

# The University of North Carolina at Pembroke



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## **FACULTY HANDBOOK 2007-2008**

## PREFACE

This *Faculty Handbook* has been prepared for the faculty of The University of North Carolina at Pembroke and has been designed to provide faculty members with a ready Reference to established policies and procedures at The University of North Carolina at Pembroke. Additionally, the University *Catalog* is also a very valuable resource regarding academic programs, policies, procedures, regulations, and other important information about the University. Suggestions for additions or revisions are encouraged and should be made directly to the Office for Academic Affairs.

It is hoped that each faculty member will become familiar with the contents of this *Handbook* and the University *Catalog* immediately. All members of the University family should use the *Handbook* and *Catalog* for reference whenever occasion demands. The UNC Board of Governors policies supersede the *Handbook* in the possible case of conflict. Also, *The Code* of the University of North Carolina is available via the internet at <http://www.northcarolina.edu/bog/code/code.cfm>.

The University reserves the right to make any necessary changes in the University Calendar or in any other section of this *Handbook*.

## EQUAL OPPORTUNITY

The University of North Carolina at Pembroke is committed to equality of educational opportunity and does not discriminate against applicants, students, or employees based on color, national origin, religion, sex, age, or disability or because of the individual's honorable service in the Armed Services of the United States. Moreover, The University of North Carolina at Pembroke is open to people of all races and actively seeks to promote racial integration by recruiting and enrolling a larger number of American Indian, Asian, Black and Hispanic students.

**THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE  
ACADEMIC CALENDAR 2007-2008**

**Fall Semester 2007**

August 10	Friday	Cancel registration for non payment
<b>August 13-14</b>	<b>Mon-Tues</b>	<b>Open registration for all students</b>
August 14	Tuesday	All residence halls open
August 14	Tuesday	5 pm Payment due for all registered students
August 14	Tuesday	Last day to cancel all classes (100% refund)
August 15	Wednesday	Undergraduate and Graduate classes begin
August 20	Monday	Late registration fee applies
August 21	Tuesday	Last day to register for a class
August 21	Tuesday	Last day to reduce course load and receive a refund
August 21	Tuesday	Last day to drop on the web
August 22	Wednesday	Drops processed in the Office of the Registrar
August 28	Tuesday	Census date
<b>September 3</b>	<b>Monday</b>	<b>Labor Day Holiday (University Closed)</b>
September 14	Friday	Deadline for compliance with N. C. Immunization Law
October 12	Friday	Last day for prorated refund for students withdrawing from UNCP
October 15	Monday	12 noon Midterm grades due
<b>October 18-20</b>	<b>Thurs-Sat</b>	<b>Fall Break - No Classes</b>
October 22	Monday	Classes resume
October 22	Monday	Last day for undergraduates to drop a course with a "W" grade
<b>October 24</b>	<b>Wednesday</b>	<b>Department Majors Meeting</b>
October 24-25	Wed-Thurs	Grad Finale
<b>October 25</b>	<b>Thurs</b>	<b>Early registration for Spring 2008 begins</b>
<b>November 21</b>	<b>Wednesday</b>	<b>No classes - Student Recess</b>
November 21	Wednesday	Last day for undergraduates to withdraw from the university with documentation
<b>Nov 22-24</b>	<b>Thurs-Friday</b>	<b>Thanksgiving Holiday (University Closed)</b>
November 30	Friday	Classes end
<b>December 3-7</b>	<b>Mon-Friday</b>	<b>Final Examinations</b>
December 7	Friday	5 pm All residence halls close
<b>December 8</b>	<b>Saturday</b>	<b>10 am Winter commencement</b>
December 10	Monday	Final grades due

*UNC-Pembroke reserves the right to make any necessary changes in the academic*

## Spring 2008

January 2	Wednesday	5 pm - Course registrations will be cancelled for all students who registered early and have not paid
January 3 - 4	Thurs - Friday	8 am - Undergraduate and Graduate registration for all students
January 4	Friday	5 pm - Payment due for all registered students
January 6	Sunday	All residence halls open
<b>January 7</b>	<b>Monday</b>	<b>Classes begin</b>
January 7 - 11	Monday - Friday	5 pm - Drop/Add (Online)
January 7 - 11	Monday - Friday	8 am - Late registration fee applies
January 11	Thursday	5 pm - Last day to reduce course load and receive a refund
January 11	Thursday	5 pm - Last day for undergraduates to register or add a class
January 18	Monday	Census Date
<b>January 21</b>	<b>Monday</b>	<b>Martin Luther King, Jr. Day</b> (University closed)
February 5	Tuesday	Deadline for immunizations
<b>March 3 - 8</b>	<b>Monday - Saturday</b>	<b>Spring Break</b>
March 3	Monday	Undergraduate mid-semester grades due at noon
March 5	Wednesday	Last day for prorated refund for students withdrawing from University
March 10	Monday	12 pm - Midterm Grades due
March 10	Monday	8 am - Classes resume
March 12 - 13	Wed - Thursday	Grad Finale
March 17	Monday	Last day for undergraduates to drop a class with a "W" grade
<b>March 21</b>	<b>Friday</b>	<b>Good Friday Holiday (University Closed)</b>
March 26	Wednesday	Department Majors Meeting - Advisement for Fall 2008
March 31	Thursday	Online Registration Begins (Students Check Registration Time ticket on BraveWeb)
April 1	Tuesday	Deadline for applying for Fall 2008 Graduation
April 11	Friday	Last day for undergraduates to withdraw from the University with documentation
<b>April 26</b>	<b>Saturday</b>	<b>Classes end</b>
<b>April 28 - May 2</b>	<b>Mon - Friday</b>	<b>Final examinations</b>
May 2	Friday	5 pm - All residence halls close
May 3	Saturday	10 am - Spring Commencement
May 5	Monday	12 noon - Final grades due

*UNC-Pembroke reserves the right to make any necessary changes in the academic calendar*



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## **1 HISTORY AND MISSION OF UNCP**

### **1-1 Introduction**

The University of North Carolina at Pembroke is a constituent institution of The University of North Carolina. It carries out the purposes of a state-supported institution in the category "Comprehensive University I" and offers degree programs at the baccalaureate level as well as several masters programs. Programs for teacher certification are also offered in a variety of fields. The University of North Carolina at Pembroke operates on the traditional two-semester system and offers an extensive summer program.

### **1-2 Mission Statement**

Founded in 1887 as a school for the education of American Indians, The University of North Carolina at Pembroke now serves a distinctly diverse student body and encourages inclusion and appreciation for the values of all people. UNC Pembroke exists to promote excellence in teaching and learning, at the graduate and undergraduate levels, in an environment of free inquiry, interdisciplinary collaboration, and rigorous intellectual standards.

Our diversity and our commitment to personalized teaching uniquely prepare our students for rewarding careers, postgraduate education, leadership roles, and fulfilling lives. We cultivate an international perspective, rooted in our service to and appreciation of our multi-ethnic regional society, which prepares citizens for engagement in global society. Students are encouraged to participate in activities that develop their intellectual curiosity and mold them into responsible stewards of the world.

UNCP faculty and staff are dedicated to active student learning, engaging scholarship, high academic standards, creative activity, and public service. We celebrate our heritage as we enhance the intellectual, cultural, economic, and social life of the region.

### **1-3 Vision Statement**

The University of North Carolina at Pembroke will challenge students to embrace difference and adapt to change, think critically, communicate effectively, and become responsible citizens. Working from a strong foundation in the liberal arts, we will increase opportunities to infuse our curriculum with interdisciplinary innovation while promoting undergraduate and graduate research as well as international opportunities.

### **1-4 Core Values Statement**

The Faculty and Staff of UNC Pembroke are guided by the following set of Core Values:

- 1) The commitment to serving the local region
- 2) The creation, exploration, evaluation, and articulation of ideas
- 3) The value of a liberal arts foundation as the basis of self-realization and lifelong learning
- 4) The importance of honor and integrity to learning and leadership as we educate students to be stewards of the world
- 5) The appreciation of the American Indian history of the University and local community
- 6) The appreciation of diversity and respect for the dignity and worth of every individual
- 7) The commitment to prepare graduate and undergraduate students to succeed in an every-changing and increasingly technological global environment

- 8) The accessibility of education which leads to the enhancement of the economy and culture of the region
- 9) The maintenance of a sustainable, safe, healthful, attractive, and accessible campus

### 1-5 Institutional Distinctiveness Statement

The University of North Carolina at Pembroke distinguishes itself from peer institutions by offering an affordable, highly personalized, student-centered education to diverse students. Founded in 1887 as an American Indian institution to serve the Lumbee people, UNCP is now also comprised of students, faculty, and staff who possess differing attributes based on race, ethnicity, gender, sexual orientation, disability status, national origin, age, political affiliation, religion, and other characteristics. Diversity grounds intellectual pursuits and provides us with opportunities for discovery and ways to integrate all individuals and groups into the larger community, respecting and valuing their uniqueness while simultaneously advancing the University's historical tradition. UNC Pembroke thus prepares its students for life and leadership within a diverse society.

### 1-6 History of The University of North Carolina

In North Carolina, all the public educational institutions that grant baccalaureate degrees are part of the University of North Carolina. The University of North Carolina at Pembroke is one of 16 constituent institutions of the multi-campus state university.

The University of North Carolina, chartered by the N.C. General Assembly in 1789, was the first public university in the United States to open its doors and the only one to graduate students in the eighteenth century. The first class was admitted in Chapel Hill in 1795. For the next 136 years, the only campus of the University of North Carolina was at Chapel Hill.

In 1877, the N.C. General Assembly began sponsoring additional institutions of higher education, diverse in origin and purpose. Five were historically Black institutions, and another was founded to educate American Indians. Several were created to prepare teachers for the public schools. Others had a technological emphasis. One is a training school for performing artists.

In 1931, the N.C. General Assembly redefined the University of North Carolina to include three state-supported institutions: the campus at Chapel Hill (now the University of North Carolina at Chapel Hill), North Carolina State College (now North Carolina State University at Raleigh), and Woman's College (now the University of North Carolina at Greensboro). The new multi-campus University operated with one board of trustees and one president. By 1969, three additional campuses had joined the University through legislative action: the University of North Carolina at Charlotte, the University of North Carolina at Asheville, and the University of North Carolina at Wilmington.

