and education activities.

In the event that an inventor leaves the University, either voluntarily or involuntarily, and the inventor is entitled to receive compensation in accordance with this Policy, then the inventor shall continue to be entitled to receive payments. In the event of death of an inventor who is entitled to receive compensation in accordance with this policy, then such payments will be paid to the inventor's estate or as directed in accordance with a court approved action.

5. Sponsored Research

5.1. Government Sponsored Research

Patents on any invention conceived or first actually reduced to practice in the performance of work under the Federal funding agreement arising from research supported by the United States Government ("Subject Invention") may be controlled by the terms of the grants and contracts specified by the government agency pursuant to Federal law. Consistent with Federal law, the University may, within a reasonable time after disclosure to the U.S. government, elect to retain title to any Subject Invention. Also, the Federal government may receive title to any Subject Invention in which the University does not elect to retain rights or fails to elect rights within a reasonable time. In the event that the University elects to retain title to Subject Inventions then it shall provide the Federal government with a non-exclusive, non-transferable, irrevocable, paid-up license. In the event that the Federal Government retains title to Subject Inventions then the University shall be free to use such invention(s) so covered for its own scientific and educational purposes without payment of royalty or other charge, consistent with Federal Law. Except as provided by Federal law, the terms of government-supported grants or contracts, or when patent rights are waived by the government, patents arising from government sponsored research are controlled by these patent and copyright policies.

5.2. University Research Sponsored by Non-Governmental Entities

The University must ensure that its facilities and the results of the work of its employees are applied in a manner which best serves the interests of the public. Likewise, the legitimate interests of a private sponsor who provides financial or other support to research carried out by the University must be considered. The University should normally reserve the right to ownership of patents on inventions arising out of research supported in whole or in part under grants or contracts with nongovernmental organizations or firms. Contracts or agreements which are entered into between the University and such organizations or agencies should contain clauses setting forth such a reservation unless deviations there from are requested by the sponsor and approved by the University consistent with the public interest. In the interest of fair treatment to the sponsor, in consideration for the sponsor's investment and in the interest of discharging the University's obligation to the public in the application of its facilities and its employees' time and talent, special provisions may be negotiated by the University in such non-government sponsored contracts, upon request, provided (1) that the University retains the right to use the invention for its own research, educational, and service purposes without payments of royalty fees; (2) that the University requires the sponsor to use due diligence in the

commercial use of the invention; and (3) that the University retains the right to freely publish the results of its research after a reasonable period necessary to protect the rights of the parties and to allow for the filing of a patent application (Section 3.2 herein).

6. Public Use and Publication Restrictions

6.1. Duty to notify prior to public disclosure

The results of faculty and student research should be published in scholarly form. Though this Patent Policy does not limit the right to publish, except for short periods of time necessary to protect patent rights, publication or public use of an invention constitutes a statutory bar to the granting of a United States patent for the invention unless a patent application is filed within one year of the date of such publication or public use. Publication or public use also will generally be an immediate bar to patentability in most foreign countries.

It is the duty of an inventor to report or, if the inventor is not available to make such report, the duty of his/her supervisor to report to the Office of Technology Transfer any inventions subject to this policy prior to any publication, submission of manuscript for publication, sale, public use, or plans for sale or public use of an Invention (hereinafter a "Public Disclosure Event"). This duty to report applies immediately upon the inventor or his/her supervisor becoming aware of any such Public Disclosure Event, and shall remain an affirmative duty until a patent application or a provisional patent application is filed, or until the one-year anniversary of the first Public Disclosure Event, whichever event occurs first. If an Invention is disclosed to any person who is not employed by the University or working in cooperation with the University upon that Invention, a record shall be kept of the date and extent of the disclosure, the name and address of the person to whom the disclosure was made, and the purpose of the disclosure.

6.2. Publication Restrictions

If a sponsor proposes to support a research effort that will involve a limited exclusive use license of resulting patents, the agreement with respect to publication shall include the following: (1) the sponsor must agree that the results of the research may be published if desired by the investigators or research workers; (2) to ensure that patent applications are not jeopardized, the University, investigators, and research workers may agree that any proposed publication will be submitted to the sponsor with a notice of intent to submit for publication. If within a period of no more than 90 days from the date of such notice the sponsor fails to request a delay, the investigators, research workers and University shall be free to proceed immediately with the publication. However, if the sponsor notifies the University that a delay is desired, the submission of the manuscript to the publisher shall be withheld for the period requested, but in no event shall the total period of delay be longer than one year from the date of the notice of intent to submit for publication mentioned above. Such a period will permit the sponsor to have the necessary patent applications prepared and filed but will not unduly restrict the dissemination of scientific knowledge.

7. Avoidance of Conflicts

Conflicts involving patentable inventions and discoveries may arise when University personnel or students enter into personal consulting agreements with outside firms and organizations. The agreements that outside firms and organizations wish to have executed by those who are to serve as their consultants frequently contain provisions as to the licensing or assignment of the consultant's inventions and patents. Unless such provisions are narrowly worded, they usually will apply to areas in which the individual's University work lies and thus come into conflict with the

obligations owed by the individual to the University under these policies, either with respect to the rights of the University itself in an invention or with respect to the rights of a sponsor of research in the same field or subject matter.

Prior to signing any consulting agreement including, but not limited to, agreements involving patent rights and trade secrets, where any University time, facilities, materials or other resources are involved, University personnel and students must bring the proposed agreement to the attention of the Office of Technology Transfer and either obtain a waiver of University rights or otherwise ensure the consulting agreement conforms with this and all other University policies. Consulting agreements may not in any way limit the right of any University faculty member or employee to engage in teaching research or service at the University.

The foregoing requirements are in addition to, and do not eliminate the necessity for compliance with the ECU Policy on Conflicts of Interest and Commitment, the ECU Policy Statement on External Professional Activities of Faculty, and the ECU Policy on Secondary Employment for SPA and CSS employees.

8. Administration

8.1. Patent Committee

The Patent Committee, appointed by the Chancellor and consisting of no less than three members, one of whom shall be designated by the Chancellor to serve as Chair, is charged with reviewing and recommending to the Chancellor or his delegate the procedures for the implementation of this policy; resolving questions of invention ownership that may arise between the institution and its faculty, staff, students, or volunteers, or among individuals; recommending to the chancellor the expenditure of the patent royalty fund; and making such recommendations as are deemed appropriate to encourage disclosure and assure prompt and expeditious handling, evaluation, and prosecution of patent opportunities; and to protect the interests of both the University and the public. The University Committee on Intellectual Property/Patents serves as the Patent Committee for the University. The Director of the Office of Technology Transfer shall serve as an ex-officio voting member of the Committee. The Office of Technology Transfer shall administer and provide support for the Committee.

8.2. Patent and License Management

The Office of Technology Transfer is charged with administering the University's patent management and licensing program, including, but not limited to filing, prosecution, and maintenance of the University's patent portfolio and maintenance of the University's license portfolio.

8.3. Implementation

The Office of Technology Transfer is responsible for implementing this policy. Such implementation shall address various matters covered by this policy, including developing policies and procedures designed to supplement and interpret the ownership aspects of this policy, providing advice regarding ownership of specific works, releasing institutional rights, and accepting an assignment of rights to the Institution from an author or creator of a work.

8.4. Release of University Invention to Inventor(s)

In the event that the University chooses not to pursue patenting and/or commercialization of University invention, the Inventor(s) may request release of the invention to them under the terms of the University Invention Release Agreement.

8.5. Dispute Resolution

8.5.1. Jurisdiction

Review of all matters related to patents shall fall under the exclusive jurisdiction of the Patent Committee, subject to the normal appeal processes. Any individual subject to this policy may seek resolution of questions of invention ownership that have arisen between the University and its faculty, staff, students, volunteers, or among individuals by filing a written request with the Chair of the Patent Committee. The Chair shall appoint a 5-member Dispute Resolution Panel ("the Panel") to address the dispute with at least 3 panel members being selected from the membership of the Patent Committee. In the event that the dispute involves the Chair of the Patent Committee, the Vice Chancellor for Research shall appoint the Panel. The Panel shall elect a chair from its membership. The University shall provide appropriate support to the Panel including, but not limited to, patent counsel or other patent expertise.

8.5.2. Conduct of the Hearing

In its sole discretion, the Panel may elect to conduct a hearing or may make a recommendation based upon the written record, provided that all parties to the dispute are given an opportunity to present evidence and arguments in support of their respective positions. The hearing shall be conducted in accordance with procedures adopted by the Chair of the Panel. A party may be accompanied at the hearing by a non-participating advisor.

8.5.3. Disposition

The Panel shall report its written findings, conclusions and recommendations for disposition of the matter to the Vice Chancellor for Research. Copies of such findings, conclusions, and recommendations shall be provided to all parties, subject to confidentiality of third party interests, if any. Upon receipt of such findings, conclusions and recommendations, the Vice Chancellor for Research shall issue a written decision in the matter. The decision shall be final, subject to appeal rights under The Code of the University of North Carolina.

9. Works Subject to Protection by Both Copyright & Patent Laws

In cases where an invention or creation is subject to protection under both patent law and copyright law, if the University elects to retain title to its patent rights, then the inventor/creator(s) shall assign such patent and copyright rights to the University.

Faculty Senate Agenda
March 27, 2012
Attachment 7.

REVISED

GRIEVANCE BOARD REPORT

Proposed revisions to the *ECU Faculty Manual*,
Appendix X. Grievance procedures for complaints of unlawful or prohibited harassment, discrimination or improper relationships brought against East Carolina University faculty members or administrators holding faculty status

Link to current Appendix X. located in the *ECU Faculty Manual.*

Revise and keep in the Faculty Manual.

The proposed new text would read as follows:

I. Preamble

A. Federal and state laws and/or university policies protect individuals from harassment or discrimination based on age, color, creed, disability, genetic information, national origin, political affiliation, race/ethnicity, religion, sex/gender, sexual orientation, or veteran's status. For a list of definitions of each protected class see http://www.ecu.edu/cs-acad/edc/ProtectedClassGrievances.cfm

The formal procedures enumerated in this Appendix assure individuals who believe that they are the victims of unlawful or prohibited harassment, discrimination, or improper relationships that their grievances will be dealt with fairly and effectively. "Improper relationships" in the context of this Appendix refers to an improperly executed or exploited supervisory relationship by engaging in a consensual amorous relationship with students or other University employees whom the employee is or will be supervising or evaluating, or by engaging in any sexual activity with any enrolled student of the institution, other than his or her spouse, who is a minor, as prohibited by University policies. Unless a victim of illegal harassment or discrimination, a person reporting an alleged amorous relationship who is not a party to this relationship lacks standing to seek an appeal under these grievance procedures.
The *East Carolina University Faculty Manual* elaborates on policies related to harassment and discrimination in Appendix V. Appendix U addresses policy 300.4.1 of the Board of Governors of the University of North Carolina concerning improper relationships between students and employees.

B. Unlawful or prohibited harassment, discrimination, or improper relationships violates East Carolina University's policies and will not be tolerated. Members of the University community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of unlawful or prohibited harassment, discrimination or improper relationships prohibited under the policies stated in the Appendices V and U of the *ECU Faculty Manual*. East Carolina University will take every step to resolve grievances promptly and confidentially.

C. Any act by a University employee or student of reprisal, interference, restraint, penalty, discrimination, coercion, retaliation, or harassment against an employee or student for using the applicable policies responsibly interferes with free expression and openness and violates University policy. Accordingly, members of the University community are prohibited from acts of reprisal and/or retaliation against those who file complaints, are involved as witnesses, or otherwise try to use University policies responsibly.

D. When complaints of harassment, discrimination, or improper relationships have been substantiated, the Chancellor, or the Chancellor's designee, may take such disciplinary action as he or she deems appropriate, including discharge from employment, suspension, or reduction in rank in a manner that is consistent with the policies and procedures stated in the *ECU Faculty Manual*.

E. East Carolina University shall investigate anonymous unsigned complaints against faculty and administrators holding faculty status to the extent justified by the content and context of the complaint.

II. Grievance Procedures

II.1. Optional Initiation of Grievance Procedures

Complainant may skip these optional grievance procedures by going directly to II.2. Level One Grievance Procedures. At any time during the optional grievance procedures the complainant or respondent may elect to take the matter to the East Carolina University Office of Equity, Diversity, and Community Relations ("EDC").

A. Discussion with the Department Chairperson

1. The complainant should make an appointment with the Chairperson or, if the Chairperson is alleged to have engaged in the misconduct, with the Dean. In such a case, skip II.1.A and go directly to II.1.B. The complainant may request that a conference with the Chairperson be held without the respondent (hereafter, "the respondent" is used in the singular form, even where it may stand for more than one person). At the time of making the appointment, the complainant should state expressly the need to discuss a complaint related to the respondent's employment status. The Chairperson must consult the EDC to determine if the complaint alleges conduct so severe as to require immediate reporting to other authorities.

2. The initial complaint may be made to the Chairperson (or, as provided in II.1.A.1, to the Dean) in writing as a matter of record if the complainant so desires. However, this is not necessary to initiate a complaint by these optional grievance procedures.

3. The Chairperson (or, as provided in II.1.A.1, the Dean) will set an appointment date with the involved parties as soon as possible after receiving the request; but, in any event, within 7 calendar days after the request, the complaint will be discussed with the involved parties. Either party may request that the meeting with the Chairperson be held without the other party present. The Chairperson should freely discuss the nature of the complaint in a relaxed and informal manner, making every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. All parties will be appropriately advised in writing of the corrective action, if any, and the findings and the basis for the decision of the Chairperson within 7 calendar days subsequent to the conference.