In 1971, the General Assembly passed legislation bringing into the University of North Carolina the state's ten remaining public senior institutions, each of which had until then been legally separate: Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina Agricultural and Technical State University, North Carolina Central University, the North Carolina School of the Arts, Pembroke State University (now **The University of North Carolina at Pembroke**), Western Carolina University, and Winston-Salem State University. This action created the current 16-campus University. (In 1985, the North Carolina School of Science and Mathematics, a residential high school for gifted students, was declared an affiliated school of the University.) In 1996, Pembroke State University was redesignated **The University of North Carolina at Pembroke** by the General Assembly.

The UNC Board of Governors is the policy-making body legally charged with "the general determination, control, supervision, management, and governance of all affairs of the constituent institutions." It elects the president, who administers the University. The 32 voting members of the

Board of Governors are elected by the General Assembly for four-year terms. Former board chairmen and board members who are former governors of North Carolina may continue to serve for limited periods as non-voting members emeriti. The president of the UNC Association of Student Governments, or the student's designee, is also a non-voting member.

Each of the 16 constituent institutions is headed by a chancellor, who is chosen by the Board of Governors on the president's nomination and is responsible to the president. Each institution has a board of trustees, consisting of eight members elected by the Board of Governors, four appointed by the governor, and the president of the student body, who serves ex officio. (The NC School of the Arts has two additional ex officio members.) Each board of trustees holds extensive powers over academic and other operations of its institution on delegation from the Board of Governors.

### **1-7 History of The University of North Carolina at Pembroke**

On March 7, 1887 the General Assembly of North Carolina enacted legislation sponsored by Representative Hamilton McMillan of Robeson County creating the Croatan Normal School. The law, which was in response to a petition from the Indian people of the area, established a Board of Trustees and appropriated five hundred dollars to be used only for salaries. A building was constructed by the local people at a site about one mile west of the present location, and the school opened with fifteen students and one teacher in the fall of 1887. For many years the instruction was at the elementary and secondary level, and the first diploma was awarded in 1905.

The school was moved to its present location in Pembroke, the center of the Indian community, in 1909. The General Assembly changed the name of the institution in 1911 to the Indian Normal School of Robeson County, and again in 1913 to the Cherokee Indian Normal School of Robeson County. In 1926 the Board of Trustees added a two-year normal program beyond high school, and phased out elementary instruction. The first ten diplomas were awarded in 1928, when the state accredited the school as a "standard normal school."

Additional college classes were offered beginning in 1931, and in 1939 a fourth year was added with the first degrees conferred in 1940. In recognition of its new status, the General Assembly changed the name of the school in 1941 to Pembroke State College for Indians. Until 1953 it was the only state-supported four-year college for Indians in the nation. The scope of the institution was widened in 1942 when non-teaching baccalaureate degrees were added, and 1945 when enrollment, previously limited to the Indians of Robeson County, was opened to people from all federally-recognized Indian groups. A few years later, in 1949, the General Assembly shortened the name to Pembroke State College.

The Board of Trustees approved the admission of White students up to forty percent of the total enrollment in 1953, and following the Supreme Court's school desegregation decision, opened the College to all qualified applicants without regard to race in 1954. Growth of over five hundred percent followed during the next eight years. In 1969 the General Assembly changed the name again to Pembroke State University, and made the institution a regional university. Such universities were authorized "to provide undergraduate and graduate instruction in liberal arts, fine arts, and science, and in the learned professions, including teaching" and to "provide other graduate and undergraduate programs of instruction as are deemed necessary to meet the needs of their constituencies and of the State."

Two years later, in 1971, the General Assembly established the sixteen-campus University of North Carolina with Pembroke State University as one of the constituent institutions. The new structure was under the control of a Board of Governors which was to coordinate the system of higher education, improve its quality, and encourage economical use of the state's resources. The Board of Governors approved the initiation of master's programs in professional education by Pembroke State University in 1978, as well as several new undergraduate programs. Since that time

additional baccalaureate and master's level programs have been approved, including a baccalaureate in nursing and a Master of Business Administration.

Upon recommendation from the PSU Board of Trustees, the Chancellor, and the UNC President, and with the enthusiastic concurrence of the majority of University faculty, staff and students, the General Assembly changed the name of the institution to The University of North Carolina at Pembroke effective July 1, 1996.



**1-8 Accreditation and Membership of UNCP**

**The University of North Carolina at Pembroke is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097; Telephone number 404-679-450; <http://www.sacs.org>) to award Bachelor's and Master's level degrees. In addition, The University of North Carolina at Pembroke is accredited by or is a member of:**

- ! The National Council for Accreditation of Teacher Education
- ! Council of Social Work Education
- ! The National Association of Schools of Music
- ! The North Carolina State Board of Education
- ! The North Carolina Association of Colleges and Universities
- ! The American Association of Colleges for Teacher Education
- ! The American Council on Education
- ! The Association of American Colleges
- ! The American Association of State Colleges and Universities
- ! National Association of Schools of Public Affairs and Administration
- ! National League for Nursing
- ! American Association of Colleges of Nursing
- ! Other organizations in the individual disciplines

## **2 ORGANIZATION OF THE UNIVERSITY**

### **2-1 General Organization of The University of North Carolina**

The General Statutes of North Carolina as enacted by the 1971 session of the North Carolina General Assembly established the Board of Governors of The University of North Carolina as the single state-level governing authority under which the following state-supported institutions of higher education are organized for administration. These statutes also designate them as constituent institutions of The University of North Carolina:

*Appalachian State University*

*East Carolina University*

*Elizabeth City State University*

*Fayetteville State University*

*N. C. Agricultural and Technical State University*

*North Carolina Central University*

*North Carolina School of the Arts*

*North Carolina State University*

*University of North Carolina at Asheville*

*University of North Carolina at Chapel Hill*

*University of North Carolina at Charlotte*

*University of North Carolina at Greensboro*

*University of North Carolina at Pembroke*

*University of North Carolina at Wilmington*

*Western Carolina University*

*Winston-Salem State University*

The Board of Governors of The University of North Carolina is responsible for the general determination, control, supervision, management, and governance of all affairs of the constituent institutions. The President of The University of North Carolina is the chief administrative and executive officer and is responsible for the administration of The University. The President has established the General Administration to assist with this responsibility. The chief administrative officer for each constituent institution is the Chancellor, and a Board of Trustees has been established for each institution. The Chancellor determines the organization and administration for his campus.

The State Board of Education is responsible for public school education in North Carolina. The State Department of Public Instruction is responsible to the State Board for the certification/licensure of public school educators. The State Department of Public Instruction is also responsible for the development of standards and guidelines for the use of institutions of higher education in preparing teacher education programs and for their approval by the State Board of Education and the Board of Governors of The University of North Carolina.

**2-1.A Board of Governors of The University of North Carolina**

Information about the Board of Governors is available via <http://www.northcarolina.edu>

<b>Name</b>	<b>Residence</b>	<b>Name</b>	<b>Residence</b>
Jim W. Phillips, Jr. Chairman	Greensboro	J. Bradley Wilson	Durham
J. Craig Souza Vice-Chairman	Raleigh	H. Frank Grainger	Cary
Estelle “Bunny” Sanders Secretary	Roper	Ray S. Farris	Charlotte
Bradley T. Adcock	Durham	Peter D. Hans	Raleigh
Phillip R. Dixon	Greenville	Adelaide Daniels Key	Asheville
Peaches Gunter Blank	Nashville, TN	G. Leroy Lail	Hickory
Brent D. Barringer	Cary	Charles H. Mercer, Jr.	Raleigh
Fred G. Mills	Raleigh	Laura W. Buffaloe	Roanoke Rapids
R. Steve Bowden	Greensboro	Frank Daniels, Jr.	Raleigh
Ronald C. Leatherwood	Waynesville	Priscilla P. Taylor	Chapel Hill
Cheryl Ransom Locklear	Pembroke	David W. Young	Asheville
Irvin A. Roseman	Wilmington	Gladys Ashe Robinson	Greensboro
William G. Smith	Durham	Marshall B. Pitts	Fayetteville
Charles A. Hayes	Raleigh	Hannah D. Gage	Wilmington
John W. Davis, III	Winston Salem	Ann B. Goodnight	Cary
Dudley E. Flood	Raleigh	Clarice Cato Goodyear	Matthews
		James E. Holshouser, Jr. (Emeritus)	Southern Pines

**2-1.B Office of the President**

THE UNIVERSITY OF NORTH CAROLINA

910 Raleigh Road

P. O. Box 2688

Chapel Hill, NC 27515-2688

(919) 962-1000

<http://www.northcarolina.edu>

President	Erskine Bowles
Chief of Staff	Jeffrey R. Davies
Secretary of the University	L. B. Corgnati
Senior Vice President for Academic Affairs	Harold L. Martin
Vice President for Academic Planning	Alan R. Mabe
Vice President for Research	Steven Leath
Vice President for Finance	Robert Nelson
Vice President for Information Resources and Chief Information Officer	Robyn Render
Vice President and General Counsel (also Human Resources Division)	Leslie Winner

## 2-2 Organization of The University of North Carolina at Pembroke

### 2-2.A Board of Trustees of The University of North Carolina at Pembroke

Breeden Blackwell 1201 Haymount Court Fayetteville, NC 1201 Haymount Court Fayetteville, NC 28305 Res: 910-678-7771 Bus: 910-678-7771 Fax: 910-483-2231 <a href="mailto:mfogle@co.cumberland.nc.us">mfogle@co.cumberland.nc.us</a>	CHAIR 2011	Ms. Sybil Bullard 944 Jones Road Pembroke, NC 28372 Bus: 910-843-3682 Res: 910-521-2796 Fax: 910-843-1777 jrjgrn@intrstar.net	2009
Mr. Donald Bonner P. O. Box 718 Rowland, NC 28383-0718 Bus: 910-422-3402 Fax: 910-422-3033 bonnerdonald@bellsouth.net	VICE CHAIR 2009	Ms. Arlinda Locklear 4113 Jenifer Street Washington, D.C. 20015 Bus: 202-237-0933 Fax: 202-237-0382 Cell: 301-401-4873 <a href="mailto:alockesq@comcast.net">alockesq@comcast.net</a>	2011
Dr. Freda Porter P.O. Box 1359 Pembroke, NC 28372 Res: 910-521-0549 Bus: 910-521-0549 fporter@porterscientific.com	SECRETARY 2011	Mr. Roger Oxendine 5671 Highway 130 East Rowland, NC 38383 Bus: 910/628-8667 Res: 910-628-6238 Cell: 910-734-1736 Fax: 910/628-8555 <a href="mailto:oxendinefarms@bellsouth.net">oxendinefarms@bellsouth.net</a>	2009
Mr. Marion Bass 4930 Park Phillips Court Charlotte, NC 28210 Res: 704-643-9119 Cell: 704-904-9953 <a href="mailto:providenceframes@bellsouth.net">providenceframes@bellsouth.net</a>	2009	Mr. Paul Willoughby P.O. Box 13284 Research Triangle Park, NC 27709 Cell: 919-795-3629 <a href="mailto:pprfoods@earthlink.net">pprfoods@earthlink.net</a>	
Mr. Milton Hunt 100 Union Chapel Rd. P.O. Box 866 Pembroke, NC 28372 Bus: 910/521-9758 Res: 910/521-4703 Fax: 910/521-0472 Tricia2@pembrokenc.com	2009	Mr. Richard Taylor P.O. Box 111 Lumberton, NC 28359 Bus: 910-739-1111 Res: 910-738-1111 Fax: 910-739-3038 <a href="mailto:Tarheel111@earthlink.net">Tarheel111@earthlink.net</a>	2011
Mr. Alan Thompson P.O. Box 398 Whiteville, NC 28472	2011	Mr. Dwight Humphrey President, Student Government Association James B. Chavis University Center Pembroke, NC 28372 Bus: 910-521-6482 Cell: 252-675-8006 <a href="mailto:Dbh003@uncp.edu">Dbh003@uncp.edu</a>	2007-2008