B. Discussion with the Dean

1. If the complaint is not resolved to the satisfaction of all parties in conference with the Chairperson, the complaint should be taken to the appropriate Dean for further evaluation and consideration. Within 7 calendar days after receipt of the decision of the Chairperson, either party should forward that decision (and the initial complaint, if it was made in writing) to the Dean. Either party may request that a conference with the Dean be held without the other party present. The Dean will respond to the request for an

appointment and discuss the complaint with both parties within 7 calendar days after receipt of such request.

2. The Dean's conference should be conducted in a relaxed and informal manner with the involved parties. The Dean should invite the Chairperson to participate in this conference if doing so is deemed desirable or appropriate, or if the presence of the Chairperson is requested by either party. The Dean should make every effort to take the corrective action necessary in resolving the complaint to the satisfaction of the involved parties. All parties will be appropriately advised in writing of the corrective action, if any, and the findings and the basis for the decision of the Dean within 7 calendar days subsequent to the conference.

C. Appeal to the East Carolina University Office of Equity, Diversity, and Community Relations ("EDC")

If the complaint is not resolved to the satisfaction of either party, the dissatisfied party has the right to appeal the decision to the EDC Office. The appeal should be made within 21 calendar days subsequent to the decision of the Dean and must follow the Level One Grievance Procedures specified below in II.2.

II.2. Level One Grievance Procedures

A. Reporting the Complaint to the East Carolina University Office of Equity, Diversity and Community Relations

1. To initiate the process, the complainant may contact the EDC office or submit a grievance reporting form, available at http://www.ecu.edu/cs-acad/edc/SubmitAGrievance.cfm. If this is an appeal from the Dean's decision as specified under II.1.C, the party making such an appeal is known as the complainant in this process.

2. Complaints concerning harassment, discrimination, or improper relationships submitted in writing to ECU's EEO Officer, who is Vice Provost for Equity, Diversity and Community Relations, should contain at least the following: (a) the complainant's description of the alleged event(s), including times, dates, places, and witnesses, if possible; (b) the complainant's description of the effects, if any, of the alleged event(s); (c) the names of the individuals alleged to have subjected the complainant to harassment or discrimination, or alleged to be involved in a prohibited improper relationship; and (d) the identification and contact information for the complainant. The EEO Officer, or the Officer's designee, is referenced hereafter, as "the Grievance Officer".

3. The Grievance Officer shall immediately acknowledge receipt of the complaint and, within 14 calendar days from the submission of the complaint, shall schedule a meeting with the complainant to listen to and discuss the complaint. Any of the deadlines set at Level One Grievance, as enumerated in this section II.2, may be extended by the Grievance Officer to accommodate delays not reasonably avoidable. Written notice of the new deadline and the reason for the extension shall be provided to the parties and to the Provost. Such extensions must be allowable under applicable law and shall not unduly delay the investigative process.

4. The Grievance Officer will be available to the complainant, the respondent (hereafter, "the respondent" is used in the singular form, even where it may stand for

more than one person), and to possible witnesses to discuss their rights and procedural options, as well as the possible outcomes of these options.

5. The Grievance Officer shall determine whether evidence exists to sustain the complaint. In making this determination, the Grievance Officer may conduct an investigation. The confidentiality of both the complainant and the respondent will be preserved to the extent required by law.

6. If the complainant wishes to proceed or the Grievance Officer determines it necessary to proceed with an investigation, the Grievance Officer will provide a written description of the complaint, or a copy of the written complaint, to the respondent at the beginning of the investigation and not later than 14 calendar days following the complainant's or Grievance Officer's decision to proceed with an investigation.

7. The respondent shall have an opportunity to meet with the Grievance Officer and provide a response to the allegations, both verbally and in writing.

8. During the investigation of a complaint the Chancellor or appropriate Vice Chancellor may take interim measures, up to and including suspension with pay, to prevent misconduct or retaliation.

B. Record

1. The Grievance Officer will keep a record of the initial and any subsequent discussions between the complainant and the Grievance Officer, and of discussions between the Grievance Officer and respondent. This investigation record will include:

a) the documentation referenced in II.2.A.2;

b) the reply of the respondent, if any;

c) and any and all information collected in and relating to the investigation,

and, to the extent allowed by applicable law, shall be provided by the Grievance Officer to all parties with all due speed, preferably within 14 calendar days of its compilation.

2. Within 14 calendar days of receiving a copy of the investigation record, the complainant and the respondent may append to this record a written response to each of the factual claims of the record. In any case where a written response is appended to the record, this will be noted in the record itself.

C. Written Report and Conclusions

Within 21 calendar days after the procedures listed under II.2.A are met and the record as specified under II.2.B is completed, the Grievance Officer will submit this record and the Grievance Officer's report of findings and conclusions to the appropriate Vice Chancellor. All parties, including the complainant, respondent, and supervisors, are notified regarding the results of the investigation at the same time; provided, however, if there are multiple respondents and/or multiple complainants, each party will receive only such information as is directly related to his or her case.

D. The Vice Chancellor shall issue a letter to all parties that may or may not initiate the disciplinary process or take disciplinary action in accordance with University procedures.

E. Procedures To Be Followed Upon the Imposition of Sanctions

1. The Chancellor or the Chancellor's designee may respond to substantiated claims by the imposition of serious sanctions (*The UNC Code*, Section 603 lists serious sanctions as discharge from employment, suspension, or demotion in rank) or lesser sanctions, provided that the conditions specified below are met prior to the imposition of sanctions. However, failure of the respondent to cooperate with the investigation (failure to respond to the allegations, or to accept a copy of the report of the investigation, etc.) will not preclude the University from imposing appropriate sanctions if all of the following have occurred:

a) The respondent was provided with a written statement or description of the complaint brought against the respondent, signed either by the complainant or the Grievance Officer;

b) The complaint was thoroughly investigated by the Grievance Officer;

c) The reply of the respondent to the complaint was solicited in person and in writing by the Grievance Officer during the investigation of the complaint by the Grievance Officer;

d) The reply of the respondent to the complaint obtained during the investigation of the complaint by the Grievance Officer is noted in the Grievance Officer's report of findings and conclusions; and

e) The respondent was provided with the Grievance Officer's written report of the findings and conclusions.

2. When the disciplinary actions, if any, do not include a serious sanction, either party may, within 28 calendar days from the Vice Chancellor's issuance of a letter responding to the Grievance Officer's report, request an appeal to the Grievance Board in accordance with the Level Two Procedures as specified below in II.3.

3. When the disciplinary actions include a serious sanction they may -- pursuant to the *ECU Faculty Manual* -- be sequentially appealed to the Due Process Committee, East Carolina University Board of Trustees and, alleging that one or more specified provisions of *The UNC Code* have been violated, the Board of Trustees decision may be further appealed to the Board of Governors. *The UNC Code*, Section 603(3) warns that if, within 14 calendar days after receiving the notice of a serious sanction, the faculty member makes no written request for appeal, the faculty member may be discharged or serious sanction imposed without recourse to any institutional grievance or appellate procedure.

F. Options beyond Level One Grievance

When Level One procedures are terminated without being resolved to the satisfaction of either party, both the complainant and respondent have the option of initiating a Level Two Grievance (see II.3). However, if the disciplinary actions include a serious sanction and the respondent wishes to appeal it, such an appeal must be made to the Due Process Committee instead of the Grievance Board.

II.3. Level Two Grievance Procedures

A. If either party disagrees with the findings and conclusions in the report of the Grievance Officer, either party may, within 28 calendar days from the Vice Chancellor's issuance of a

letter responding to the Grievance Officer's report, notify the Grievance Officer, in writing, to request a Grievance Board hearing.

B. The possible appeal routes depend on the disciplinary actions stated in the Vice Chancellor's letter to the Grievance Officer:

1. If serious sanctions are imposed an appeal may be made by the original respondent within 14 calendar days, only to the Due Process Committee and not to the Grievance Board.

2. If they do not include a serious sanction, within 28 calendar days of the disciplinary action taken, either party may notify the Grievance Officer, in writing, to request a Grievance Board hearing.

C. The person (complainant or original respondent) who initiates the Level Two hearing hereafter is known as the grievant and the other party is known as the respondent.

D. Within 7 calendar days after receiving such a request, the Grievance Officer will submit the request, the record, the Grievance Officer's report of findings and conclusions, and the original written complaint to the Chair of the Grievance Board (hereafter, "the Chair"). The Grievance Officer will simultaneously send a copy of these materials to the respondent. Some material may be redacted where required by law.

E. Communications pertaining to the grievance are maintained by the Chair. Such communications include, when appropriate, the following: copies of all written communications (including emails); the contents of any interaction or meetings held with regard to Level Two Grievance proceedings; a summary of the course of action; and the findings of the Grievance Board's hearing panel. The communications and records are confidential and cannot be released unless such release is compelled by law. After the report of the Grievance Board's hearing panel is submitted to the Chancellor, all these materials are transferred to the Office of Faculty Senate, where they shall remain as confidential and will not be released, unless permitted by law.

F. Composition of the Grievance Board

The Grievance Board shall be composed of 5 regular members and 7 alternate members, each of whom is a permanently tenured voting faculty member holding no administrative title (the term "administrative title" refers to appointment as department chair in a professional school, unit administrator, dean, assistant or associate dean, vice chancellor, assistant or associate vice chancellor, chancellor, assistant or associate chancellor, assistant or associate provost). The University encourages diversity on the Grievance Board. Members shall be elected in accordance with the procedures for election of appellate committees specified in the Bylaws of the ECU Faculty Senate.
The members of the Grievance Board shall elect annually a chair, a vice-chair, and a secretary. The business of the Grievance Board shall be conducted according to the most recent edition of *Robert's Rules of Order, Newly Revised*, except as described below.

1. Composition of the Grievance Board for a particular hearing panel (hereafter, "the Panel")

After receiving the Grievance Officer's notification about the Level Two grievance, within 7 calendar days, the Chair will determine the availability of the regular members and alternates. If any of the Board's 5 regular members are unavailable or need to recuse themselves, an alternate will be selected to serve on the hearing Panel in their place. An additional alternate will be chosen to attend all sessions of the hearing and to

replace a hearing Panel member, should that member be unable to attend the entire hearing. The ranking of the available alternates for selection will be determined by their years of service to the University. If there are fewer than 6 Grievance Board members available to serve on the hearing Panel, then the Chair of the Faculty will select a sufficient number of additional alternates to constitute a complete Panel of 6 members. Those Grievance Board members who hold an appointment in the grievant's or respondent's academic unit, those who reasonably expect to be called to provide evidence during the hearing, and those who have conflicting interests shall recuse themselves or be disqualified from participation in the hearing by a majority vote of the remaining members.

Within 3 calendar days from the formation of the Panel, the Chair will send the grievant and respondent a list of the 6 members of the Panel. From that list, both the grievant and respondent may disqualify 1 member without cause from serving on their Panel. The grievant or the respondent wishing to exercise this option must notify the Chair, within 3 calendar days, of the name of the member to be disqualified. The Chair will select additional Panel members to constitute a complete Panel of 6 members.

G. Purposes of Hearing

The purposes of a hearing are: (i) to render findings of facts and recommendations as to whether evidence presented to the Panel during the hearing sustains by its preponderance the allegations of harassment, ~~or~~ discrimination or improper relationships; (ii) to communicate in the Panel's report to the Chancellor the Panel's finding and the reasons that support this finding, and the Panel's recommendations regarding resolution of the complaint. Avenues of appeal are provided to faculty members in the *ECU Faculty Manual* and in *The UNC Code*. The findings of the Panel are final only when the Chancellor renders her or his opinion, and the respondent fails to challenge either the Panel's findings or the Chancellor's concurrence or actions based on Panel's findings.

H. Conduct of Hearing

1. The hearing before the Panel shall be conducted in private.

2. Attendance throughout the entire hearing is limited to members of the Panel, the grievant, 1 person (who may advise the grievant), the respondent and 1 person (who may advise the respondent). Neither of the advising persons shall have speaking privileges.

3. With the assistance of the University Attorney, the Panel may call witnesses.

4. Witnesses will be available at a convenient location, and will be called to appear before the Panel at times specified by the Chair.

5. In making its determination, the Panel shall consider only such evidence as is entered or presented during the hearing. The Panel may use its own judgment in deciding the admissibility and/or relevance of any testimony of any person before the Panel, and the admissibility and/or relevance of any evidence whatsoever.

I. Hearing Procedure

1. The Panel will initiate a hearing no later than 42 calendar days after the date that the respondent was notified that a hearing will occur.

2. The Chair will notify all parties of the time, date, and place of the hearing at least 28 calendar days prior to its start. Within 14 calendar days of this notification, either party may

request, in writing, postponement of the hearing with up to a 35 calendar days extension. Such a request will be granted if a majority of the Panel agrees that exceptional circumstances justify postponement.

3. Within 21 calendar days prior to the start of the hearing, the grievant and the respondent shall identify, in writing, to the Chair individuals who may provide evidence to the Panel and provide the Chair with any written or other material they wish to be entered as documentary evidence.

a) Fourteen (14) calendar days prior to the hearing, the Chair will provide the respondent with a copy of the list of witnesses for the grievant, and with a copy of any depositions or other written material, and/or a description of any other evidence the grievant had submitted to the Panel.

b) Fourteen (14) calendar days prior to the hearing, the Chair will provide the grievant with a copy of the list of witnesses for the respondent, and with a copy of any depositions or other written material, and/or a description of any other evidence that respondent had submitted to the Panel.

c) At any time prior to the grievant's closing statement, either party may request that the Panel allow new witnesses or new evidence to be presented. If they are deemed relevant, such requests will be granted by a majority of the Panel if the need for new witnesses was not reasonably foreseen or new evidence was previously unavailable.

d) When the Panel votes to accept new witnesses or evidence, the names of these witnesses and/or copies or descriptions of evidence will be supplied to the grievant or the respondent as soon as possible.

4. The hearing will begin with an opening statement by the Chair, who shall state the purpose of the hearing, the contents of the complaint, and the identities of grievant, respondent, and witnesses to be called. The Chair will ask members to introduce themselves and state for the record that they do not hold an administrative title. The Chair will list the procedures to be followed during the hearing, and will specifically note that only testimony and other information bearing on the grievance at hand will be admissible as evidence. It will be the Chair's responsibility to reject immediately, stop the presentation or introduction of, or question the relevance of information having no clear bearing on the grievance. However, at any time during a hearing the Panel may, by a majority vote, override the Chair's decision regarding admissibility and/or relevance of testimony, written evidence, or other material presented to the Panel. It will also be the Chair's responsibility to maintain control of the hearing so that an orderly exchange of information can be accomplished. The Chair has the authority to decide minor procedural questions not otherwise covered elsewhere. When deciding minor procedural questions, the Chair shall serve the interests of both parties equally. As for any hearing from which an appeal may be taken, a court reporter must be used to record and transcribe the hearing.

5. Following the opening statement by the Chair, the grievant will present the complaint by submitting documentary evidence and questioning the grievant's witnesses. The grievant may be a witness. The respondent may cross examine grievant's witnesses, and the grievant may follow with further questions limited to the matter raised on the cross examination. The Panel members may question the grievant's witnesses and, after their dismissal and the conclusion of the grievant's presentation, may question the grievant. Then the respondent may reply to the complaint by submitting documentary evidence and

questioning the respondent's witnesses. The respondent may be a witness. The grievant may cross examine respondent's witnesses and the respondent may follow with further questions limited to the matter raised on the cross examination. The Panel members may question the respondent's witnesses and, after their dismissal and the conclusion of the respondent's presentation, may question the respondent.

6. After these presentations by the grievant and the respondent, the parties may question each other, and may present rebuttal to any and all depositions, written documents, and other evidence submitted to the Panel. The Panel members may question them further. If deemed appropriate by a majority of the Panel, dismissed witnesses may be recalled if available.

7. When neither party has any further questions, or the Chair determines that the parties should discontinue questioning one another, and once the Panel has no further questions, each party has the option to make a closing summary statement. The grievant proceeds first and each statement shall not exceed 10 minutes in duration.

J. Post Hearing Procedure

1. After the hearing, the Panel shall meet in executive session and begin its deliberations, or adjourn for no more than 2 calendar days, at which time it shall reconvene in executive session to determine whether it sustains or does not sustain the grievance brought before it.

2. In reaching its decisions, the Panel shall consider only the testimony and other materials entered or presented as evidence during the hearing. The burden is on the grievant to establish his or her case by a preponderance of the evidence.

3. Determination by the Panel that sustains the grievance requires a majority vote by members of the Panel. The decision will be reported to the Chancellor and the parties.

4. Within 21 calendar days of the Panel's reaching a determination to sustain or not to sustain the allegations of harassment, ~~or~~ discrimination or improper relationships, the Panel's determination and a summary of the basis for its decision will be communicated in writing to the Chancellor, the grievant, the respondent, the Grievance Officer, the relevant unit administrator, and the University Attorney. The Faculty Senate Office will provide the Chancellor and the parties with a copy of the court reporter's transcript of the hearing as soon as the transcript is produced.

III. Post Level Two Grievance Procedures

A. Within 42 calendar days of receiving the Panel's report and the court reporter's transcript, the Chancellor shall notify the grievant, respondent, Grievance Officer, relevant unit administrator, University Attorney, and the Panel of the Chancellor's concurrence or non-concurrence with the findings of the Panel, and of the disciplinary action, if any, against the original respondent.

B. The disciplinary actions by the Chancellor may or may not include discharge from employment, suspension, or demotion in rank.

1. When the disciplinary actions, if any, do not include a serious sanction, and if the Chancellor either declines to accept a Grievance Board recommendation that is favorable to the original respondent or concurs with the Board's recommendation that is unfavorable to the original respondent, within 14 calendar days the original respondent may appeal the

Chancellor's decision to the East Carolina University Board of Trustees. The decision of the Board of Trustees is final and may not be appealed to the Board of Governors.

2. When the disciplinary actions include a serious sanction the original respondent, in accordance with the procedures specified in the *ECU Faculty Manual,* has 14 calendar days to appeal to the Due Process Committee. The Chancellor's decision following the findings of the Due Process Committee may be appealed within 14 calendar days to the Board of Trustees. Alleging that one or more specified provisions of *The UNC Code* have been violated, the original respondent may, within 14 calendar days, appeal the decision of the Board of Trustees to the Board of Governors.

IV. Grievance Board Procedural Flowchart (next page)

V. Annual Report

Each May the Grievance Board shall submit to the Faculty Senate Office an annual report detailing statistics about the complaints received and processed from May 1 – April 30 of previous year.

1. The outcome of the complaint(s) at Level One will list the protected class involved, whether or not it was an allegation of improper relations and when (month/year) each complaint was submitted to the EDC and resolved.

2. The outcome of the complaint(s) at Level Two will list the protected class involved, whether or not it was an allegation of improper relations and when (month/year) each complaint was submitted to the Grievance Board and resolved.

3. The types of disciplinary actions (such as discharge from employment, suspension, or demotion in rank, or lesser sanctions) if any, taken by the University and when (month/year) the complaint was submitted and, if known, resolved.

The annual report will be available on request at the Faculty Senate Office. Personally identifying information regarding the complainants and the respondents shall not be disclosed.

GRIEVANCE BOARD PROCEDURAL FLOW (March 2012)

Optional initiation of grievance by complainant

NOTE: either party may opt out at any time in the optional steps

Discussion with Department Chair

Complainant or Respondent not happy

7 days*

Discussion with the Dean

Complainant or Respondent not happy

21 days

Complainant opts to skip 'optional' process

(Level One) EDC Office

If either party disagrees with the findings and conclusions in the report of the EDC Grievance Officer:

Complainant or Respondent not happy

28 days

If the Vice Chancellor has initiated the disciplinary process:

Disciplinary actions do NOT include serious sanctions

28 days

Disciplinary actions include serious sanctions

(14 days**)

Due Process Committee

(14 days**)

Board of Trustees

(14 days**)

Board of Governors

(Level Two) Grievance Board

The person (complainant or respondent) who initiates the Level Two hearing is hereafter known as the **grievant** and the other party is the **respondent**. The Grievance Board renders findings of facts and recommendations as to whether evidence presented during the hearing sustains by its preponderance the grievant's allegations. GB sends its report and recommendations to the Chancellor.

GB agrees with EDC findings

GB does NOT agree with EDC findings

Chancellor

If original respondent is disciplined

Disciplinary actions do NOT include serious sanctions

(14 days)

Board of Trustees (may not be further appealed to Board of Governors)

Disciplinary actions include serious sanctions

(14 days**)

Due Process Committee

(14 days**)

Board of Trustees

(14 days **)

Board of Governors

*Note: Number of days reflects the number of calendar days within which appeals have to be made.

** Important Note: If, within 14 calendar days after receiving the notice of a serious sanction, the faculty member makes no written request for appeal, then the faculty member may be discharged or serious sanction imposed without recourse to any institutional grievance or appellate procedure.

Faculty Senate Agenda
March 27, 2012
Attachment 8.

GRIEVANCE BOARD REPORT

Proposed deletion of the *ECU Faculty Manual*, Appendix J. Informal Faculty Grievance Procedures for Grievances Involving Sex Discrimination and Other Equal Employment Opportunity Complaints

The content of this appendix has been incorporated into the proposed revisions to Appendix X.

Remove from the Faculty Manual.

~~I. Preamble~~

~~East Carolina University is committed to the principle of equal opportunity for all faculty regardless of rank, temporary or permanent employment status, and tenure or nontenure status. Therefore, it is university policy that no member of the faculty will suffer discrimination in his or her employment status as a member of the faculty on the basis of race, color, national origin, religion, veteran's status, gender, age, sexual orientation, political affiliation, or disability. If any faculty member believes that he or she has experienced discrimination on the basis of any of the above factors, he or she is encouraged to seek redress of the grievance by informal administrative corrective action. (Faculty Senate Resolution #03-37, October 2003)~~

~~In the belief that faculty and faculty supervisors do not intentionally discriminate on the basis of the above factors, most grievances can and routinely should be resolved in an informal manner. If the grievance cannot be resolved informally, the aggrieved faculty member should register his or her complaint with the Faculty Grievance Committee and request a formal hearing on the grievance. Procedural rules of the Faculty Senate Faculty Grievance Committee are set forth in the *East Carolina University Faculty Manual, Appendix Y. Grievance Policies and Procedures of East Carolina University.*~~

~~II. Steps in the Faculty Informal Grievance Procedure~~

~~If any faculty member has a grievance with regard to his or her employment relationship with the university alleging discrimination on the basis of race, color, national origin, religion, veteran's status, gender, age, sexual orientation, political affiliation, or disability, he or she should comply with the following procedure. (Faculty Senate Resolution #03-37, October 2003)~~

~~A. Discussion with the Department Chairperson~~

~~1. The faculty member should make an appointment with the departmental chairperson. At the time of making the appointment, the faculty member should state expressly the need to discuss a sex discrimination grievance or the equal opportunity grievance related to faculty employment status.~~

~~2. The initial complaint may be made to the chairperson in writing as a matter of record if the faculty member so desires. However, this is not necessary to initiate a complaint by the informal grievance procedure.~~

~~3. The chairperson will set an appointment date with the faculty member as soon as possible after receiving the request; but, in any event, within three working days after the request, the grievance will be discussed with the faculty member. The departmental chairperson should freely discuss the nature of the faculty member's complaint in a relaxed and informal manner making every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The faculty member will be advised of the corrective action and/or decision of the chairperson within three working days subsequent to the conference.~~

~~B. Discussion with the Dean~~

~~(School of Medicine faculty skip 2. and go directly to 3.)~~

~~1. If the faculty member's grievance is not resolved satisfactorily in conference with the chairperson, the grievance should be taken to the appropriate dean for further evaluation and consideration. The faculty member should notify the dean of the desire to discuss the equal opportunity grievance within two working days after receipt of the decision of the departmental chairperson. The dean will respond to the request for an appointment and discuss the grievance with the faculty member within three working days after receipt of such request.~~

~~2. If the initial grievance was made in writing to the chairperson, then the written complaint should be presented to the dean at the time the request is made for the conference appointment. Additionally, the chairperson should present in writing to the dean the findings and the basis for the decision at the time of the initial conference with the chairperson. The written response of the chairperson is not required unless the faculty member initially presented the grievance in writing.~~

~~3. The dean's conference should be conducted in a relaxed and informal manner with the faculty member. The dean should invite the chairperson to participate in this conference if deemed desirable or appropriate or if the presence of the chairperson is requested by the faculty member. The dean should make every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The corrective action and/or decision of the dean will be made and the faculty member notified within three working days subsequent to the conference.~~

~~C. Conference with the Vice Chancellor for Academic Affairs or the Vice Chancellor for Health Sciences and Dean of the School of Medicine~~

~~1. If the faculty member's grievance is not resolved satisfactorily in the preceding step(s), the grievance should be taken to the vice chancellor for academic affairs or the vice chancellor for health sciences and dean of the School of Medicine, as appropriate, for further evaluation and consideration. The faculty member should notify the appropriate vice chancellor of the desire to discuss an equal opportunity grievance within two working days after receipt of the decision of the dean or, in the case of School of Medicine faculty, the decision of the chairperson. The appropriate vice chancellor will respond to the request for an appointment and discuss the grievance with the faculty member within three working days after receipt of such request.~~

~~2. If the initial grievance was made in writing to the chairperson, then the written complaint should be presented to the appropriate vice chancellor at the time the request is made for the conference appointment.~~

~~Additionally, the appropriate dean (in case of academic affairs division) or chairperson (in case of the School of Medicine) should present in writing to the vice chancellor the findings and basis for the decision at the time of the conference with the faculty member. The written response of the dean or chairperson is not required unless the faculty member initially presented the grievance in writing.~~

~~3. The conference with the appropriate vice chancellor should be conducted in a relaxed and informal manner. The vice chancellor should invite the dean (or chairperson in the case of School of Medicine) to participate in this conference if deemed appropriate or desirable or if the presence of this individual is requested by the faculty member. The vice chancellor should make every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The corrective action and/or decision of the appropriate vice chancellor will be made and the faculty member notified within three working days subsequent to the conference.~~

~~D. Appeal to the Director of Equal Opportunity Programs (Title IX Compliance Officer)~~

~~1. If the grievance is not resolved to the satisfaction of the faculty member by the vice chancellor for academic affairs or vice chancellor for health sciences and dean of the~~

~~School of Medicine, the faculty member has the right to appeal the decision to the director of equal opportunity programs. The appeal must be made to the director within two working days subsequent to the decision of the appropriate vice chancellor.~~

2. ~~The director of equal opportunity will review the case in its entirety, interviewing any and all witnesses deemed necessary, including, where deemed appropriate, a conference of all parties involved with the grievance and prior decisions made in an effort to resolve the grievance.~~
3. ~~The director will render an opinion within five working days after receipt of the appeal. The decision of the director will be final and will terminate the faculty member's rights pursuant to the informal grievance procedure.~~
4. ~~If the decision and/or corrective action taken by the director is not satisfactory to the faculty member, he or she should file within thirty days subsequent to the action of the director a grievance with the Faculty Grievance Committee requesting a formal hearing pursuant to that committee's procedures for formally addressing and hearing grievances. The hearing of the Faculty Grievance Committee will be conducted in accordance with the procedures set forth in the *ECU Faculty Manual*, *Appendix Y, Grievance Policies and Procedures of ECU*. Conclusion of the formal hearing before the Faculty Grievance Committee and appeal of the recommended action of the committee to the chancellor will exhaust the administrative remedies of the faculty member.~~

~~Approved: Faculty Senate Resolution #94-06, 17 March 1994, ECU Chancellor~~
~~Amended: Faculty Senate Resolution #03-37, 6 October 2003, ECU Interim Chancellor~~

Faculty Senate Agenda
March 27, 2012
Attachment 9.