**2-2.B Officers and Administration of The University Of North Carolina at Pembroke**

The Chancellor is the chief administrative and executive officer of the University. All university personnel are directly or indirectly responsible to the Chancellor. The Chancellor advises the Board of Trustees and the President of The University of North Carolina in the development of policies and regulations for the governance of the University; implements the policies and regulations of the Board of Governors and the Board of Trustees within the University; organizes for the administration of the University; and administers the University.

**2-2.B.1 Office of the Chancellor**

Allen C. Meadors	Chancellor
Charles F. Harrington	Provost & Vice Chancellor for Academic Affairs
Diane O. Jones	Vice Chancellor for Student Affairs
R. Neil Hawk	Vice Chancellor for Business Affairs
Sandra Waterkotte	Vice Chancellor for Advancement
Jackie Clark	Vice Chancellor for Enrollment Management
Glen G. Burnette, Jr.	Vice Chancellor for University and Community Relations
Donna Gooden Payne	University Counsel and Chief of Staff
Beverly King	Director, Institutional Research and Planning
Dan Kenney	Director, Athletics
Susan West	Internal Auditor

**2-2.B.1(a) Provost and Vice Chancellor for Academic Affairs**

The Provost and Vice Chancellor for Academic Affairs is the chief academic officer of the University and is responsible to the Chancellor for overseeing all academic operations of the University.

Reporting directly to the Provost and Vice Chancellor for Academic Affairs are the Dean of the College of Arts and Sciences, the Dean of the School of Business, the Dean of the School of Education, the Dean of the School of Graduate Studies, the Dean of the Honors College, the Associate Vice Chancellor for Outreach, the Associate Vice Chancellor for Academic Affairs, the Associate Vice Chancellor for International Programs, the Associate Vice Chancellor for Information Services and Chief Information Officer, the University Librarian, and the Director of Sponsored Research and Programs.

**2-2.B.1(b) Vice Chancellor for Student Affairs**

The Vice Chancellor for Student Affairs is responsible to the Chancellor of the University for the management and administration of the Office for Student Affairs and for the coordination of all co-curricular activities on campus. The Vice Chancellor's duties include: coordinating the work of the Associate Vice Chancellor for Student Affairs, the Dean of Students, the Director of Student Activities, the Director of the Counseling and Testing Center, the Director of the University Center, the Intramural Director, the Director of the Career Services, the Director of the Multi-Cultural Center, the Director of Leadership and Community Service, the Executive Director of the Givens Performing Arts Center, the University Physician, and the Director of Student Health Services; cooperating with the medical staff in the operation of the student health services; overseeing the function of the campus student organizations; exercising primary responsibility for student discipline; and exercising primary responsibility for the welfare of students in all co-curricular activities while in attendance at The University of North Carolina at Pembroke.

**2-2.B.1(c) Vice Chancellor for Business Affairs**

The Vice Chancellor for Business Affairs is responsible to the Chancellor for the sound financial management of the University. The Vice Chancellor is the principal financial advisor to the Chancellor and is responsible for supervising all expenditures for supplies, materials, equipment, construction, and plant development. The Vice Chancellor also oversees the business aspects of all auxiliary functions. The Vice Chancellor is directly responsible for advising and assisting the Chancellor in preparing and operating within the biennial budget for the University. The Vice Chancellor has the responsibility for the receipt and custody of, as well as the disbursement of, University funds.

Reporting directly to the Vice Chancellor for Business Affairs are the Director of Human Resources, the Director of Physical Plant, the Director of Business Services, the Manager of the Bookstore, the Controller, the Director of Design and Construction, and the Director of Police and Public Safety.

**2-2.B.1(d) Vice Chancellor for Advancement**

The Vice Chancellor for Advancement is responsible to the Chancellor for overseeing the design, development and implementation of a comprehensive program for the purpose of increasing both financial and human resources, as well as the cultivation and communication of a positive image of the University to its many publics.

Working in conjunction with the Directors of Development and Alumni Relations, the Vice Chancellor develops advancement goals and objectives for the University's long-range plan. The Vice Chancellor oversees the implementation of planned goals, performance indicators and assessment measures. This administrator recruits, develops, motivates and encourages participation at all constituency levels - volunteers, staff, faculty, students, donors and prospects - in the fund raising processes. The Vice Chancellor ensures that the University is a good steward of its endowments.

Serving as the Executive Director of the UNCP Foundation, Inc. and assistant to the chairman for Development Programs of the UNCP Endowment Fund Board of Trustees, the Vice Chancellor coordinates the overall direction, planning and operation of Foundation and Endowment programs. In addition to systemizing and administering all campus fund raising policies and procedures, the Vice Chancellor coordinates and approves all gift proposals prior to their submission. The Vice Chancellor communicates and oversees the Foundation, Endowment Fund Board of Trustees and University Trustees role in the development process.

Reporting to the Vice Chancellor for Advancement are the Director of Alumni Relations and Annual Fund, the Director of Development, the Director of Corporate and Foundation Relations, and the Director of Major Gifts.

#### **2-2.B.1(e) Vice Chancellor for Enrollment Management**

The Vice Chancellor for Enrollment Management is responsible to the Chancellor of the University for the leadership and management of the Office of Admissions, the Center for Academic Excellence, and the Office of Financial Aid. More specifically, this division provides leadership for the recruitment, admission and retention efforts for undergraduate and graduate students for The University of North Carolina at Pembroke, including the main campus in Pembroke, branch programs in Pinehurst, Hamlet, and other learning centers across our region, and a growing distance education program. The Office of Enrollment Management works closely with the academic deans, off-campus coordinators, and dean of the graduate school to plan and coordinate enrollment strategies that emphasize UNCP's strengths and meet recruitment and retention goals and objectives.

This office actively participates in the strategic planning activities of the University with special attention to those areas that have admission and retention implications. In addition, the office directly supervise and oversee the budgets for the Divisions of Admission, Financial Aid, Retention, and the Registration Functions for students. Also work closely with University Relations staff to plan, organize and execute a marketing and communication plan that articulates UNCP's strengths and mission to external constituencies. Work with Institutional Research and Planning to assess effectiveness of recruiting, retention, financial aid and scholarship and Registrar services.

The University is represented at on-campus and off-campus recruitment programs, and in other matters pertaining to enrollment management. The Vice Chancellor will serve as liaison with internal and external constituencies, such as administration, faculty, staff, alumni, high school counselors, principals, prospective students and parents.

The Office of Enrollment Management will lead the University's Enrollment Management Committee and serve on appropriate University and state educational organizations and agencies. The office will develop effective working relationships with campus units that are primarily retention focused and support retention initiatives. This office will provide leadership



for acquisition or development of appropriate technologies and on-line systems to support the recruitment and retention effort.

#### **2-2.B.1(f) Vice Chancellor for University and Community Relations**

The Vice Chancellor for University and Community Relations reports to the Chancellor and is the administrative head of the University and Community Relations programs. The position has primary responsibility for the planning and organization of the University's university relations and public affairs programs, including media relations, public relations, community relations, events coordination, crisis communications, publications, and legislative/government affairs (primarily through the Office of the Senior Vice President for University Affairs). A key function of this position is to work closely with the Lumbee Tribal Council and other Lumbee leadership entities to promote and maintain the historical ties to the emerging Lumbee Nation.

The Vice Chancellor for University and Community Relations will work closely with academic units and programs, as well as the admissions staff, in developing and marketing University and Community Relations programs and activities. Additionally, he/she will work with members of the UNCP Board of Trustees, members of the boards of affiliated foundations and organizations, and with leadership representatives in the community and surrounding area. The Vice Chancellor for University and Community Relations will coordinate with the Vice Chancellor for Advancement to work closely with community leaders throughout the region to bring them closer to the University.

#### **2-2.B.1(g) University Counsel and Chief of Staff**

The University Counsel and Chief of Staff is the University's legal advisor and is responsible for keeping the constituents of the institution informed concerning our commitment to Affirmative Action and Equal Opportunity Employment and coordinates our Title IX (gender equity) efforts. In addition to contract and policy review, the University Counsel and Chief of Staff may be required to teach in disciplines where appropriately qualified. The University Counsel and Chief of Staff is responsible for a wide variety of functions including policy advisement, data collection, and report writing. This person serves internal and liaison roles to the board of trustees, public officials, the administrative team, staff, faculty, and students and external constituencies. The University Counsel and Chief of Staff also manages specially assigned projects, and serves on various internal and external committees for the University.

#### **2-2.B.1(h) Director of Athletics**

The Director of Athletics administers the intercollegiate athletic program of the University, which includes the following activities: men's cross country, soccer, wrestling, basketball, baseball, track, golf, and football (2007); and women's cross country, soccer, volleyball, basketball, track, softball, tennis, and golf. The Director is responsible for the athletic budget and for the facilities used in the execution of the intercollegiate program. The Director supervises and directs all coaches and staff members of the intercollegiate athletics department.