GRIEVANCE BOARD REPORT

Proposed revisions to the *ECU Faculty Manual*,
Appendix V. Sexual Harassment, Discrimination, and Conflicts of Interest Policies

Link to current Appendix V. located in the *ECU Faculty Manual.*

Revise and keep in the Faculty Manual.

The proposed new text would include a new title and read as follows:

Harassment and Discrimination Policies and Procedures of East Carolina University*

CONTENTS

I. Rationale
II. Policy on Harassment and Discrimination
III. Grievances Against East Carolina University Students
IV. Grievances Against East Carolina University Staff
V. Grievances Against East Carolina University Faculty Members or Administrators Holding Faculty Status
VI. Education of Students, Staff, and Faculty
VII. Disciplinary Action

* East Carolina University's Office of Equity, Diversity, and Community Relations policies on non-discrimination in recruitment and hiring are contained in *Part VI, General Personnel Information* of the *ECU Faculty Manual.*

I. Rationale

Well publicized policies and procedures such as these will help to create an atmosphere in which individuals who believe that they are the victims of harassment or discrimination are assured that their grievances will be dealt with fairly and effectively. It is more important still to create an atmosphere in which instances of harassment or discrimination are discouraged. Toward this end, all members of the university community should understand that harassment, discrimination, and improperly executed or exploited supervisory relationships violate the university's policy and will not be tolerated. Members of the university community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of harassment or discrimination prohibited under these policies. East Carolina University will take every step to resolve grievances promptly and confidentially. Any act by a university employee or student of reprisal, interference, restraint, penalty, discrimination, coercion, retaliation, or harassment against an employee or a student for using these policies responsibly interferes with free expression and openness and violates this policy. Accordingly, members of the university community are prohibited from acts of reprisal and/or retaliation against those who file complaints, are involved as witnesses, or otherwise try to use these policies responsibly.

II. Policy on Harassment and Discrimination

It is the responsibility of members of the university community to strive to create an environment free of harassment and discrimination, and free of unprofessional bias in the supervision and evaluation of students and employees. It is against the policies of East Carolina University for its employees or students to create a hostile and/or discriminatory University or work-place environment for an individual or group because of the individual's age, color, creed, disability, gender, genetic information, national origin, political affiliation, race/ethnicity, religion, sexual orientation, or veteran's status. For a list of definitions of each protected class, see: http://www.ecu.edu/cs-acad/edc/ProtectedClassGrievances.cfm

III. Grievances Against East Carolina University Students

Complaints brought against East Carolina University students by East Carolina University students, faculty, staff, administrators, or visitors are governed by the grievance procedures presented in the *Student Handbook*.

IV. Grievances Against East Carolina University Staff

Complaints brought against East Carolina University Staff by East Carolina University students, faculty, staff, administrators, or visitors are governed by the grievance procedures stated in Policy Statement 7: Employee Relations of the Human Resources section of the *ECU Business Manual*, see http://www.ecu.edu/business_manual/Human_Resources_Policy7B.htm

V. Grievances Against East Carolina University Faculty Members or Administrators Holding Faculty Status

Complaints brought against East Carolina University faculty members or administrators holding faculty status by East Carolina University students, faculty, staff, administrators or visitors ordinarily are governed by the grievance procedures stated in Appendix X of the *ECU Faculty Manual*.

VI. Education of Students, Staff, and Faculty

The East Carolina University Office of Equality, Diversity and Community Relations ("EDC") will develop educational materials to be distributed to students, staff, and faculty. These materials will publicize the policies and procedures and help create a proper academic atmosphere that is free of harassment and discrimination. Each year the EDC office will review the effectiveness of the

educational materials and procedures and make any necessary revisions. All materials will be reviewed by the University Attorney before they are distributed.

VII. Disciplinary Action

See Appendix X of the *ECU Faculty Manual* for the policies and procedures governing disciplinary actions that may be taken against faculty members who violate these policies.

Faculty Senate Agenda
March 27, 2012
Attachment 10.

GRIEVANCE BOARD REPORT

Proposed deletion of the *ECU Faculty Manual*,
Appendix W. Racial and Ethnic Harassment Policies

The content of this appendix has been incorporated into the proposed revisions to Appendix V.

Remove from the Faculty Manual.

~~I. Rationale~~

~~The faculty, staff, administration, and students of East Carolina University maintain that it is important to create an atmosphere in which instances of racial and ethnic harassment are discouraged. Well-publicized policies and procedures such as these will help to create an atmosphere in which individuals who believe that they are the victims of racism or ethnic harassment are assured that their grievances will be dealt with in an expedient, confidential, fair, and effective manner. Toward this end, all members of the university community should understand that racial and ethnic harassment violates university policy and will not be condoned. Members of the university community are encouraged to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of harassment prohibited under these policies. Any act by a university employee or student of reprisal, interference, restraint, penalty, discrimination, coercion, or harassment against a student or an employee for using these policies responsibly interferes with free expression and openness, and violates this policy. Accordingly, members of the university community are prohibited from acts of reprisal against those who bring charges or are involved as witnesses or otherwise try to responsibly use this policy.~~

~~II. Racial and Ethnic Harassment Policy~~

~~A. Introduction~~

~~Racial and/or ethnic harassment endangers the environment of tolerance, civility, and mutual respect that must prevail if the university is to fulfill its mission. Such harassment will not be condoned by members of the university community. This policy is the university's statement of its intent to protect its educational environment by prohibiting specific forms of racial and/or ethnic harassment. The university recognizes that the free and unfettered interchange of competing views is essential to the institution's educational mission, and that the peoples' right to express opinions is guaranteed by the United States Constitution.~~

~~B. Definitions~~

~~Racial and/or Ethnic Harassment. The following constitute racial and/or ethnic harassment:~~

~~1. singling out people because of their race or ethnic affiliation and subjecting them to unequal or unfair treatment; or~~

2. harming, attempting to harm, or threatening to harm people because of their race and/or ethnic affiliation.

C. Policy

It is the responsibility of members of the university community to strive to create an environment free of racial and/or ethnic harassment.

1. It is against the policies of East Carolina University for its employees or students to single out employees or students of the university because of their race or ethnic affiliation and subject them to unequal or unfair treatment.
2. It is against the policies of East Carolina University for its employees or students to single out employees or students of the university or visitors to the University because of their race or ethnic affiliation and subject them to conduct which causes severe emotional disturbance.

III. Grievances Against East Carolina University Students

Complaints brought against East Carolina University students by East Carolina University students, faculty, staff, administrators or visitors are governed by the grievance procedures presented in the *Student Handbook.*

IV. Grievances Against East Carolina University Staff

Complaints brought against East Carolina University staff by East Carolina University students, faculty, staff, administrators, or visitors are governed by the grievance procedures stated in the *ECU Business Manual.*

V. Grievances Against East Carolina University Faculty Members or Administrators Holding Faculty Status

Complaints brought against East Carolina University faculty members or administrators holding faculty status by East Carolina University students, faculty, staff, administrators or visitors ordinarily are governed by the grievance procedures stated in the *ECU Faculty Manual, Appendix X, Grievance Procedures for Complaints of Sexual or Racial Harassment or Discrimination or Conflicts of Interest Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status*. However, if a faculty member raises allegations of racial or ethnic harassment or discrimination during a hearing he or she requested before the Due Process Committee, the Reconsideration Committee, or the Faculty Hearing Committee (in accordance with the policies and procedures set forth in the *ECU Faculty Manual, Appendix D, Tenure and Promotion Policies and Procedures of ECU*), the relevant committee shall determine the merits and bearing, if any, of the allegations raised by the faculty member on the matter before the committee. Such actions by the Due Process Committee, the Reconsideration Committee, or the Faculty Hearing Committee shall not preclude a faculty member from independently bringing a complaint of racial or ethnic harassment or discrimination in accordance with the grievance procedures stated in the *ECU Faculty Manual, Appendix X, Grievance Procedures for Complaints of Sexual or Racial Harassment or Discrimination or Conflicts of Interest Brought Against East Carolina University Faculty Members or Administrators Holding Faculty Status*. The outcome of an *Appendix X* grievance brought by a faculty member against other faculty members or administrators holding faculty status either may be appealed in accordance with the provisions for appeal set forth in Appendix X, or may be appealed before the Faculty Grievance Committee in accordance with the policies and procedures set forth in *ECU Faculty Manual*, *Appendix D*, but not both.

VI. Disciplinary Action

See section I. of Appendix X of the *ECU Faculty Manual* for the policies and procedures governing disciplinary actions that may be taken against faculty members who violate these policies.

Approved: Faculty Senate Resolution #91-36, 30 October 1991, ECU Chancellor
Amended: Faculty Senate Resolution #96-16, April 1996

Faculty Senate Agenda
March 27, 2012
Attachment 11.

ADMISSION AND RETENTION POLICIES COMMITTEE REPORT

Proposed Revisions to the *ECU Faculty Manual*, Part V. Academic Information,
Subsection I.J. Grade Appeal Policy

Students are not able to appeal grades on the basis of violation of university policies. For example, if a student received a poor grade based on an opinion or an idea with which the professor disagreed, the student would have no grounds for appeal, even though there is a violation of academic freedom, which is protected for students under ECU and UNC-system policies. This change to the grade appeal policy is very important for our compliance to SACS principles. (Please note that this policy in no way protects students who do not follow assignments or who are not able to present arguments in support of their ideas. If there were academic reasons why the student received the poor grade, the appeal would not be successful.)

Additions are noted in **bold** print and deletions in ~~strikethrough~~.

Revise and keep in the Faculty Manual.

J. Grade Appeal Policy
The goal of this grade appeal policy is to establish a clear, fair process by which undergraduate students can contest a course grade that they believe has been awarded in a manner inconsistent with university policies or that has resulted from calculation errors on the part of the instructor. Recognizing, however, that the evaluation of student performance is based upon the professional judgment of instructors, and notwithstanding the exceptions noted at the end of this policy, appeals will not be considered unless based upon one or more of the following factors:

- An error was made in grade computation.
- Standards different from those established in written department, ~~school or college~~ **school, college, or university** policies, if specific policies exist, were used in assigning the grade.
- The instructor departed substantially from his or her previously articulated, written standards, without notifying students, in determining the grade.

Only the final course grade may be appealed. The grade assigned by the instructor is assumed to be correct and the student appealing the grade must justify the need for a change of the grade assigned.

Faculty Senate Agenda
March 27, 2012
Attachment 12.

ADMISSION AND RETENTION POLICIES COMMITTEE REPORT

Proposed revisions to the *University Undergraduate Catalog*,
Academic Regulations, Subsection: Grade Replacement Policy

Note: The Faculty Senate Resolution in which ECU adopted the Plus/Minus Grade System also called for changes to the Grade Replacement Policy and the Readmission under Forgiveness Policy. The Admission and Retention Policies Committee has recommended improvements to those policies since then, so what we offer below incorporates the plus/minus changes into our revised policies. We ask for these policies to become effective for the fall semester 2012.

Additions are noted in **bold** print.

Grade Replacement Policy

A student is permitted to use the Grade Replacement Policy a maximum of four times for courses below 3000 in which he or she has earned a grade of **C-, D+,** D, **D-** or F. For example, a student may replace a grade in four different courses or may replace a single course grade a maximum of four times or a combination thereof not to exceed the limits of the policy. Approval to use the policy will not be given if a student wishes to repeat a course after he or she has successfully completed an advanced course covering the same or similar material (e.g. a course for which the repeated course is a prerequisite.)

The grade replacements will be automatically processed for courses worth 3 or more semester hours. The student must request a grade replacement for 1 or 2 semester hour courses by completing a grade replacement form and submitting it to the Office of the Registrar. The grade replacement form must be submitted by the last day of classes of the semester in which the student retakes the course in order for the grade replacement(s) to be reflected in the student's GPA and Academic Standing for the current semester. Although the original grade will not be used in determining the GPA of the student, the original grade will remain on the student's permanent academic record and will be included in the calculation for degrees with distinction. The replacement grade, or last grade, stands. Students receiving an F on the replacement grade must repeat the course if credit is required for graduation. In the event that the original grade was a **C-, D+,** D, **or D-,** no additional credit hours will be awarded. The grade replacement policy does not apply to courses taken prior to fall 1994.

Faculty Senate Agenda
March 27, 2012
Attachment 13.

ADMISSION AND RETENTION POLICIES COMMITTEE REPORT

Proposed revisions to the *University Undergraduate Catalog*,
Academic Regulations, Subsection: Readmission Under Forgiveness Policy

Additions are noted in **bold** print and deletions in ~~strikethrough~~.

Readmission Under Forgiveness Policy

Former East Carolina University students who have not been enrolled at ECU for a minimum of three consecutive academic years (six semesters, summer sessions excluded) may request readmission under the Forgiveness Policy. Such requests must be submitted on the application for readmission according to application deadline dates as specified above.

Students who have been enrolled at another regionally accredited college or university since their last enrollment at East Carolina University must submit to the Office of Admissions official transcripts indicating that a minimum cumulative 2.5 average has been earned in all transferable courses attempted.

Subsequent East Carolina University-based GPAs of students readmitted under this policy will be computed without inclusion of previous course work in which a grade of C**- or below** was received; credit toward graduation will not be allowed for such course work.

Student should be aware, however, that all ECU grades, including those earned prior to readmission under the forgiveness policy, will be included in calculations for consideration for degrees with distinction.

A student may take advantage of the readmission under the Forgiveness Policy only one time. Those readmitted under this policy are on academic probation for the first 19 semester hours of attempted course work. At the end of the term in which the nineteenth semester hour is attempted, a minimum cumulative **2.0** ~~C~~ average must have been earned at East Carolina University on all course work attempted since readmission under forgiveness. Failure to meet this stipulation will result in the student being ineligible, except for summer school, until such time as the **2.0** ~~C~~ average is obtained.

Students should be aware that the Readmission under Forgiveness Policy is an ECU policy that is not recognized in the US Department of Education's calculation of financial aid eligibility. Students who plan to apply to or receive financial aid should contact the financial aid office. Cashier accounts must be cleared of any outstanding balance, if any, prior to registration for the term of readmission.

Students should also be aware that a substantial tuition surcharge may be applied in accordance with the rules established by the Board of Governors or other appropriate legislative body.

Faculty Senate Agenda
March 27, 2012
Attachment 14.

EDUCATIONAL POLICIES AND PLANNING COMMITTEE REPORT

Proposed Revisions to the *ECU Faculty Manual*, Part V. Academic Information,
Section III. Academic Program and Curriculum Development

In March 2011, the Faculty Senate approved revisions to Appendix L (#11-45) that are currently being held for further study and pending approval by the Chancellor. The below revisions include an addition that addresses one of the remaining three sections in Appendix L.

Additions are noted in **bold** print and deletions in ~~strikethrough~~.

Revise and keep in the Faculty Manual.

III. Academic Program and Curriculum Development
Program and curriculum development ~~is a~~ **are** faculty ~~responsibility~~ **responsibilities**. Program and curriculum changes may be initiated, prepared, and presented for review to all relevant ECU campus bodies by voting faculty as defined in *ECU Faculty Manual~~, Appendix L.~~* Development of new academic degree programs and certificates is governed by the policies and procedures of the General Administration (GA). Consultation with the ECU Office of Academic ~~Programs~~ **Program Planning and Development** is recommended before preparing program development requests. Instructions on specific procedures and documents for program and curriculum development proposals are available on the ~~office of Academic Programs website~~ **Office of Academic Program Planning and Development's Web site.**

The Academic Program Development Collaborative Team, an advisory body to the Academic Council, collaborates with units to strengthen program proposals and informs the Educational Policies and Planning Committee of its recommendations to the Academic Council and to the dean of the Graduate School concerning graduate programs under consideration. The ~~office~~ **Office** of Continuing Studies processes requests to deliver new and existing academic programs through distance education. The chancellor has the final campus authority on academic program decisions.

In cases of financial exigency or the initiation of a discontinuation, curtailment, or elimination of a teaching, research, or public service program, the provisions of the *ECU Faculty Manual* will apply.

A. Definitions
1. Degree Programs
A degree program is a program of study in a discipline specialty that leads to a degree in that distinct specialty area at a particular level of instruction. All degree programs are categorized individually in the University's academic program inventory at the twelve-digit CIP code level. As a general rule, a degree program requires coursework in the discipline specialty of at least 27 semester hours at the undergraduate level and 21 semester hours at the doctoral level. A master's-level program requires that at least one-half of the total hours be in the program area. Programs with fewer hours are designated a concentration within an existing degree program. Degree programs require the approval of the GA and the Board of Governors (BOG). Minors and concentrations receive final approval at the campus level.

2. Certificates
A certificate program provides an organized program of study that leads to the awarding of a certificate rather than a degree. Certificate programs are offered at the pre-baccalaureate, post-baccalaureate, and post-master's levels. UNC-GA has indicated that post-baccalaureate and post-master's certificates must require a specified number of hours (18 s.h. for post-baccalaureate, and 24 s.h. for post-master's) to be reported to the Integrated Postsecondary Education Data System (IPEDS). Program planners should be aware that not meeting these criteria may impact consideration of financial aid eligibility. Once a certificate is approved, ECU will submit it to the Department of Education to determine if the program is eligible for participation in the Title IV (financial aid) programs.

3. Teacher Licensure Areas (TLA)
These are specific course clusters ~~which~~ **that** meet licensure requirements of the State Board of Education but do not lead to the conferral of a particular degree or a certificate. These may be at the entry level or advanced level of teacher licensure. When an institution receives authorization from the State Board of Education to offer a TLA, the senior vice president for academic affairs of UNC-GA must be notified. A current inventory of teacher licensure programs approved by the State Board of Education is available from the North Carolina Department of Public Instruction.

B. Curriculum Approval Process
Curriculum development includes developing courses and requirements for new academic programs, and developing and revising courses and requirements for existing programs.
The following is the order for seeking campus approval for undergraduate curriculum changes (1000-4000-level):

- Curriculum committee of ~~dept/~~ **department/**school in which the course(s) is/will be housed;
- Voting faculty of ~~dept/~~ **department/**school in which the course(s) is/will be housed;
- Foundations Curriculum and Instructional Effectiveness Committee (if requesting Liberal Arts Foundations Curriculum Credit);
- Writing Across the Curriculum Committee (if requesting Writing Intensive credit);
- University Service-Learning Committee (if requesting Service-Learning credit);
- Communicate with **the appropriate chairperson(s), director(s), or dean(s) of the** units and programs that may be directly or indirectly affected by the curriculum;
- Chairperson/director of ~~dept/~~ **department/**school in which the course(s) is/will be housed;
- Curriculum committee of the college in which the course(s) is/will be housed;
- Council on Teacher Education (for Teacher Licensure Areas);
- Dean of the college in which the course(s) is/will be housed;
- University Curriculum Committee;
- Faculty Senate;
- Chancellor

The following is the order for seeking campus approval for graduate curriculum changes (5000-level and above):

- Curriculum committee of ~~dept/~~ **department/**school in which the course(s) is/will be housed;
- Voting graduate faculty of ~~dept/~~ **department/**school in which the course(s) is/will be housed;
- Communicate with **the appropriate chairperson(s), director(s), or dean(s) of the** units and programs that may be directly or indirectly affected by the curriculum;
- Chairperson/director of ~~dept/~~ **department/**school in which the course(s) is/will be housed;
- Curriculum committee of the college in which course(s) is/will be housed and TLA proposals to Council on Teacher Education;

- Dean of the college in which the course(s) is/will be housed;
- Graduate Curriculum Committee;
- Graduate Council;
- Chancellor

C. Program Development Approval Process

Program development includes developing new academic degree programs, minors, certificates, and new concentrations within existing degree programs, as well as requesting degree title changes, and moving or discontinuing programs.

1. New Degree Programs

Proposals for new academic degrees must include a list of all UNC and private in-state institutions that offer the same or a similar degree. Program planners are expected to contact those institutions regarding their experience with program productivity (applicants, majors, job market, placement, etc.). **Further, program planners are expected to identify opportunities for collaboration with institutions offering related degrees and discuss what steps have or will be taken to actively pursue those opportunities where appropriate and advantageous.** To facilitate this portion of the planning process, the UNC-GA Division of Academic Affairs provides a link to the UNC Academic Program Inventory and a link to program inventories for other in-state institutions. In addition, proposals must include the Classification of Instructional Programs code under which the proposed program is to be classified. Faculty should allow ample time for review of proposals at all levels.

The approval process to plan or establish new undergraduate or graduate degree programs involves three distinct ~~steps~~ **phases**:

~~Step~~ **Phase I:** ~~Notification of Intent to Plan (NIP) for bachelor's or master's;~~ Request for Authorization to Plan (RAP) ~~for doctoral~~

~~Step~~ **Phase II**: ~~Program Requirements/Course Approval~~ **Request for Authorization to Establish (RAE)**

~~Step~~ **Phase III:** ~~Request for Authorization to Establish (RAE)~~ **Curriculum/Course Approval**

In ~~Step~~ **Phase I**, the appropriate planning documents ~~(NIP for bachelor's or master's; RAP for doctoral) is~~ are submitted **to the following academic bodies and officers in the following order for approval:** ~~in the following order for seeking campus approval:~~

- Consultation with Academic Program Development Collaborative Team;
- Curriculum committee of ~~dept/~~ **department/**school in which the program is/will be housed;
- Voting faculty of ~~dept/~~ **department/**school in which the program is/will be housed;
    - Chairperson/director of ~~dept/~~ **department/**school in which program is/will be housed;
    - Curriculum committee of the college in which program is/will be housed; TLA proposals to Council on Teacher Education;
- Dean of the college in which the program is/will be housed;
- Appropriate Vice Chancellor (for information purposes only);
    - University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level. **The appropriate committees will consider the curriculum framework. The GCC also will consider the external reviewers' reports for master's and doctoral degree proposals.**
    - Graduate Council for master's or doctoral programs;
- Educational Policies and Planning Committee;
- Faculty Senate and Academic Council;

- Chancellor

~~In Step II, the approval of new degree requirements and courses is completed as specified above in "Curriculum Approval Process" for undergraduate and graduate programs.~~

In ~~Step III~~ **Phase II**, a request for authorization to establish **(RAE)** a bachelor's, master's, or doctoral program is submitted **to the following academic bodies and officers in the following order for approval:** ~~in the following order for seeking campus approval:~~

(The RAE document must be approved and submitted to UNC-GA within four months after the RAP is approved by UNC-GA.)

- Consultation with Academic Program Development Collaborative Team;
- ~~Curriculum committee of dept/school in which the program is/will be housed;~~
- ~~Voting faculty of dept/school in which the program is/will be housed;~~
- ~~Chairperson/director of dept/school in which the program is/will be housed;~~
    - ~~Curriculum committee of the college in which the program is/will be housed; TLA proposals to Council on Teacher Education;~~
- Dean of the college in which the program is/will be housed;
- External review (master's and doctoral programs only);
- ~~Appropriate Vice Chancellor (for information purposes only)~~
    - ~~University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level;~~
- **Graduate Curriculum Committee (master's and doctoral programs only);**
- Graduate Council for master's or doctoral programs;
- Educational Policies and Planning Committee;
- Faculty Senate and Academic Council;
- Chancellor

In Phase III, the approval of new degree requirements and courses is completed as specified above in "Curriculum Approval Process" (Part V, Section III.B) for undergraduate and graduate programs. The curriculum approval process is separate from Phases I and II and may be initiated concurrently with Phases I or II. If BOG authorization to establish is received before the curriculum approval process has been completed, a moratorium will be placed on degree implementation until a quality curriculum has been finalized.

2. New Minors, Certificates, Concentrations; Degree Title Changes; Teacher Licensure Areas; and Discontinuing Degree Programs

The following is the order for seeking campus approval for undergraduate or graduate minors, certificates, concentrations, degree title changes, teacher licensure areas, and discontinuing a degree program. (Discontinuing minors, certificates, concentrations, and teacher licensure areas are considered curricular actions.) The Chancellor or his or her designee in consultation with the Chair of the Faculty may establish deadlines of not less than two weeks by which each person and/or committee listed must report its concurrence (approval) or non-concurrence with the proposed action. Failure to report by the established deadline shall be considered an abstention and the proposed action shall progress to the next level for consideration.

- Curriculum committee of ~~dept/~~ **department/**school in which the program is/will be housed;
- Voting faculty of ~~dept/~~ **department/**school in which the program is/will be housed;
- Chairperson/director of ~~dept/~~ **department/**school in which the program is/will be housed;
- Curriculum committee of the college in which the program is/will be housed; TLA proposals to Council on Teacher Education;

- Dean of the college in which the program is/will be housed;
- Appropriate Vice Chancellor (for information purposes only)
- University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level;
- Graduate Council for graduate programs;
- Educational Policies and Planning Committee;
- Faculty Senate and Academic Council;
- Chancellor (Once new teacher licensure areas are approved by the North Carolina State Board of Education, they must be submitted to UNC-GA.)

~~In cases of financial exigency or the initiation of a discontinuation, curtailment, or elimination of a teaching, research, or public service program, the provisions of the ECU Faculty Manual Appendix D will apply.~~

3. Moving Degree Programs

The following is the order for seeking campus approval for moving a program.

- Curriculum committee of ~~dept/~~ **department/**school in which the program is currently and will be housed;
- Voting faculty of ~~dept/~~ **department/**school in which the program is currently and will be housed;
- Chairperson/director of ~~dept/~~ **department/**school in which program is currently and will be housed;
- Curriculum committee of the college in which program is currently and will be housed; TLA proposals to Council on Teacher Education;
- Dean of the college in which the program is currently and will be housed;
- Appropriate Vice Chancellor (for information purposes only)
- University Curriculum Committee or Graduate Curriculum Committee as appropriate for degree level;
- Graduate Council for graduate programs;
- Educational Policies and Planning Committee;
- Faculty Senate and Academic Council;
- Chancellor

4. Process Completion

The proposing academic unit, in collaboration with the ~~office~~ **Office** of Academic ~~Programs~~ **Program Planning and Development**, prepares the final version of undergraduate and graduate program requests for the chancellor's consideration. Once the chancellor has made an affirmative decision, the ~~office~~ **Office** of Academic ~~Programs~~ **Program Planning and Development** submits the new program request and chancellor's communiqué to UNC-GA.

D. Academic Program Review

Every academic program is required to be reviewed as part of a seven-year unit program evaluation The unit Academic Program Review will be conducted according to the Procedures for Unit Academic Program Review. Changes to these guidelines need to be approved by the Educational Policies and Planning Committee and the Faculty Senate. The unit Academic Program Review shall be used in the development of the unit's operational and strategic planning. (Faculty Senate Resolution #08-66)

Approved: March 2011, FS Resolution #11-38

Faculty Senate Agenda
March 27, 2012
Attachment 15. **CALENDAR COMMITTEE REPORT**

Proposed Revisions to Policy for Making Up Missed Class Days

Proposed additions are noted in **bold** print and deletions in ~~strikethrough~~.