The Director works in close relationship with the chair of the Department of Health, Physical Education and Recreation to assure that teaching assignments of coaches are coordinated with athletic assignments. The Director also ensures that budgetary and other support is evenly distributed over the total range of athletic teams. Although the recruitment of competent and academically able athletes is primarily the responsibility of each individual coach, the athletic director works with coaches to be sure that the number and quality of athletic recruits is sufficient to field excellent teams. The Director of Athletics is also responsible for making sure the

University's Athletic program is in compliance with rules, regulations, and policies of the NCAA, Peach Belt Conference, and The University of North Carolina.

The Director, in conjunction with the Vice Chancellor for Advancement, is responsible for raising funds from private sources to support athletic activities. The athletic director teaches three credit hours per semester in the Health, Physical Education and Recreation Department. The Director of Athletics reports to the Chancellor.

#### **2-2.B.1(i) Director of Institutional Research and Planning**

The Director of Institutional Research and Planning reports to the Chancellor with regard to planning activities. In the role of University Planner, the director is responsible for the integration of plans from all units of the University. This is done in conjunction with the University Planning Council. The Director leads institutional planning activities, including assistance with the development of goals and objectives for University units.

The Director also provides leadership in the areas of assessment for institutional effectiveness and institutional research for assessment and reports to the Provost regarding these responsibilities. The Director works cooperatively with the University Committee on Institutional Effectiveness/Assessment and the Office of Associate Vice Chancellor for Information Services . The Office of Institutional Research and Planning manages selected information regarding students, faculty, instructional programs, and facilities and produces reports from this data. The office also conducts institutional research projects as required by the Chancellor or Provost.

#### **2-2.B.1(j) Internal Auditor**

The Internal Auditor provides assurances that internal controls are adequate and effective in promoting efficiency and protecting the assets of the University; that departments comply with internal and external policies, regulations, and procedures; and that financial statements and reports conform to University and cognizant agencies policies, procedures, and generally accepted accounting principles.

**2-2.B.2 Office For Academic Affairs**

Charles F. Harrington	Provost and Vice Chancellor for Academic Affairs
William H. Gash, Jr.	Associate Vice Chancellor for Academic Affairs
Collie Coleman	Associate Vice Chancellor for Outreach
Robert O. Schneider	Associate Vice Chancellor for International Programs
Robert L. Orr	Associate Vice Chancellor for Information Services and Chief Information Officer
Beverly King	Director, Institutional Effectiveness
Paul Flowers	Interim Dean, College of Arts and Sciences
Eric Dent	Dean, School of Business
Zoe Locklear	Dean, School of Education
Kathleen C. Hilton	Dean, School of Graduate Studies
Jesse Peters	Dean, The Honors College
Linda Little	Director, Sponsored Research and Programs
Elinor Folger Foster	University Librarian

**2-2.B.2(a) Associate Vice Chancellor for Academic Affairs**

The Associate Vice Chancellor for Academic Affairs is responsible to the Provost and Vice Chancellor for Academic Affairs and for on-campus summer sessions (academic). Reporting directly to the Associate Vice Chancellor for Academic Affairs are the Registrar, the Director of Institutional Research and Planning, the Director/Curator of the Native American Resource Center, the Director of the Media Center, the Director of the College Opportunity Program, and the Director of Trio Programs, the Coordinator of the American with Disabilities Act (ADA) and the Director of North Carolina Health Career Access Program. He is responsible for appointing two faculty members to the Readmission Appeals Committee. He performs other duties as assigned by the Provost and Vice Chancellor for Academic Affairs.

**2-2.B.2(b) Associate Vice Chancellor for Outreach**

The Associate Provost for Outreach reports directly to the Provost and Vice Chancellor for Academic Affairs. The Associate Vice Chancellor for Outreach is responsible for providing leadership for and management of the Division of Continuing Education and Distance Learning and the Regional Center for Economic Development.

The duties and responsibilities of the Associate Provost for Outreach are as follows: to supervise the Director of Continuing Education and Distance Learning and the Executive Director of the Center for Economic Development; to provide leadership and administrative support in budgeting, personnel, long range planning, and policy matters in these areas; to work with the Provost and Chancellor to develop an overall strategy for providing connectivity to various entities throughout the region and beyond; to ensure that local, regional, state, national and international operations are aware of the services and opportunities that UNCP can provide via our various outreach activities; to serve as the University's representative at local, regional and state economic summits along with the Chancellor; to expand the revenue generating activities of our various outreach activities significantly and to recommend new and innovative ways to reach and serve our external publics; to recommend new and creative programs to the Provost and Chancellor which will engage our faculty and students in outreach activities; to carry out special projects and activities as assigned by the Provost and/or Chancellor.

#### **2-2.B.2(c) Associate Vice Chancellor for International Programs**

The Associate Vice Chancellor for International Programs reports directly to the Provost and Vice Chancellor for Academic Affairs and is responsible for providing leadership for and management of International Programs at UNCP.

The duties and responsibilities of the Associate Vice Chancellor are as follows: to work with the Provost and Chancellor to develop long term and short term international plans and strategies; to work with academic units in academic affairs to develop international grants, projects, and programs that will be offered abroad; to develop new partnerships with universities all over the world; to work with the Outreach office to offer assistance to the local business community with International programs and training; to work with the Continuing Education office on developing and marketing short term international certificate programs and degree/non-degree programs for foreign students and business communities; to work with the University Attorney's office to formulate manuals and policies regarding international travel safety, exchange students, and international programs; to be responsible for faculty and student exchange programs; to coordinate and work with International Student Life office to obtain various visa documents for foreign faculty and students; and to carry out special projects and activities as assigned by the Provost and/or the Chancellor.

#### **2-2.B.2(d) Associate Vice Chancellor for Information Services and Chief Information Officer**

The Associate Vice Chancellor for Information Services and Chief Information Officer (CIO) is responsible to the Provost and Vice Chancellor for Academic Affairs for directing University computing, directing the NC-REN facility, and administering networking systems. The responsibilities include programming support, faculty development, faculty and staff training for software and computer usage, academic and administrative computing, a local campus-wide data network, access to NC-REN and the INTERNET, and the compilation of University data required for submission to General Administration. In addition, the CIO also works with directors of the appropriate offices on the adaptation of admissions, registration, financial records, personnel, purchasing, alumni, and the institutional advancement procedures to automated data processing procedures. The CIO is also responsible for the collection, management, and distribution of information as required by the University.

#### **2-2.B.2(e) Dean, College of Arts and Sciences**

The College of Arts and Sciences is organized and administered by the Dean of the College of Arts and Sciences, who is responsible to the Provost and Vice Chancellor for

Academic Affairs for planning, implementation, development, supervision, evaluation and promotion of all arts and sciences programs.

The Dean's duties include assuring academic program standards, developing program budgets, and promoting programs in the College. The following departments are in the College of Arts and Sciences: American Indian Studies, Art, Biology, Chemistry and Physics, English, Theatre and Languages, History, Mass Communications, Mathematics and Computer Science, Music, Philosophy and Religion, Political Science and Public Administration, Psychology and Counseling, Sociology, Social Work and Criminal Justice, the Nursing program and the Public Management program. The departmental chairs and directors in these departments report to the Dean.

#### **2-2.B.2(f) Dean, School of Business**

The School of Business is organized and administered by the Dean of the School of Business, who is responsible to the Provost and Vice Chancellor for Academic Affairs for planning, implementation, development, supervision, evaluation and promotion of business programs. The Dean's duties include assuring program standards, developing program budgets, and promoting programs in the School.

#### **2-2.B.2(g) Dean, School of Education**

The School of Education is organized and administered by the Dean of the School of Education, who is responsible for the coordination, development, evaluation and promotion of all teacher education programs on a University-wide basis and reports directly to the Provost and Vice Chancellor for Academic Affairs. The Dean serves as chair of the University-wide Teacher Education Committee and works with the chairs of all departments with teacher education programs to ensure quality teacher preparation and compliance with state and national accreditation standards. Other duties include developing program budgets and promoting programs; coordinating University efforts to improve Praxis performance; and implementing other activities and projects as assigned by the Provost and Vice Chancellor for Academic Affairs. The Departments of Education, of Health, Physical Education and Recreation, and of Aerospace Studies and Military Science are housed in this School and the departmental chairs report to the Dean.

#### **2-2.B.2(h) Dean, School of Graduate Studies**

The School of Graduate Studies is organized and administered by the Dean of the School of Graduate Studies, who is responsible to the Provost and Vice Chancellor for Academic Affairs for planning, implementation, development, supervision, and evaluation of all graduate programs. The Dean's duties include working with the Graduate Council to develop policies in admissions and registration; keeping academic records; assuring academic program standards; developing program budgets; and promoting graduate programs.

**2-2.B.2(i) Dean, The Honors College**

The Dean of the Honors College is responsible to the Provost and Vice Chancellor for Academic Affairs for the overall management of all academic and non-academic programs associated with the Honors College; the development and assessment of the Honors curriculum; the recruitment of faculty to teach in the Honors College; the recruitment, selection, and retention of Honors students; the promotion of the Honors College and its students; the advisement and guidance of Honors students with their Senior Theses/Projects; and the development of a program of extra-curricular activities for Honors students. The Dean also teaches the Honors section of the Freshman Seminar. The Dean of the Honors College works in close collaboration with the Honors Council and its chair on the oversight of the Honors College.

**2-2.B.2(j) Director, Office of Sponsored Research and Programs**

The Office of Sponsored Research and Programs functions under the auspices of Academic Affairs, and the Director reports to the Provost and Vice Chancellor for Academic Affairs. The Office of Sponsored Research and Programs aligns with similar offices on the 16 campuses of The University of North Carolina. It reports all grant, contract and cooperative activities to the Research Division, The University of North Carolina General Administration. The Director is responsible for implementing and managing the University's grant, contract and cooperative agreement program. As the focal point for sponsored research and programs, staff provide technical assistance and other support services to faculty and staff members in proposal development. The Director is also responsible for developing grant proposals, maintaining sponsor databases, and alerting faculty and staff to potential sponsored program opportunities that are compatible with their interests. Sponsored programs must be consistent with the mission of the University. Examples of these include: applied and basic research, national research service awards, research career training, instructional and teaching awards, public service programs, student training programs, and economic development activities. Internal and external partnerships and collaborative arrangements are encouraged. The University policy on developing and processing sponsored program proposals is delineated in the Guide for External Programs Support.