~~Partial missed days should not be made up.~~ Entire missed days should be made up (in keeping with the 750 minutes per credit hour requirement set by the UNC General Administration). **Class days where less than the entire day is canceled are considered Partial missed days. Faculties whose classes are affected on Partial missed days are encouraged to make up the missed class time with optional course assignments, readings, or other relevant activity. Faculty are also encouraged to consider utilizing various university online resources for this purpose as well.**

Designated make-up days for Fall Semester
Make-up days should be used in the following order: Reading Days at the end of the semester; Tuesday of Fall Break; Monday of Fall Break; Wednesday before Thanksgiving.

Designated make-up days for Spring Semester
Make-up days should be used in the following order: Reading Days at the end of the semester; Good Friday.

If additional make-up days are needed, the Executive Council in conjunction with the Calendar Committee will decide how to make them up.

Suggestions on how to make up missed time
By meeting at the usual class time on the designated make-up days (avoid giving tests on these days) or by some activity relevant to the class (outside the usual class time, but not necessarily on the designated make-up days, as decided by the instructor following whatever procedures have been adopted by the unit).

Please note: Approval of the above proposed revisions to the current Policy for Making Up Missed Class Days necessitate a revision to the Formal Faculty Advice offered through Faculty Senate Resolution #11-95 on the proposed Adverse Weather/Conditions and Emergency Closings Regulation provided below.

Resolution #11-95
Approved by the Faculty Senate: November 1, 2011
Accepted by the Chancellor: January 19, 2012

Formal faculty advice on proposed Adverse Weather/Conditions and Emergency Closings Regulation by adding the following additional text under 6.4 Activities Affected by Class Cancellation or Classes Held Under Adverse Conditions:

"6.4.3 Make up policies governing class cancellation are established by Faculty Senate Resolution#06-14, which state:

~~Partial missed days should not be made up.~~ Entire missed days should be made up (in keeping with the 750 minutes per credit hour requirement set by the UNC General Administration). **Class days where less than the entire day is canceled are considered Partial missed days. Faculties whose classes are affected on Partial missed days are encouraged to make up the missed class time with optional course assignments,**

readings, or other relevant activity. Faculty are also encouraged to consider utilizing various university online resources for this purpose as well.

Designated make-up days for Fall Semester
Make-up days should be used in the following order: Reading Days at the end of the semester; Tuesday of Fall Break; Monday of Fall Break; Wednesday before Thanksgiving.

Designated make-up days for Spring Semester
Make-up days should be used in the following order: Reading Days at the end of the semester; Good Friday.

If additional make-up days are needed, the Executive Council in conjunction with the Calendar Committee will decide how to make them up.

Suggestions on how to make up missed time
By meeting at the usual class time on the designated make-up days (avoid giving tests on these days) or by some activity relevant to the class (outside the usual class time, but not necessarily on the designated make-up days, as decided by the instructor following whatever procedures have been adopted by the unit)."

Faculty Senate Agenda
March 27, 2012
Attachment 16.

CALENDAR COMMITTEE REPORT
Proposed Summer 2013 – Spring 2014 University Calendars

University Calendar
Summer Session 2013
First Term
(Actual class days First Term: 5 Mondays, 6 Tuesdays, 5 Wednesdays, 5 Thursdays, 5 Fridays, 1 day for final examinations.)

March 14, Thursday	Last day to apply for admission to Graduate School for first summer term.
March 25, Monday	Last day to apply for graduation during the Summer Session.
March 25, Monday	Registration for Summer Sessions 2013 begins.
April 14, Sunday	Last day to apply as a post baccalaureate teacher licensure student for Summer Sessions.
April 30, Tuesday	Last day to apply as an undergraduate student for first summer & 11-Week Sessions.
May 6, Monday	Late Processing Fee assessed for all who have not paid fees by 5:00 pm.
May 8, Wednesday	Schedules canceled for all who have not paid fees by 5:00 pm.
May 13, Monday	New student registration; schedule changes.
May 13, Monday	Classes begin; schedule changes.
May 15, Wednesday	Last day for registration and schedule changes (drop and add) for first term by 5:00 pm.
May 15, Wednesday	Census Day (Official enrollment count taken at 5:00 pm).
May 27, Monday	State Holiday (no classes).
May 31, Friday	Last day to apply as an undergraduate student for Second Summer Session.

May 31, Friday	Last day for undergraduate students to drop term length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
June 12, Wednesday	Last day for graduate students to drop courses without grades by 5:00 pm.
June 18, Tuesday	Classes end. Last day for submission of grade replacement requests.
June 19, Wednesday	Final examinations.
June 21, Friday	Grades due at noon.
June 30, Sunday	Last day to apply as an undergraduate readmit student or post baccalaureate teacher licensure student for the Fall term.
August 6, Tuesday	Last day to submit appeals to SAAC for readmission for Fall semester.

University Calendar
Summer Session 2013
Second Term

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

March 25, Monday	Last day to apply for graduation during the Summer Session.
March 25, Monday	Registration for Summer Sessions 2013 begins.
April 14, Sunday	Last day to apply as a post baccalaureate teacher licensure student for Summer Sessions.
April 30, Tuesday	Last day to apply as an undergraduate student for second summer & 11-Week Sessions.
May 1, Wednesday	Last day to apply for admission to Graduate School for second summer term.
May 31, Friday	Last day to apply as an undergraduate student for second summer Session.
June 13, Thursday	Late Processing Fee assessed for all who have not paid fees by 5:00 pm.
June 17, Monday	Schedules canceled for all who have not paid fees by 5:00 pm.
June 19, Wednesday	New student registration; schedule changes.
June 20, Thursday	Classes begin; schedule changes.
June 21, Friday	Last day for registration and schedule changes (drop and add) for second term by 5:00 pm.
June 24, Monday	Census Day (Official enrollment count taken at 5:00 pm).
June 30, Sunday	Last day to apply as an undergraduate readmit student or post baccalaureate teacher licensure student for the Fall term.
July 4, Thursday	State Holiday (no classes).
July 9, Tuesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
July 15, Monday	Last day to submit thesis to Graduate School for completion of degree in the summer session.
July 19, Friday	Last day for graduate students to drop courses without grades by 5:00 pm.
July 25, Thursday	Classes end. Last day for submission of grade replacement requests.
July 26, Friday	Final examinations.
July 29, Monday	Grades due at noon.
August 6, Tuesday	Last day to submit appeals to SAAC for readmission for Fall semester.

University Calendar
Summer Session 2013
11-Week Summer Session

(Actual class days: 10 Mondays, 11 Tuesdays, 10 Wednesdays, 10 Thursdays, 10 Fridays, 1 day for final examinations.)

March 14, Thursday	Last day to apply for admission to Graduate School for summer term.
March 25, Monday	Last day to apply for graduation during the Summer Session.
March 25, Monday	Registration for Summer Sessions 2013 begins.
April 14, Sunday	Last day to apply as a post baccalaureate teacher licensure student for Summer Sessions.
April 30, Tuesday	Last day to apply as an undergraduate student for first summer & 11-Week Sessions.
May 6, Monday	Late Processing Fee assessed for all who have not paid fees by 5:00 pm.
May 8, Wednesday	Schedules canceled for all who have not paid fees by 5:00 pm.
May 13, Monday	Classes begin; schedule changes.
May 13, Monday	New student registration and schedule changes.
May 15, Wednesday	Last day for registration and schedule changes (drop and add) by 5:00 pm.
May 16, Thursday	Census day (Official enrollment count taken at 5:00 pm).
May 27, Monday	State Holiday (no classes).
May 31, Friday	Last day to apply as an undergraduate student for second summer Session.
June 19, Wednesday	Midsummer Break (no classes).
June 20, Thursday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
June 30, Sunday	Last day to apply as an undergraduate readmit student or post baccalaureate teacher licensure student for the Fall term.
July 4, Thursday	State Holiday (no classes).
July 15, Monday	Last day to submit thesis to Graduate School for completion of degree in the summer session.
July 19, Friday	Last day for graduate students to drop courses without grades by 5:00 pm.
July 25, Thursday	Classes end. Last day for submission of grade replacement requests.
July 26, Friday	Final examinations.
July 29, Monday	Grades due at noon.
August 6, Tuesday	Last day to submit appeals to SAAC for readmission for Fall semester.

University Calendar
Fall Semester 2013
(Actual class days: 13 Mondays, 15 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays.
Effective class days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays)

March 15, Friday	Last day to apply as an undergraduate freshman student for the Fall Semester.
March 25, Monday	Registration for Fall Semester 2013 begins.
April 15, Monday	Last day to apply as an undergraduate transfer student for the Fall Semester.
June 1, Saturday	Last day to apply for admission to Graduate School for the Fall Semester.
July 1, Monday	Last day to apply as an undergraduate readmit student or post baccalaureate teacher licensure student for the Fall Semester.
August 6, Tuesday	Last day to submit appeals to SAAC for readmission for the Fall Semester.
August 8, Thursday	Late Processing Fee assessed for all who have not paid fees by 5:00 pm.
August 12, Monday	Schedules canceled for all who have not paid fees by 5:00 pm.
August 19, Monday	Faculty meetings.
August 19, Monday	Advising, registration, and schedule adjustments.
August 20, Tuesday	Classes begin; schedule changes.
August 26, Monday	Last day for registration and schedule changes (drop and add) by 5:00 pm.
September 2, Monday	State Holiday (no classes).
September 3, Tuesday	State holiday makeup day. Classes which would have met on Monday, September 2, will meet on this day so there will effectively be the same number of Mondays and Tuesdays as every other weekday during the semester; Tuesday classes will not meet.
September 3, Tuesday	Last day to apply for graduation in December.
September 3, Tuesday	Census Day (Official enrollment count taken at 5:00pm).
October 5-8, Saturday-Tuesday	Fall Break.
October 9, Wednesday	8:00 am - Classes resume.
October 14 – 18, Monday-Friday	Advising for Spring Semester 2014.
October 15, Tuesday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm.
October 15, Tuesday	Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
October 21, Monday	Registration for Spring Semester 2014 begins.
November 1, Friday	Last day to apply as an undergraduate student for the Spring Semester.
November 27-December 1, Wednesday-Sunday	Thanksgiving Break.
December 1, Sunday	Last day to apply as an undergraduate transfer student for the Spring Semester.
December 2, Monday	8:00 am - Classes resume.

December 2, Monday	Undergraduate students last day to remove incompletes given during Spring and/or Summer Session 2013.
December 2, Monday	Last day for graduate students to drop courses without grades by 5:00 pm.
December 3, Tuesday	Last day to submit thesis to the Graduate School for completion of degree in this term.
December 3, Tuesday	Graduate students last day to remove incompletes given during Fall 2012.
December 3, Tuesday	Classes end. Last day for submission of grade replacement requests.
December 3, Tuesday	Last day for submission of grade replacement requests.
December 4, Wednesday	Reading day.
December 5, Thursday	Final Examinations begin.
December 12, Thursday	Exams for Fall Semester close at 4:30 pm.
December 13, Friday	Commencement.
December 14, Saturday	Grades due at noon.
December 20, Friday	Last day to submit appeals to SAAC for readmission for Spring Semester.

EXAMINATION SCHEDULE
FALL SEMESTER 2013

There will be no departure from the printed schedule, except as noted below: All examinations for one credit hour classes will be held during the last regular meeting of the class. Classes meeting more than three times a week will follow the examination schedule for MWF classes. Clinical and non-traditional class schedules, including graduate level courses, may also adopt a modified examination schedule as required. A final course meeting during the exam period is required in order to satisfy the 750 contact minutes per credit hour required by the University of North Carolina Office of the President. Department Chairs are responsible for monitoring adherence to scheduled examination requirements.

Classes beginning 6:00 pm or later are considered night classes. Examinations in classes meeting one night a week will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (December 5-December 12). Examinations in classes meeting two or more nights a week and beginning before 8:00 pm will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (December 5- December 12). Examinations in classes meeting two or more nights a week and beginning at or after 8:00 pm will be held at 7:30-10:00 pm on the second night of their usual meeting during the examination period (December 5- December 12). Distance education classes should give their final examinations in a timely fashion to allow submitting grades in time.

Classes beginning on the half hour or meeting longer than one hour will have their final examination at the time determined by the hour during which the classes begin (e.g., 9:30-11:00 am TTh classes will follow the examination schedule of the 9:00 am TTh classes; 8:00-10:00 am MWF classes will follow the examination schedule of the 8:00 am MWF classes)

Common examinations, including DE sections, will be held according to the following schedule:

MATH 1065	5:00 - 7:30 Thursday, December 5
CHEM 0150, 1120, 1130, 1150, 1160	5:00 - 7:30 Friday, December 6
CHEM 1121, 1131, 1151, 1161, 2753, 2763	5:00 - 7:30 Monday, December 9
FREN 1001, 1003, SPAN 1001, 1004, GERM 1001	5:00 - 7:30 Tuesday, December 10
FREN 1002, SPAN 1002, 1003, GERM 1002	5:00 - 7:30 Wednesday, December 11

Times class regularly meets	Time and day of examination
8:00 MWF	8:00 - 10:30 Monday, December 9
8:00 TTh	8:00 - 10:30 Tuesday, December 10
9:00 MWF	8:00 - 10:30 Wednesday, December 11
9:00 TTh (9:30)	8:00 - 10:30 Thursday, December 12
10:00 MWF	8:00 - 10:30 Friday, December 6
10:00 TTh	8:00 - 10:30 Thursday, December 5
11:00 MWF	11:00 - 1:30 Monday, December 9
11:00 TTh	11:00 - 1:30 Thursday, December 5
12:00 MWF	11:00 - 1:30 Wednesday, December 11
12:00 TTh (12:30)	11:00 - 1:30 Thursday, December 12
1:00 MWF	11:00 - 1:30 Friday, December 6
1:00 TTh	11:00 - 1:30 Tuesday, December 10
2:00 MWF	2:00 - 4:30 Monday, December 9
2:00 TTh	2:00 - 4:30 Tuesday, December 10
3:00 MWF (3:30)	2:00 - 4:30 Wednesday, December 11
3:00 TTh (3:30)	2:00 - 4:30 Thursday, December 5
4:00 MWF	2:00 - 4:30 Friday, December 6
4:00 TTh	2:00 - 4:30 Thursday, December 12
5:00 MWF	5:00 - 7:30 Monday, December 9
5:00 TTh	5:00 - 7:30 Thursday, December 5

University Calendar
Spring Semester 2014
(Actual class days: 14 Mondays, 15 Tuesdays, 14 Wednesdays, 14 Thursdays, 13 Fridays. Effective class days: 14 Mondays, 14 Tuesdays, 14 Wednesdays, 14 Thursdays, 14 Fridays.)