**2-2.B.2(k) University Librarian**

The University Librarian reports to the Provost and Vice Chancellor for Academic Affairs and is responsible for the building, balancing, and managing of the University's collections of educational support materials housed in the Sampson-Livermore Library and all other aspects of library responsibilities outlined below. The University Librarian performs the following duties: acts as the library officer for finance, resource development, personnel, public information, and security; coordinates the delivery of reference, interlibrary loan, cataloging, circulation, periodicals, library use instruction, and other services; coordinates the development of arrangements for library support for distance education and cooperative agreements; provides routine and special research for the University administrative officers as requested; prepares reports as needed; and represents the Library as appropriate at the regional, state, and national level.

**2-2.B.3 Office For Student Affairs**

Diane O. Jones	Vice Chancellor for Student Affairs
Lisa Schaeffer	Associate Vice Chancellor for Student Affairs
Tom Corti	Assistant Vice Chancellor for Student Development
Preston Swiney	Director of Housing and Residence Life
Patricia S. Fields	Executive Director, Givens Performing Arts Center
Monica S. Osburn	Director of Counseling and Testing
Denisha Sanders	Director of Career Services
Cynthia L. Oxendine	Director of Chavis University Center
Cora Bullard	Director of Student Health Services
Robert Canida II	Director of Multicultural and Minority Affairs
Robert Cooper	Director of Student Life
Sara Jahansouz	Director of Greek Life
Aubrey Swett	Director of Leadership and Service
Justin Winans	Director of Intramurals and Recreation

**2-2.B.3(a) Associate Vice Chancellor for Student Affairs**

Reporting directly to the Vice Chancellor for Student Affairs, the Associate Vice Chancellor for Student Affairs is responsible for providing leadership to and for the management of the following components: judicial affairs, student publications, and research and assessment. The Director of Career Services and the Director of Counseling and Testing report directly to this administrative officer. Special projects and activities are performed as assigned by the Vice Chancellor for Student Affairs.

**2-2.B.3(b) Assistant Vice Chancellor for Student Development**

The Assistant Vice Chancellor for Student Development reports directly to the Vice Chancellor for Student Affairs and is responsible for the management of: Student Life, the Center for Leadership and Service, Multicultural and Minority Affairs, Greek Life, and Intramural and

Recreational Services.

### **2-2.B.3(c) Director of Housing and Residence Life**

The Director of Housing and Residence Life reports directly to the Vice Chancellor for Student Affairs and is responsible for the management of: Student Housing reservations, operations, maintenance, and residence life programming.

### **2-2.B.3(d) Director of Counseling and Testing**

The Director is responsible for the management and administration of the Counseling and Testing Center. The Director's duties include personal/social counseling services and testing services, which are pertinent to the admission and course placement of students, as well as administration of staff and other functions of the unit. This position reports to the Associate Vice Chancellor of Students Affairs.

### **2-2.B.3(e) Director of Career Services**

The primary function of the Director of Career Services, through the efforts of staff in the Career Services Center, is to assist students and alumni with career planning and the job search. The Career Services Center is available to assist students in deciding their major, assessing their skills and interests, exploring job information and graduate schools, critiquing resumes, developing interviewing skills and determining job-hunting strategies. This position reports to the Associate Vice Chancellor for Student Affairs.

### **2-2.B.3(f) Director of the University Center**

The Director of the University Center is responsible for the overall management and supervision of the University Center operations; scheduling, supervising, and managing the game room, bowling lanes, lounge and conference areas, information/supply store, computer lab and TV viewing areas; supervising and coordinating the work of the Game Room Manager, Information Supply Store Manager, part-time and student employees. Revenue from the service areas and budgetary fiscal reporting is also the responsibility of the Director of the University Center. The Director reports directly to the Vice Chancellor for Student Affairs.

### **2-2.B.3(g) Executive Director of Givens Performing Arts Center**

The Executive Director of the Givens Performing Arts Center is responsible to the Vice Chancellor for Student Affairs for the management and supervision of all GPAC professional artist programs and coordinating the facility needs of community and university programs scheduled in the Performing Arts Center.

### **2-2.B.3(h) Director of Student Health Services**

The Director of Student Health Services is responsible for the operation of Student Health Services and the care and treatment of students.

### **2-2.B.3(i) Director of Multicultural and Minority Affairs**

The Director of Minority Affairs designs, administers, coordinates, and oversees programs and services which promote the academic and personal growth and development of minority students. The Director's primary goal is to assist in maintaining a campus environment which supports student diversity and promotes learning opportunities and services leading to the success and retention of minority students. The Multicultural Center exists to promote insight and access to the world's rich variety of cultures. Additionally the Center serves as a resource for foreign students attending UNCP. The Center is also available for scheduled meetings of student



and faculty groups. The Director reports directly to the Assistant Vice Chancellor for Student Development.

#### **2-2.B.3(j) Director of Student Life**

The Director of Student Life reports directly to the Assistant Vice Chancellor for Student Development. The mission of the Student Life Office is to complement the University's academic program and to enhance the overall educational experiences of students through development of leadership skills and the exposure to and participation in social, cultural, recreational and governance programs. The Director advises the Student Government Association.

#### **2-2.B.3(k) Director of Greek Life**

The Director of Greek Life is committed to creating a values-based leadership experience for a lifetime by enhancing student development through active participation in Greek organizations. The Office of Greek Life supports and promotes academic excellence, student involvement in co-curricular activities, career development, social responsibility, alma mater allegiance, social justice, civil engagement, and cultural awareness.

#### **2-2.B.3(l) Director of Leadership and Service**

The Director of Leadership and Service reports directly to the Assistant Vice Chancellor for Student Development. The Center for Leadership and Service (CLS) is designed to support UNCP's mission to provide leadership and service to the campus and community. The CLS provides opportunities (through educational workshops/programs and community service projects) for students to recognize their own leadership potential and take initiative to develop it.

#### **2-2.B.3(m) Director of Intramurals and Recreation**

The Director of Intramurals and Recreation reports directly to the Assistant Vice Chancellor of Student Development. The mission of the department is based on the belief that leisure physical activity and enjoyment are vital to a person's total well-being. The intramural program provides a broad and diversified program of recreational sport activities for the University's students, faculty, and staff.

**2-2.B.4 Office For Business Affairs**

R. Neil Hawk	Vice Chancellor for Business Affairs
Steve Martin	Assistant Vice Chancellor for Business Affairs/Facilities Management
George Guthrie	Assistant Vice Chancellor for Business Affairs/Controller
Roger Killian	Director, Financial Planning & Budgets
Denise Carroll	Director of Business Services
Karen A. Swiney	Bookstore Manager
Larry Freeman	Director of Facility Operations
Mike Nance	Director of Food Services
Pamela L. A. Barkett	Director of Human Resources
McDuffie Cummings, Jr.	Director of Police & Public Safety
Bess Tyner	Director of Facilities Planning & Construction

**2-2.B.4(a) Assistant Vice Chancellor for Business Affairs/Facilities Management**

The Assistant Vice Chancellor is responsible for and oversees the departments of Facilities Planning and Construction and Physical Plant.

**2-2.B.4(b) Assistant Vice Chancellor for Business Affairs/Controller**

The Controller's major areas of responsibility include cash receipts, cash disbursements, student accounts and loans, payroll, accounting systems, fixed assets accounting, grants accounting, endowment accounting, UNCP Foundation accounting, and the reporting on and maintenance of the financial records for UNCP and UNCP Foundation.

**2-2.B.4(c) Director of Financial Planning and Budgets**

The Director is responsible for coordinating the financial planning process with the University planning process. Included within this task will be budget development, analysis, control, and reporting to University departments, as well as State and Federal agencies.

**2-2.B.4(d) Director of Business Services**

The Director oversees the general purchasing activities for all academic and administrative departments on campus. Duties include receiving requisitions from the departments, obtaining competitive bids, placing purchase orders with vendors, vending contracts, and Braves One Card. The Director is also responsible for the sale of surplus property on campus and establishment of service contracts. The Business Services department consists of Purchasing, Central Stores, Central Receiving, Post Office, Fixed Assets, Print Shop, and Surplus Property.

#### **2-2.B.4(e) Bookstore Manager**

The University Bookstore is operated as an Auxiliary Enterprise under the direct supervision of the Bookstore Manager. The Bookstore is a part of the Business Affairs Division. It sells textbooks, school supplies, soft goods, and miscellaneous sundry items.

#### **2-2.B.4(f) Director of Facility Operations**

The Director of Facility Operations is responsible for management of the ongoing daily operations of building services, facilities maintenance services, and grounds/landscape services. Further responsibilities include vehicle reservations, energy management, University recycling, and administration of University Key Policy.

#### **2-2.B.4(g) Director of Food Services**

The University Cafeteria is operated under the general supervision of the Vice Chancellor for Business Affairs and is contracted out to Sodexo-Marriott Corporation. Sodexo-Marriott provides student meal plans, a sandwich snack shop, and catering services.

#### **2-2.B.4(h) Director of Human Resources**

The Human Resources Director is responsible for directing the University's SPA and EPA employment processes, which includes preparation and processing of paperwork relating to new employees, promotions, salary increases, etc. The Director is also responsible for employee orientation, training, and exit interviews. The Human Resources Department manages all fringe-benefit programs for faculty and staff and administers the Equal Employment Opportunity program.

#### **2-2.B.4(i) Director of Police and Public Safety**

The Director is responsible for the operations of the University Police Department, a full-service law enforcement agency. The department is staffed by 12 full-time police officers, 2 full-time security officers and 1 support staff whose efforts are complemented by a support staff of student officers. The University Police have a Mutual Aid agreement with all law enforcement agencies within Robeson County and routinely share information, manpower, and equipment.

Also reporting to the Director is the Safety Officer. This employee is responsible for developing and implementing an effective safety and health program for the campus community.

#### **2-2.B.4(j) Director of Facilities Planning and Construction**

The Director is responsible for all university construction projects. This includes new construction projects as well as repair and renovation work. The Director coordinates with appropriate university personnel in the planning, design, and construction phases of each project.

**2-2.B.5 Office For Advancement**

Sandra Waterkotte	Vice Chancellor for Advancement
James Bass	Director, Office of Alumni Relations
Alison DeCinti	Assistant Director, Major and Planned Gifts
Teresa Oxendine	Director, Office of Donor Relations
Lorna Ricotta	Director, Office of Corporate and Foundation Relations
Wendell Staton	Director, Office of Major and Planned Gifts

**2-2.B.5(a) Director, Office of Alumni Relations**

The Director of Alumni Relations is responsible to the Vice Chancellor for Advancement for planning, coordinating and implementing a comprehensive program for alumni, faculty, students and friends which continually involves them with the University. As Executive Director of the Alumni Association, this officer works closely with a diverse board of volunteers to develop such programs and to identify more volunteers. As principal liaison between the University and its alumni, the Director of Alumni Relations works to promote a cooperative and enthusiastic partnership between all alumni, the University and its representatives. This Director also serves as the Director of the Annual Fund and is responsible for direct mail solicitations, phon-a-thons and volunteer recruitment.

**2-2.B.5(b) Director, Office of Donor Relations**

The Director of Donor Relations is responsible to the Vice Chancellor for Advancement. The Director is responsible for the development and management of the resource development program which includes, but is not limited to, a program to identify, research, cultivate, solicit and perform stewardship for all donors/prospects, gift administration, membership administration, information systems, and fund stewardship in support of the educational and financial objectives of UNC Pembroke. The Director works cooperatively with faculty, staff and administrators in developing gift solicitations on behalf of their programs, as well as, with volunteers identifying, cultivating and soliciting gifts.

As Executive Director of the Chancellor's Club, the Director plans and implements the recruitment of new members, works to insure the retention of current members and works to maintain an active board.

The Director is responsible for the management of records, files and recognition programs for all cash, gifts-in-kind and deferred gifts from private sources (non-governmental) to the University. In addition, the Director oversees the stewardship of scholarships and all other gifts.

**2-2.B.5(c) Director, Office of Corporate and Foundation Relations**

The Director of Corporate and Foundation Relations is responsible to the Vice Chancellor for Advancement. The Director is responsible for developing and implementing a program to focus on: the corporate and foundation sectors; institutional prospect research; developing relationships with faculty, corporate and foundation staff and executives; proposal writing and stewardship activities; spending considerable time out of the office in direct contact with prospects; and, identifying, cultivating and soliciting corporation and foundations for major gifts.

#### **2-2.B.5(d) Director, Office of Major and Planned Gifts**

The Major Gifts Officer is responsible to the Vice Chancellor for Advancement. The Director is responsible for: developing and implementing a program for major gifts prospect identification, research, cultivation, and ultimate solicitation; designing and implementing appropriate stewardship programs for major gifts donors; guiding the prospect contact activity of the Vice Chancellor for Advancement, Chancellor, other senior officers of the University, and volunteer leaders as appropriate; spending considerable time out of the office in direct contact with prospects; and, developing a marketing plan to promote Planned Gifts to the University through wills and bequests, charitable remainder trusts and the like.

#### **2-2.B.6 Office For Enrollment Management**

Jackie Clark	Vice Chancellor for Enrollment Management
Lela Clark	Director of Admissions
Bruce Blackmon, B.A.	Director of Financial Aid
Sandra Richardson	Director of Center for Academic Excellence
John McMillan	Director of New Student Orientation

#### **2-2.B.6(a) Director of Admissions**

The Director of Admissions is responsible to the Vice Chancellor for Enrollment Management for the leadership, direction, coordination, and operation of the University's admissions activities and services. The Director's responsibilities include (1) to collect and analysis funnel data to provide strategic leadership in the recruitment of students; (2) to provide high school and community college counselors with adequate information regarding the University, its programs, and its admissions requirements and procedures; (3) to evaluate records of applicants for admission to the University; (4) to supervise the assistant directors and support staff; (5) to work with students, faculty, administrators, alumni, trustees and others to promote the University and to encourage qualified students to enroll; and (6) to prepare and distribute reports as may be required.

#### **2-2.B.6(b) Director of Financial Aid**

This officer is responsible to the Vice Chancellor for Enrollment Management for the following duties: meeting with prospective students to explain available programs and making analyses of their individual financial needs; screening and processing applications according to absolute need and availability of funds; preparing and submitting applications to the Office of Education for federal student aid funds; preparing and submitting annual, quarterly and monthly

reports to federal, state and institutional funding agencies; and coordinating the Work-Study program, including assigning students to the various work sites on campus, and counseling veterans and veteran dependents concerning their educational benefits and for certifying to the Veterans Administration enrollment data necessary for these students to receive their monthly benefit checks.

### **2-2.B.6(c) Director of the Center for Academic Excellence**

The Director of the Center for Academic Excellence is responsible to the Vice Chancellor for Enrollment Management. The director serves as the University expert on retention issues. Student success is a University endeavor and retention is the outcome of student success. The core responsibilities of the Center for Academic Excellence are to promote student success through Freshman Seminar, Supplemental Instruction, Peer Study Support, Academic success workshops, early alert program, center for adult learners, advising undecided students, monitoring the progress of students on academic probation, assisting with New Student Orientation. The Director works on additional retention focused activities as assigned by the Vice Chancellor for Enrollment Management.

### **2-2.B.6(d) Director of New Student Orientation**

The Director of New Student Orientation is responsible to the Vice Chancellor for Enrollment Management. The Director provides the leadership in planning and implementing the New Student and Family Orientations held during the spring, summer, and winter for new students beginning the University during the summer, fall, and winter. While the whole University campus is involved in all successful orientation and welcome programs, the director coordinates and directs all functions connected with the program. Additionally, the director serves as the Residency for Tuition Purposes officer for the University.

### **2-2.B.7 Office for University and Community Relations**

Glen G. Burnette, Jr.	Vice Chancellor for University and Community Relations
Amber Rach	Director for Office of Communications and Photographic Services
Scott Bigelow	Associate Director
Robert Ayers	Photographer
Raul Rubiera	Photographer
Lawrence Locklear	Web Publisher
Kandice Kinlaw	Director, Special Events

### 3 FACULTY STATUS

#### 3-1 Recruitment And Hiring Policies

Immediately prior to publication of the 2007-2008 Faculty Handbook, the UNC Pembroke Board of Trustees approved a policy regarding recruitment and selection of faculty, which is captioned "EPA Faculty and NonTeaching Recruitment and Selection Policy" (also referred to as the Recruitment Policy) and may be found on the Faculty Resources page of the UNCP Academic Affairs website (<http://www.uncp.edu/aa/resources/policies/index.htm>).

There was not time before the publication deadline to reconcile the language of the new Recruitment Policy with the Handbook. For that reason, to the extent there is any conflict between the Recruitment Policy with the Handbook, the Recruitment Policy shall take precedence. The Recruitment Policy should be reviewed carefully prior to the beginning of any faculty search or hiring process.

Once a vacant position occurs in an academic department, the chair requests approval from the Dean of the relevant School or College to advertise the position. At that point the chair requests from Dean's office a hiring packet, which contains the following items: Guidelines for Recruitment and Selection of New Faculty, the Advertisement Requisition Input/Authorization Form, a sample of the position announcement, the Affirmative Checklist EPA Personnel Actions, a copy of the UNC Pembroke Application for Academic Positions, and the Faculty Appointment Recommendation Form.

All faculty positions should be advertised nationally, usually in the *Chronicle of Higher Education* and, if necessary, other discipline specific advertising media. The only exception occurs when time constraints (e.g., if classes are to begin shortly) prohibit a regular search. In that instance, regional advertising and calls to several universities about potential candidates are appropriate. When time does not permit a national search, a faculty member will be given a temporary contract for a semester with the approval of the Affirmative Action Officer and with the understanding that a national search will be launched at a later point. All advertisements should include the Affirmative Action/Equal Opportunity Employer designation. Generally, advertisements should contain a statement such as the following: Review of applications will begin [the appropriate date] and continue until the position is filled. The Office for Academic Affairs processes the advertisement and sends it to purchasing once the form has been approved by the Provost or the appropriate Dean. In addition to formal advertisements, announcement of the position vacancy is sent by the chair to a large number of institutions which prepare graduates in the appropriate discipline, including minority universities.

Once the department has reviewed the applications and selected those candidates they may wish to interview, the applications are reviewed by Academic Affairs and a decision is made on the candidate's interview. All allowable expenses of the candidate's visit are covered by the institution; chairs are requested to work with candidates on determining the best price for air travel. Candidates should be asked to sign travel request and reimbursement forms while they are on campus for the interview.

It is very important for the chair and departmental search committee to make telephone calls to find out as much as possible about the candidate, prior to inviting the candidate for an interview. In addition, substantive conversations with the candidate should occur for the purpose of assessing the candidate's appropriateness for and seriousness about the position.

An itinerary should be designed for each candidate's visit and shared with all who will be involved with the candidate during the visit, including the Office for Academic Affairs. The itinerary should allow time for involvement with the chair, all departmental faculty, students in an informal setting, and the Office for Academic Affairs. The Chancellor should be involved with candidates for department chair and for distinguished chairs. Thirty to 45 minutes should be designated for interviews with the Provost and the appropriate Dean.

The candidate is required to make a 30-50 minute presentation, preferably to a class, which is observed by the department chair and as many of the faculty as possible. The appropriate Dean will also attend the presentation if at all possible. Please inform the candidate about the specific nature and time of the presentation before the campus visit.

The department is expected to make use of telephone interviews, conversations with the candidate, and the candidate's oral presentation to ensure that the candidate is proficient in oral communication in the language in which assigned courses will be taught.

All candidates whose native language is not English must submit evidence that they have received a score of 550 or better on the TOEFL examination. The department should also use its review of written materials submitted by the candidate to ensure that the candidate is proficient in written communication in the language in which assigned courses will be taught.

It is the responsibility of the department chair to secure from the candidate all materials required for the personnel folder: the resume, the UNC Pembroke application, three letters of professional recommendation, and official transcripts sent directly to the department chair, or to the Dean of the relevant School or College, from all post-secondary institutions the candidate has attended. The completed personnel folder must be submitted to the Dean of the relevant School or College in order for a selected candidate's contract to be written. All personnel material must be on file in the Office for Academic Affairs within 90 days of the contract date. If information is missing after 90 days, salary will be withheld.

Once the decision is made about the position offer and approved by the Dean of the relevant School or College, the chair and the appropriate Dean will jointly decide on the appropriate salary figure. A letter describing the hiring process of the particular candidate and providing the appropriate available affirmative action information should be sent at this point to the Affirmative Action Officer for approval. The Chair then makes the offer by telephone and determines with the prospective faculty member the appropriate date of response. A week for response is probably an ample amount of time.

If the response is positive, the contract is prepared by the Office of the Dean of the relevant School or College and signed by the Chancellor and sent to the faculty member. If the response is not positive, the department continues to pursue other identified candidates.

Once the contract has gone out, the chair should complete all relevant forms from the hiring packet and forward them to the Office for Academic Affairs, including the Faculty Appointment Recommendation form.