October 15, Tuesday	Last day to apply for admission to Graduate School for the Spring Semester.
October 21, Tuesday	Registration for Spring Semester 2014 begins.
November 1, Friday	Last day to apply as an undergraduate student for the Spring Semester.
December 1, Sunday	Last day to apply as an undergraduate transfer student for the Spring Semester.
December 20, Friday	Last day to submit appeals to SAAC for readmission for Spring Semester.
January 6, Monday	Late Processing Fee assessed for all who have not paid fees by 5:00 pm.
January 8, Wednesday	Schedules canceled for all who have not paid fees by 5:00 pm.
January 10, Friday	Advising and schedule adjustments.
January 13, Monday	Classes begin; schedule changes.
January 17, Friday	Last day for registration and schedule changes (drop and add) by 5:00 pm.
January 20, Monday	State Holiday (no classes).
January 28, Tuesday	Last day to apply for graduation in May.
January 28, Tuesday	Census Day (Official enrollment count taken at 5:00 pm).

March 6, Thursday	Last day for undergraduate students to drop term-length courses or withdraw from school without grades by 5:00 pm. Block courses may be dropped only during the first 50% of their regularly scheduled class meetings.
March 9-16, Sunday – Sunday	Spring Break.
March 15, Saturday	Last day to apply as an undergraduate freshman student for the Fall Semester.
March 17, Monday	8:00 am - Classes resume.
March 17-21, Monday-Friday	Advising for Summer Sessions and Fall Semester 2014.
March 24, Monday	Registration for Summer Sessions and Fall Semester 2014 begins.
March 25, Tuesday	Last day to apply for graduation during the Summer Session.
April 15, Tuesday	Last day to apply as an undergraduate transfer student for the Fall Semester.
April 15, Tuesday	Last day to apply as a post baccalaureate teacher licensure student for Summer Sessions.
April 17, Thursday	Undergraduate students last day to remove incompletes given during Fall Semester 2013.
April 17, Thursday	Last day for graduate students to drop courses without grades by 5:00 pm.
April 18-19, Friday-Saturday	State Holiday (no classes).
April 21, Monday	Last day to submit thesis to the Graduate School for completion of degree in this semester.
April 29, Tuesday	State holiday makeup day. Classes which would have met on Friday, April 18, will meet on this day so there will effectively be the same number of Fridays and Tuesdays as every other weekday during the semester; Tuesday classes will not meet.
April 29, Tuesday	Graduate students last day to remove incompletes given during Spring Semester and/or Summer Session 2013.
April 29, Tuesday	Classes end. Last day for submission of grade replacement requests.
April 30, Wednesday	Reading day.
May 1, Thursday	Last day to apply as an undergraduate student for First Summer Term & 11-Week Session.
May 1, Thursday	Final examinations begin.
May 8, Thursday	Exams for Spring Semester close at 4:30 pm.
May 9, Friday	Commencement.
May 10, Saturday	Grades due at noon.

EXAMINATION SCHEDULE
SPRING SEMESTER 2014

There will be no departure from the printed schedule, except as noted below: All examinations for one credit hour classes will be held during the last regular meeting of the class. Classes meeting more than three times a week will follow the examination schedule for MWF classes. Clinical and non-traditional class schedules, including graduate level courses, may also adopt a modified examination schedule as required. The final exam meeting is required in order to satisfy the 750 contact minutes per credit hour required by the University of North Carolina Office of the President.

Department Chairs are responsible for monitoring adherence to scheduled examination requirements.

Classes beginning 6:00 pm or later are considered night classes. Examinations in classes meeting one night a week will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (May 1-8). Examinations in classes meeting two or more nights a week and beginning before 8:00 pm will be held at 7:30-10:00 pm on the first night of their usual meeting during the examination period (May 1-8). Examinations in classes meeting two or more nights a week and beginning at or after 8:00 pm will be held at 7:30-9:30 pm on the second night of their usual meeting during the examination period May 1-8). Distance education classes should give their final examinations in a timely fashion to allow submitting grades in time.

Classes beginning on the half hour or meeting longer than one hour will have their final examination at the time determined by the hour during which the classes begin (e.g., 9:30-11:00 am TTh classes will follow the examination schedule of the 9:00 am TTh classes; 8:00-10:00 am MWF classes will follow the examination schedule of the 8:00 am MWF classes)

Common examinations, including DE sections, will be held according to the following schedule:

CHEM 0150, 1120, 1130, 1150, 1160	5:00 - 7:30 Thursday, May 1
CHEM 1121, 1131, 1151, 1161, 2753, 2763	5:00 - 7:30 Friday, May 2
FREN 1001, 1003, SPAN 1001, 1004, GERM 1001	5:00 - 7:30 Monday, May 5
FREN 1002, SPAN 1002, 1003, GERM 1002	5:00 - 7:30 Tuesday, May 6
MATH 1065	5:00 - 7:30 Wednesday, May 7

Times class regularly meets	Time and day of examination
8:00 MWF	8:00 - 10:30 Friday, May 2
8:00 TTh	8:00 - 10:30 Thursday, May 1
9:00 MWF	8:00 - 10:30 Monday, May 5
9:00 TTh (9:30)	8:00 - 10:30 Tuesday, May 6
10:00 MWF	8:00 - 10:30 Wednesday, May 7
10:00 TTh	8:00 - 10:30 Thursday, May 8
11:00 MWF	11:00 - 1:30 Friday, May 2
11:00 TTh	11:00 - 1:30 Thursday, May 8
12:00 MWF	11:00 - 1:30 Monday, May 5
12:00 TTh (12:30)	11:00 - 1:30 Tuesday, May 6
1:00 MWF	11:00 - 1:30 Wednesday, May 7
1:00 TTh	11:00 - 1:30 Thursday, May 1
2:00 MWF	2:00 - 4:30 Friday, May 2
2:00 TTh	2:00 - 4:30 Thursday, May 1
3:00 MWF (3:30)	2:00 - 4:30 Monday, May 5
3:00 TTh (3:30)	2:00 - 4:30 Thursday, May 8
4:00 MWF	2:00 - 4:30 Wednesday, May 7
4:00 TTh	2:00 - 4:30 Tuesday, May 6
5:00 MWF	5:00 - 7:30 Monday, May 5
5:00 TTh	5:00 - 7:30 Thursday, May 1

Faculty Senate Agenda
March 27, 2012
Attachment 17.

UNIVERSITY ATHLETICS COMMITTEE REPORT

Resolution on Conference-USA Student-Athlete Travel

Whereas, the Faculty Senate of East Carolina University recognizes that East Carolina University is committed to offering opportunities for participation in collegiate athletics at the highest levels of competition; and

Whereas, the Faculty Senate of East Carolina University recognizes that many students who participate in collegiate athletics excel in the classroom, while others who participate fail to meet academic expectations; and

Whereas, East Carolina University is a member institution of the National Collegiate Athletic Association (NCAA), a voluntary membership association that governs intercollegiate athletics; and

Whereas, the National Collegiate Athletic Association (NCAA), obliges member institutions "to establish policies in all sports concerning student-athlete's missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods" (NCAA Bylaw 17.1.6.1.1); and

Whereas, the East Carolina University Faculty Athletics Representative and the East Carolina University Athletics Committee have been reviewing athletic team schedules and have found challenges associated with travel in Conference-USA that are inconsistent with a commitment to the academic success and personal development of students who participate in collegiate athletics; and

Therefore, Be It Resolved that the Faculty Senate of East Carolina University urges a review of policies and practices related to student-athlete travel in Conference-USA by the Chancellors and Faculty Senates of all Conference-USA member institutions.

Faculty Senate Agenda
March 27, 2012
Attachment 18.

UNIVERSITY ENVIRONMENTCOMMITTEE REPORT

2011 Environmental Sustainability Instruction at East Carolina University

ABSTRACT
A survey was conducted. Its purpose was to catalogue environmental sustainability instruction at ECU in response to and in support of the East Carolina University's UNC Tomorrow Response Phase I Report, Phase II Guidelines outlined in UNC's Tomorrow Response Phase Planning Process, and the University of North Carolina Tomorrow Commission's Final Report dated December 2007. This report summarizes the responses to the survey.

INTRODUCTION

A survey was conducted. Its purpose was to catalogue environmental sustainability instruction at ECU in response to and in support of East Carolina University's UNC Tomorrow Response Phase I Report, Phase II Guidelines outlined in UNC's Tomorrow Response Phase Planning Process, and the University of North Carolina Tomorrow Commission's Final Report dated December 2007. ECU's strategic plan, *ECU Tomorrow: A Vision for Leadership and Service*, aligns itself with the UNC Tomorrow Commission's findings and recommendations. In the area of environmental sustainability, the Phase I Report, dated May 1, 2008, states that East Carolina University will:

- Expand and apply its expertise, research and outreach functions to address regional and wider-scale challenges and to support public and private sector decision-makers in such areas as the economy, environment, and energy and water, among others.

- Increase faculty and student knowledge, motivation and capacity for scholarly instruction and learning, research and development, and engagement and outreach to meet the needs of those we serve as we increase the University's positive impact on society. (Ballard, 2008)

In the same report, East Carolina University plans to be the Leadership University. One of the visionary ways in which East Carolina University plans to accomplish this is by creating an Office of Sustainability.

ECU will lead in the area of environmental sustainability and demonstrate a clear sensitivity to the sustainability of its own operations and to the advocacy of sustainability in its instructional, research, and outreach programs. ECU will adopt environmental sustainability as a core institutional value to be evidenced in its own stewardship and leadership in addressing issues of sustainability in North Carolina. ECU will draw upon its faculty expertise and call upon the management of its infrastructure to lead this effort. To accomplish this goal, the following major initiatives will be implemented:

a. ECU will establish an Office of Sustainability at the senior management level. This office will coordinate with the ECU Committee on the Environment, maintain essential environmental inventories, and make policy recommendations. It will be led by a senior person with the title "Chief Sustainability Officer."

b. During 2008, senior management at ECU will evaluate how to best create and staff this office to maximum effect. Budgetary needs and funding sources will flow from these decisions.

c. ECU Sustainability Internship Program - This program will provide a means for cooperating faculty and students to participate in a wide range of community and regional efforts to improve the sustainability of resource use in eastern North Carolina. The effort will coordinate with the Office of Economic Development in linking to external engagement opportunities and the Office of the Chief Sustainability Officer to provide service-learning opportunities on campus. This effort will provide real-life "laboratory" opportunities for students to gain hands-on experience and leadership in environmental issues. (Ballard, 2008)

Another way East Carolina University plans to be the Leadership University is by deploying a Center for Sustainable Design.This Center will bring together faculty and students (undergraduate and graduate) to conduct basic and translational research and development in conjunction with the outreach efforts of the University on issues of the natural and built

environments at a variety of scales and in a variety of landscape positions. The unique purpose of this center will be to coordinate the integration and provision of sustainable design expertise via the format of an engaged learning laboratory. This effort will draw on ECU's traditional strengths in coastal science and policy, rural communities, sustainable tourism, agromedicine, natural hazards research, STEM-related environmental education, geospatial information sciences, P-12 education and outreach, and the development of satellite communities. The Center will utilize existing design infrastructure across campus and utilize the planned Innovation Design Lab (See above ECU's Vitality and Economic Prosperity in the East). ECU will recruit inter-disciplinary faculty and support aggressive recruitment of graduate students, specifically those with an interest in engaged scholarship. (Ballard, 2008)

Environmental Sustainability Instruction Survey

An eleven item environmental sustainability instruction survey was conducted spring semester 2011 as part of the UNC Tomorrow Response Phase Planning Process and the 21st Century Skills component to review and affirm the knowledge and skill of environmental literacy, which represent the desired characteristics of UNC institution graduates; review their general education requirements and other curricula where appropriate, along with other activities and initiatives; and develop plans for ensuring that students' knowledge and skill will be enhanced (UNC Tomorrow, 2008). The campuses that make up the University of North Carolina were also asked to review existing campus based initiates, research and scholarship activities and public service/engagement programs and initiatives to identify how they may improve the environmental sustainability of the campus, leverage and focus the expertise on campus to address critical energy and environmental challenges, and increase awareness of environmental and sustainability issues. (UNC Tomorrow, 2008).

Instrument

The instrument was comprised of eleven items. The first five odd numbered items—1, 3, 5, 7, and 9—were yes/no items. The five even numbered items asked the respondents to provide additional information if the respondent responded with a "yes". Item eleven provided the respondent with opportunity to any additional relevant comments. There were no requirements to respond to an item before proceeding.

The instrument (https://ecu.qualtrics.com/SE/?SID=SV_6WQ568pzcA3NRT6) was deployed Wed 3/16/2011 1:47 PM by means of a FACULTY-L@LISTSERV.ECU.EDU message.