Note: Please refer to the hiring packet (available from the Office or the Dean of the relevant School or College) for more specific details of the recruitment and selection process.



### **3-2 Faculty Appointments**

Faculty appointments are made by the Chancellor, with the approval of the Board of Trustees, on the recommendations of the Provost, the Dean of the relevant School or College, and the chair of the academic department. Terms of contracts are described in the Tenure Regulations of the Faculty; Section 5 of this Handbook.

### **3-3 Faculty Rank**

Faculty rank for newly appointed faculty members is determined on the basis of qualifications, under the provisions of the Tenure Regulations of the University. See Section 5 of this Handbook for details.

### **3-4 Full-Time Non-Tenure Track Appointments**

Lecturer, Senior Lecturer, Adjunct and Visiting Faculty appointments

Lecturers, Senior Lecturers, Adjunct and Visiting faculty are responsible primarily for teaching and the scholarship of teaching. They are also expected to provide service that supports the academic mission of UNCP such as student advising.

**Lecturer:** As tenure-track faculty members do, Lecturers have organizational responsibility for the courses they teach. They will also adhere to departmental guidelines for course content if any exist. They will also perform service for the department or school (including the faculty senate and its subcommittees), and can be assigned student advising responsibilities. Supervision and mentoring of lecturers will be done in the same manner as for tenure-track faculty. Lecturers are eligible for long-term contracts and to be promoted to Senior Lecturers. Initial appointment is for a fixed term of one year. Subsequent appointments may be made for fixed terms of from one to five years.

**Senior Lecturer:** Promotion to Senior Lecturer is based on continued improvement in and demonstration of excellence in teaching with at least satisfactory performance in service activities. As tenure-track faculty members do, Senior Lecturers have organizational responsibility for the courses they teach. They will also adhere to departmental guidelines for course content if any exist. Senior Lecturers may participate in course and curriculum development, and advise students. Senior Lecturers may also contribute to the school or department beyond teaching-related activities through campus service (including the faculty senate and its subcommittees) and academic discipline professional activities. Initial appointment (as a Senior Lecturer) is for a fixed term of one year. Subsequent appointments may be made for fixed terms of from one to five years.

**Adjunct, clinical or research prefixed to assistant professor, associate professor or professor:** These non-tenure track appointments are usually made because of the limited duration of the mission for which the person is appointed, because of concern for the continued availability of special funding for the position, or for other valid institutional reasons. Teaching, service, and/or advising responsibilities will be determined by the department at the time of employment offer. Responsibilities can include, but are not limited to, course assignments, service, and/or advising. Initial appointment may be for a fixed term of from one to three years. Subsequent appointments may be made for fixed terms of from one to five years.

**Visiting prefixed to assistant professor, associate professor or professor:** This type of non-tenure track appointment is for a term of not more than one year. One successive appointment for a term of not more than one year may be made.

Appointment and qualifications The qualifications of persons hired for Lecturer, Senior Lecturer, Adjunct and Visiting positions will depend on the needs and standards of the departments.

The minimum qualification should be:

a doctoral or master's degree in the teaching discipline or a master's degree with a concentration in the teaching discipline (a minimum of eighteen graduate hours in the teaching discipline).

A faculty member hired as an exception to this requirement must have documented qualifications on file with Academic Affairs.

Other desirable qualifications may include:

experience in effective teaching within the discipline,

enthusiasm for teaching, and

a commitment to developing as an educational professional.

Lecturer, Senior Lecturer, Adjunct and Visiting positions are not intended to lead to tenure-track appointments. A faculty member who has extensive responsibilities for research or creative endeavors in addition to their teaching responsibilities should not be appointed to a Lecturer, Senior Lecturer, Adjunct or Visiting position. Creation of a new Lecturer position is not intended to be a means of retaining a tenure probationary faculty appointee who has not been able to demonstrate the performance levels required for tenure.

### **Orientation, supervision, and mentoring**

New Lecturers, Senior Lecturers, Adjunct and Visiting faculty should be oriented adequately to their responsibilities early in their first year in the position. New Lecturers, Senior Lecturers, Adjunct and Visiting faculty are invited to attend the campus-wide "New Faculty Orientation" session held each year. Lecturers, Senior Lecturers, Adjunct and Visiting faculty report directly to the chair of the department, who will direct mentoring and orientation activities in the department.

### **Appointment contracts**

Initial appointments for Lecturers, Senior Lecturers, Adjunct and Visiting faculty are for one academic year. Reappointments will depend on performance reviews and the educational needs of the department. After the initial appointment, multiyear contracts may be awarded to Lecturers, Senior Lecturers, and Adjunct faculty whose professional characteristics indicate that they will continue to serve with distinction in their appointed roles. See Section 4-9 of the Faculty Handbook for Special Evaluations of Non-Tenure Track Faculty.

### **Evaluation practices and criteria**

Lecturers, Senior Lecturers, Adjunct and Visiting faculty will be reviewed annually following standard faculty review procedures. This evaluation will be based on teaching and service activities. See Section 4 – 6 of the Faculty Handbook.

### **Promotion considerations**

Promotion recognizes career/professional achievements and indicates confidence that the individual is capable of greater responsibilities and accomplishments. Promotion considerations must take into account the individual's service to the department and contributions to the University mission.

### **Contract renewal/termination or dismissal**

Specification of the length of the appointment in the appointment contract shall be deemed to constitute full and timely notice of nonreappointment when that term expires. Lecturers, Senior Lecturers, Adjunct and Visiting faculty may be terminated, discharged, or suspended prior to expiration of their term of appointment according to the termination, discharge, and suspension procedures applicable to other nontenured and/or tenured faculty. See Code of The University of North Carolina.

### **Equitable salaries and fringe benefits**

Salaries for Lecturers, Senior Lecturers, Adjunct and Visiting faculty should be appropriate to their education, experience, other qualifications and responsibilities within their positions. Lecturers, Senior Lecturers, Adjunct and Visiting faculty can participate in benefits as permissible under North Carolina statutes and University policies.

### **Professional development**

Departments should put into place structures that provide Lecturers, Senior Lecturers Adjunct, and Visiting faculty with on-going exposure to content and pedagogical developments within their fields. Lecturers, Senior Lecturers, Adjunct and Visiting faculty are encouraged to take advantage of the various professional development opportunities available at UNCP.

### **Rights and privileges of Lecturers, Senior Lecturers, Adjunct and Visiting faculty**

Lecturers, Senior Lecturers, Adjunct and Visiting faculty must follow and are subject to and protected by the policies of the UNC Board of Governors and UNCP policies, including those pertaining to faculty hiring and faculty annual reviews. Lecturers, Senior Lecturers, Adjunct and Visiting faculty have the right to petition, through University grievance processes, for redress of grievances concerning dismissal, non-reappointment, academic freedom, salary adjustment, or other conditions of work. Lecturers, Senior Lecturers, Adjunct and Visiting faculty will follow the same procedures as tenure-track faculty members in doing so.

### **3-5 Contracts And Renewals**

Initial contracts are governed by the standards stated in the UNCP Tenure Regulations. Renewal procedures vary by rank; in general, faculty members in their initial contract period will be evaluated for renewal of that contract, as specified by the Faculty Evaluation Plan (see Section 4 of this Handbook for details of the evaluation procedure).

### **3-6 Personnel Records**

Faculty members have the right to examine their personnel records, wherever they may be kept (Department office, Dean's office, Office for Academic Affairs). Access is to be arranged with the relevant administrator.

It is the right of any employee of the University, to examine a digest of any evaluation taken on their behalf.

### **3-7 Considerations For Tenure, Promotion, And Merit Increases**

The mission statement for The University of North Carolina at Pembroke cites the University's commitment to academic excellence through a "balanced program of teaching, research and service." Accordingly, future decisions concerning tenure, promotion, and merit salary increases will consider these three areas in a more balanced approach. Faculty who are outstanding in their teaching, who conduct meaningful research and scholarly activity, and who carry out University and professionally-related community service will be recognized and rewarded appropriately through merit increases and in promotion and tenure recommendations and decisions.

### **3-8 Graduate Faculty Status**

#### **3-8.A Appointment and Evaluation**

Faculty assigned responsibilities in the graduate programs hold appointments, as described in The University of North Carolina at Pembroke Faculty Handbook, in one of the

academic departments of the University. Individual departments, in conjunction with the Office of Academic Affairs, are responsible for the selection and nomination of the faculty. Evaluation of all faculty follows the model detailed in the UNCP Faculty Handbook. Graduate faculty are evaluated as members of the departments in which they hold appointments.

### **3-8.B Graduate Faculty Categories and Eligibility Criteria**

To be considered for graduate faculty status, a Nomination for Graduate Faculty Status form must be submitted to the Office of Graduate Studies prior to the start of the semester in which the faculty member anticipates teaching a graduate course and/or serving as a thesis advisor or member of a thesis committee. (Forms are available from the Graduate Office, see Appendix A.) The nomination will be considered by the Graduate Council at its next regularly scheduled meeting.

There are four categories of graduate faculty status, three of which may be granted by the Graduate Council: Graduate Faculty, Adjunct Graduate Faculty, and Professional Affiliate. Interim appointments require the approval of the Program Area Coordinator and the Dean of the School of Graduate Studies, and the Provost. The eligibility requirements for each category follow.

#### **3-8.B.1 Graduate Faculty**

Status approved for tenured/tenure track members of The University of North Carolina at Pembroke faculty who meet the criteria listed below. Graduate faculty may teach graduate courses and chair thesis committees. Appointments are subject to review every five years.

#### **3-8.B.2 Adjunct Graduate Faculty**

Status approved for nontenure track faculty who meet the criteria listed below, and who may be utilized to teach specific graduate courses (related to their area of expertise) on a recurring basis. Adjunct graduate faculty may not chair thesis committees. Appointments are subject to review every three years.