Results

Figure 1 summarizes the proportion of the survey completed by the respondents. One-hundred thirty-two potential respondents accessed the survey site. About a third of the respondents accessed the survey site but did not proceed too much further. Most of the remaining respondents completed approximately 40% of the survey.

Figure 1. Survey completion rates.

Figure 2 summarizes the response rates for the eleven survey items. At least half of the respondents responded to the first five odd numbered items: the yes/no items. A much smaller proportion responded to the follow-on items.

Figure 3 summarizes the responses to the question "Do you deliver environmental sustainability instruction in the form of unit or units of instruction?" Twenty-five percent responded in the affirmative. When answered in the affirmative, the respondents were asked to elaborate. Figure 4 summarizes the responses: courses in which a unit or units of environmental sustainability instruction are delivered.

Question Response Rates

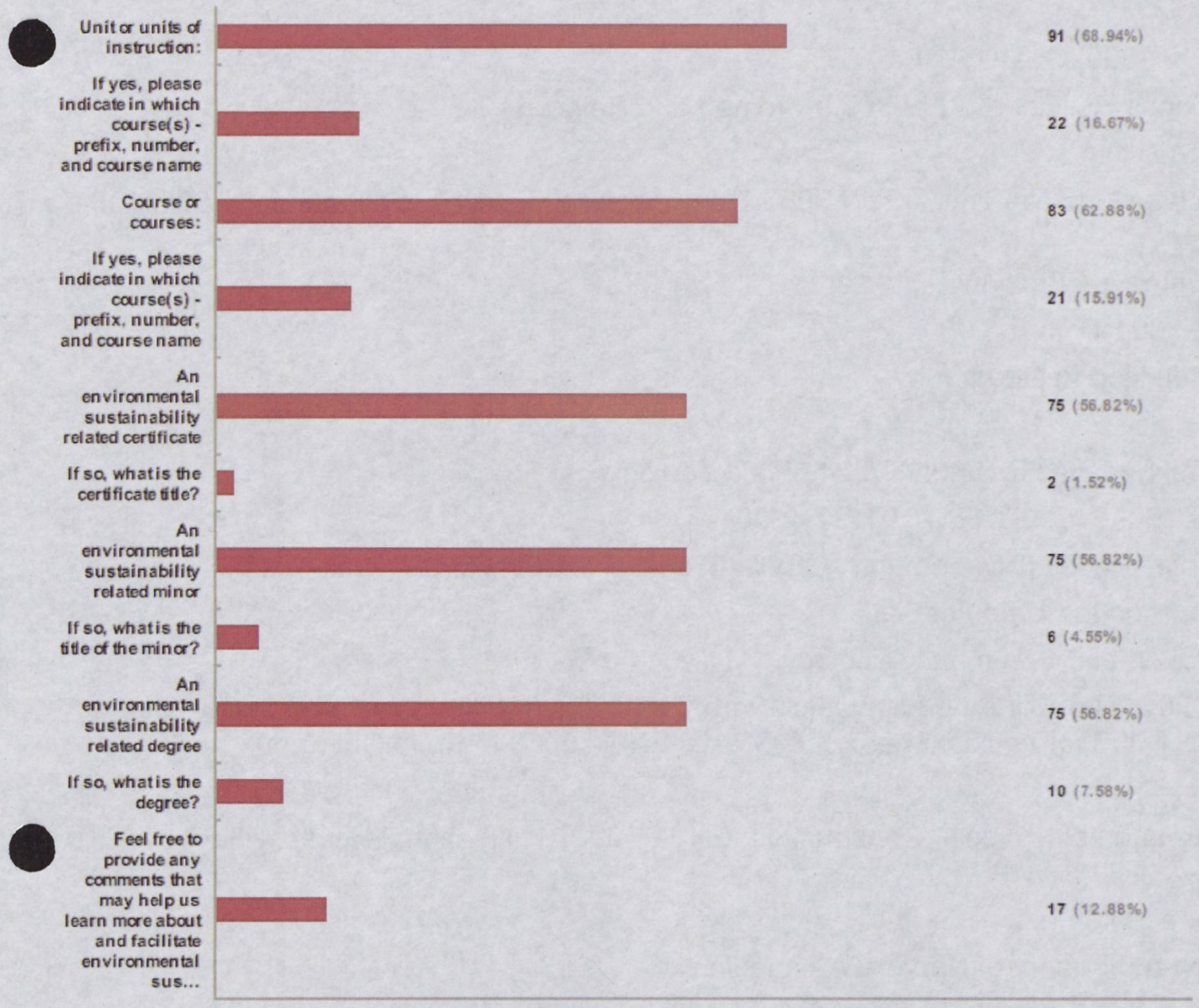

Figure 2. Response rate by question.

1	Yes		23	25%
2	No		68	75%
	Total		91	100 %

Figure 3. Responses to item one.

GEOL 1500, GEOL 1800, GEOL 4010

RELI 2693 Indigenous Religions. RELI 3690: Women and Religion

BIOL1060, BIOL1061

DESN 3030/1 Architectural Drafting, DESN 3036/7 Architectural Design and Drafting, DESN 3038/9 Sustainable Design.

BIOL 1060 Environmental Biology

SCIE 6200; SCIE 3604

GEOG 1000 Introduction to Geography.

Art 3210

BIOL 2250 General Ecology, BIOL 3240/3241 Field Zoology

EHST 2010, EHST 6010, EHST 6800, EHST 4200

GEOG 1000 People, Places Environments; GEOG 6350 Seminar in Rural Development

MIS 2223 - Introduction to Computers

BIOL 4200 Population and Community Ecology

Units in ENGL 3020 (History of American Lit to 1900), ENGL 3300 (Lit by Women), GRBK 2600 (19/20th ce), WOST 4000 (Feminist Theory) & GRAD: ENGL 5060 (Intro to Criticism)

CHEM 2650

EHST 3060 Environmental Issues in Construction; EHST 3900 Occupational Health; EHST 3700/01 Industrial Hygiene

GEOG 3230, Global Climates

HIST 6805 History and Theory of Nautical Archaeology

CMGT 2664 Interior and Exterior Construction Finishes

GEOG 1000, People, Places and Environments

BIOL 1060 online Environmental Biology, BIOL 1061 online Environmental Biology Lab

Biol 1050 General Biology

Figure 4. Courses in which environmental sustainability instruction is delivered.

The responses to the question "Do you deliver environmental sustainability instruction in the form of course or courses?" are summarized in Figure 5. Twenty-eight percent answered in the affirmative.

1	Yes		23	28%
2	No		60	72%
	Total		83	100 %

Figure 5. “Do you deliver environmental sustainability instruction in the form of course or courses?"

The courses in which environmental sustainability instruction is the focus of the course appears in Figure 6.

PLAN 1900 Planning for the Human Environment; PLAN 5065 Land Use Planning

GERM 2420, GERM 4700

RELI 2693 Indigenous Religions. RELI 3690: Women and Religion

BIOL1060, BIOL1061

HIST 3993 Approaches to Historical Objects HIST 3980 Shipwreck Archaeology HIST 5985 Historic Preservation Planning

DESN 3038/9 Sustainable Design.

MATH 2121, MATH 2122, MATH3100, MATH 4100

ENGL 7765 Sp. Topics in Technical and Professional Communication: Risk Communication

SCIE 6200

GEOG 5393 Seminar in Human Geography; CRM 6300 Seminar.

EHST 2010, EHST 6010, EHST6800, EHST4200, EHST 6700

GEOG 4325 Resources, Population & Development; GEOG 6325 Adv Population & Development

BIOL 2250 Ecology

ENGL 4370 (Literature and Environment); ENGL 3660 (Representing Environmental Crisis); ENGL 3670 (Food and Narrative) & GRAD: ENGL 6260 (as American Lit and Environment), ENGL 7265 (as Ecocriticism and Env. Lit)

EHST 5800 - Solid and Hazardooous Waste; EHST 3350 - Safe Waters; EHST 3370 - Wastewater

GEOL 1500, Dynamic Earth

At least five Maritime Studies courses have elements of environmental sustainability

BIOL 2250--Ecology; BIOL 5870--Marine Community Ecology

BIOL 1060 online Environmental Biology, BIOL 1061 online Environmental Biology Lab

OMGT 3123 Operations and Supply Chain Management

IDSN 2800 Interior Design I: Residential Design 1, IDSN 2850 Interior Design II: Commercial Design 1; IDSN 3550 Materials and Specifications for ID, IDSN 4700 Senior Studio: Problems in ID

Figure 6. Environmental sustainability courses.

Figure 7 summarizes the proportion of respondents who responded in the affirmative to the question of "Do you deliver environmental sustainability in the form of an environmental sustainability related certificate?"

1	Yes		2	3%
2	No		73	97%
	Total		75	100 %

Figure 7. "Do you deliver environmental sustainability instruction in the form of an environmental sustainability related certificate?"

When answered in the affirmative to the preceding question, the respondents were asked to identify the certificates—see Figure 8.

Rural Development
Not sure .... I have not looked into this yet.

Figure 8. Environmental sustainability related certificates.

Figure 9 summarizes the responses to "Do you deliver environmental sustainability instruction in the form of an environmental sustainability related minor?" Seven respondents answered in the affirmative.

1	Yes.		7	9%
2	No		68	91%
	Total		75	100 %

Figure 9. Environmental sustainability related minor.

When answered in the affirmative to the preceding question, the respondents were asked to identify those minors. Figure 10 summarizes the text responses.

possibly- I don't know all of the course requirements for all of the minors on campus
Geography
Environmental Health
Geography
Again, I have not yet cross-listed the undergraduate courses, but ENGL 3660, 3670, and 4370 should participate in such a minor.
Environmental Health Sciences and Safety

Figure 10 Environmental sustainability related minors.

Fifteen percent of the respondents indicated “Yes” to the question of "Do you deliver environmental sustainability instruction in the form of an environmental sustainability related degree?”—see Figure 11.

1 2	Yes No		11 64	15% 85%
	Total		75	100 %

Figure 11. Environmental sustainability related degree.

The list of environmental sustainability degrees appears in Figure 12.

possibly- I don't know all of the course requirements for all of the degrees on campus

Coastal Resources Management PhD

Geography, Applied Geography

BS in Environmental Health, MSEH, Master of Science in Environmental Health

BA Geography; BS Applied Geography

Biology

Again, see above.

Environmental Health Sciences and Safety

Possibly CRM PhD

Applied Geography

Figure 12. Environmental sustainability degrees.

The comments made by the respondents with respect to learning more about and facilitating environmental sustainability instruction at ECU appear in Figure 13. Most of the comments provided positive feedback. A few suggest that some of the respondents were not aware that as a part of the University of North Carolina system, East Carolina University is to assume a leadership role in addressing the state's energy and environmental challenges or that ECU's strategic vision includes a commitment to leading, "in the area of environmental sustainability and demonstrate a clear sensitivity to the sustainability of its own operations and to the advocacy of sustainability in its instructional, research, and outreach programs. ECU will adopt environmental sustainability as a core institutional value to be evidenced in its own stewardship and leadership in addressing issues of sustainability in North Carolina." (Ballard, 2008) At least two respondents appeared hostile to the inclusion of environmental sustainability instruction.

I'm glad that you're asking. This is an important topic.

We throw away masses of paper at the clinics in Brody. Much is not patient-confidential. Also, we have soda pop cans, etc. Perhaps one course could do a "service learning project" to get recycling done and keep any money made for your program?

Possibly more can be done with General Education courses

The PhD program in Coastal Resources Management includes several possible electives offered by the English Dept. including courses in public policy, technical, and scientific writing. These courses help students learn how to develop complex information about various issues, including environmental issues, for audiences.

Make it easier to get new courses approved

This kind of ideologically motivated top down pressure to impose pet politicized topics on the course of instruction is academically and morally unacceptable!

Environmental Sustainability Instruction should permeate ALL of our classrooms, but also office spaces and dorms. In our main office in my Department, there is STILL no official recycling bin, and no efforts to maintain one. This is a problem of lack of accountability from unit administrators and staff on basic environmental practices.

I discuss sustainability in my courses, but not as a distinct unit or topic of study. It is covered as a conservation concept where applicable.

It shouldn't be our job to facilitate environmental sustainability or incorporate that into our instruction. We have enough difficulty getting our students to learn the basics of our disciplines to any level of sufficient competency.

The job of university facultyy is to teach students hows to think for themselves, not to feed them political propaganda for whatever is the latest perceived global problem. If it is the problem faculty take it to be, teaching them how to think will enable them to reach this conclusion without our offering biased instruction. Offering politicall biased instruction undermines our credibility as university faculty.

educate students about local options for recycling computer equi[pment, electronics, etc.

Please contact me (federh@ecu.edu) about any sustainability/env. studies cross-listing.

What exactly is environmental sustainable instruction? I couldn't find a definition in the literature you provided. If it is what I think it is, what does it have to do with what I teach? I am not in that field, so it is irrelevant to what I teach. Furthermore, that concept represents a philosophy I and many others do not share. It inclusion into our curriculum implies that the debate is over, the facts are, in consensus is achieved. It is not and I regard its inclusion as a breach of ethics.

EHST 2110 -Introduction to Environmental Health Sciences: ECO-Pirates student environmental Club

The Program in Maritime Studies deals with non-renewable, archaeological, resources. There are numerous links to other areas that could impact sustainability, including heritage tourism.

I have attempted to create a certificate in Environmental Sustainability for those in non-biology majors, such as Business, but have received no support for such an endeavor. I could offer this online as well!

While it is not a part of my courses, environmental sustainability is a part of my lifestyle. My personal examples in and out of the classroom include recycling, biking to work, eating local foods, etc. Can't hurt, could help!