#### **3-8.B.3 Interim Graduate Faculty**

Status approved for faculty who, in unusual circumstances, are assigned graduate teaching responsibilities between meetings of the Graduate Council. Faculty granted this status may only teach specific courses directly related to their area of expertise. Any interim appointments will be made on a semester to semester basis and will be considered at the next regularly scheduled meeting of the Graduate Council

##### **3-8.B.3(a) Eligibility Criteria for Graduate Faculty Status**

- An earned doctorate (or its equivalent) appropriate for the academic field.
- A record of experience in the field of study.
- Licensure (if applicable) in the field of specialization.
- The endorsement of the appropriate program area coordinator
- Recommendation of the department chair and/or dean
- Approval of the Graduate Council
- Documented evidence of engagement in scholarly activities among the following:
  - grant activity
  - publications
  - fellowships

- presentations
- professional consultations
- leadership in professional organizations/learned societies

### **3-8.B.4 Professional Affiliate Graduate Faculty**

Status approved for professionals who do not have the terminal degree in their field, but hold a Master's degree and have demonstrated exceptional expertise in the discipline. In unusual cases, an individual who has a record of exceptional scholarly or creative activity, or professional experience, may be eligible for consideration. Professional Affiliates may teach in applied areas and/or participate as content experts in graduate student research activities. Professional Affiliate Graduate Faculty may not chair thesis committees. The term of Professional Affiliates may not exceed two years but may be renewed.

### **3-8.C Renewal of Graduate Faculty Status**

Appointments to the three categories of graduate faculty status (graduate faculty, adjunct graduate faculty, and professional affiliate graduate faculty) are extended periods of time and subject to review for renewal. By March 1 of each year, department chairs or the academic dean will be provided with a list of graduate faculty in their respective departments whose graduate faculty appointments are subject to review/renewal and a copy of the renewal criteria. The department chair (or dean) and program coordinators will be asked to verify the continuing eligibility of the faculty members on their list by March 31. The recommendations for renewal will be compiled by the Office of Graduate Studies and presented to the Graduate Council at the April meeting. A letter of notification will be sent to each graduate faculty member and copied to the respective department chair and program coordinator.

#### **Renewal Eligibility Criteria**

Criteria for the recommendation of renewal of graduate faculty status shall be the same as for initial appointment as listed above.

### **3-9 Honors Faculty Status**

The status of "University Honors Faculty" is reserved for tenured/tenure track members of The University of North Carolina at Pembroke faculty who meet and exceed the criteria for consideration listed below. Honors faculty are eligible to teach Honors courses which are scheduled through the University Honors College. Individual University Honors Faculty appointments are subject to review by the University Honors Council every five years.

#### **3-9.A Honors Faculty Appointment Criteria**

1. A minimum of three years teaching experience at UNCP.
2. Exceptional teaching performance at the undergraduate level as demonstrated by favorable student evaluation of instruction (both quantitative and qualitative) and positive annual faculty review.
3. An earned doctorate (or its equivalent) appropriate for the academic field.
4. A record of experience in the field of study as demonstrated by post-graduate study, professional experience, scholarship in the discipline, and service to the academic discipline.

5. Documented evidence of recent/current scholarly engagement and production of scholarly work in activities including but not limited to:
  - a. grants writing
  - b. peer reviewed publications
  - c. academic and/or administrative fellowships
  - d. presentations to learned societies and organizations
  - e. professional consultations
  - f. leadership in professional organizations/learned societies
6. Approval/recommendation of the department chair, the college/school Dean, the Dean of the Honors College, the Provost and Vice Chancellor for Academic Affairs, and the University Honors Council.

### 3-9.B Honors Faculty Nomination Form

#### NOMINATION FOR UNCP HONORS FACULTY STATUS

Directions: The completed form should be submitted to the University Honors College.

Please attach a complete and current curriculum vita and a brief statement of how the applicant's teaching philosophy will enhance the mission of the honors college. Applicants should also include copies of the two most recent sets of student evaluations of teaching, including both qualitative and quantitative evidence. Signatures of the Department Chair and College/School Dean should be obtained before submission to the Honors College.

Date: \_\_\_\_\_

Faculty Member Being Nominated: \_\_\_\_\_

Department: \_\_\_\_\_

Current Academic Rank: \_\_\_\_\_ Current Tenure Status: \_\_\_\_\_

Date of Initial Employment at UNCP: \_\_\_\_\_

Date of Initial Appointment at Current Academic Rank: \_\_\_\_\_

Highest Degree Earned: \_\_\_\_\_

Date Earned: \_\_\_\_\_

Field(s) of Specialty: \_\_\_\_\_

Institution Granting Degree: \_\_\_\_\_

Have you ever been nominated for a UNCP Outstanding Teaching Award?

\_\_\_\_\_ Yes      \_\_\_\_\_ No      If a recipient, date \_\_\_\_\_

Have you ever been nominated for a Board of Governors Teaching Award?

\_\_\_\_\_ Yes      \_\_\_\_\_ No      If a recipient, date \_\_\_\_\_

Endorsements/ Recommendations

\_\_\_\_\_  
Signature of Department Chair (if applicable)      Date

\_\_\_\_\_  
Signature of College/School Dean      Date

Signature of Dean, University Honors College	Date
Signature of Provost and Vice Chancellor for Academic Affairs	Date
Honors Council Action	
_____ Approved	
_____ Not Approved	
Date _____	_____ Chair, University Honors Council

### 3-10 Part-Time Faculty Policies

The University of North Carolina at Pembroke monitors the utilization of part-time faculty to ensure that the number of full-time faculty is sufficient to provide "Effective teaching, advising, scholarly and creative activity, and curriculum development, policy making, institutional planning and governance" (SACS Criteria, section 4.8.3). UNCP is committed to ensuring that the use of part-time faculty is appropriately limited. UNCP actively recruits and appoints qualified part-time faculty who can enrich and enhance the educational program by bringing to the classroom additional experience and areas of expertise.

#### 3-10.A Appointment Of Part-Time Faculty

It is the responsibility of the department chair to identify appropriate candidates for part-time faculty positions, ensure that their credentials are appropriate, arrange an interview with the appropriate Dean, make the recommendation for appointment to the Dean, provide an appropriate orientation session for the faculty member, and supervise and evaluate the faculty member.

All part-time faculty must meet requirements for professional, experiential and scholarly preparation comparable to those of their full-time counterparts who teach in the same discipline.

In rare instances a candidate may appear to have outstanding professional experience or special expertise that may be considered in lieu of formal academic preparation. If after consultation between the chair, the appropriate Dean and the Office for Academic Affairs, the candidate is deemed to be an appropriate faculty member, the department chair must prepare the justification showing how the experience or special expertise supports the position. This justification must be filed with the Office for Academic Affairs at the time of the appointment.

All first-time part-time faculty must be scheduled for an interview with the appropriate Dean. Before that meeting, the chair should forward to the Office for Academic Affairs for review the application folder of the candidate.

The department chair makes the appointment recommendation to the appropriate Dean. Final approval of the appointment of the candidate rests with the Office for Academic Affairs.

Each part-time faculty appointed must provide the following for the personnel folder: a completed UNCP faculty application, a current resume; three letters of professional recommendation; and official transcripts of all post-secondary study with transcripts sent directly

to the Office for Academic Affairs. It is the responsibility of the department chair to collect these materials and provide them to the Office for Academic Affairs.

### **3-10.B Orientation Of Part-Time Faculty**

The department chair is responsible for conducting an orientation for the part-time faculty member, including an introduction to departmental colleagues and staff; information about relevant University policies and departmental policies such as grading procedures, attendance, etc.; curriculum information; secretarial services; learning resources, office space, etc.

The department chair should also make clear to the part-time faculty that students must have appropriate access to part-time faculty for conferences, questions, make-up work, etc. The part-time faculty member is expected to be available either one-half hour before or after each class and to let students know in what manner that access will be provided.

Part-time faculty should be informed of meetings of their department, which they are welcome to attend as non-voting members—though there should be no requirement or expectation that they attend.

### **3-10.C Supervision And Evaluation of Part-Time Faculty**

The department chair acts as supervisor of the part-time faculty member, providing information on all academic matters, clarification of policies and issues (such as attendance, mid-term grades, and assessment); and assistance with any problems related to curriculum and instruction.

The department chair also evaluates each part-time faculty member annually and observes at least one class period of each new part-time faculty. Student evaluations are to be administered each semester for all part-time faculty.

### **3-10.D Expectations Of The Part-Time Faculty Member**

With respect to their teaching responsibilities, duties of part-time faculty members are generally consistent with those of full-time faculty members. The following elements are expected. Others may be negotiated for the purposes of particular departments, programs, or courses.

1. Prompt attendance at each class meeting and appropriate use of the entire class period. Should an emergency arise prohibiting the faculty member from attending a class, he/she must notify the department chair prior to the class meeting.
2. Standards and expectations of students in keeping with the university setting.
3. Timely and early assessment of students so that the mid-term grades, issued to all students at UNCP, are clearly related to performance. Attention to appropriate handling of midterm and final grades.
4. Accessibility to students either before or after class on a regular and announced basis. The time of availability should total at least 30 minutes for each class period.
5. Attention to development of student skills in computer literacy (where appropriate) and written and oral communication.
6. Prompt and timely submission of all grades, reports, etc.



### **3-11 Resignations of Faculty Members**

After a contract has been signed for the incoming academic year, the contract should be broken only by mutual consent of the professor and the University.

The Board of Trustees' policy indicates that any member of the faculty holding a full professorship or an associate professorship should also give the administration at least 90 days' notice prior to the beginning of the academic year.

Needless to say, the breaking of a contract without the mutual consent of both parties concerned could prove detrimental to an individual's future in his chosen profession.

### **3-12 Salary And Payroll**

#### **3-12.A Method And Payment**

Salary checks/notices of deposits are issued on the last official State workday of each month with the exception of December, in which they may be issued earlier at the discretion of the Governor. Nine-month faculty being paid for the first time by UNCP will receive payment for July through the month in which the check is issued. For example: If the first check issued by UNCP is at the end of September, the check will be for 3/12 (July, August, and September) of the contracted salary.

#### **3-12.B Salary Distribution**

The Budget Technician will distribute checks and notices of deposit, if you select direct deposit option, to the departmental secretaries. Faculty members may pick up this payroll information from their departmental secretary. Summer school checks will be available July 15 and August 15 or Friday if the 15th falls on a weekend.

#### **3-12.C Statutory Deductions (All Earnings Are Subject To These Deductions)**

##### **3-12.C.1 Withholding Tax**

Federal and State income tax is withheld on the basis of information furnished the Payroll Officer on U. S. Treasury Department Form W-4 and N. C. Department of Revenue Form NC-4. It is the responsibility of the employee to submit revised forms if the number of withholding exemptions are changed due to death, birth, or other reasons. The Federal supplemental tax rate of 27% and the supplemental tax rate of N.C. of 6% will be applied to Summer School pay.

By February of each year, each employee will receive U. S. Treasury Department Form W-2 and N. C. Department of Revenue Form NC-2 for income tax withheld for the previous calendar year.

##### **3-12.C.2 Social Security**

A deduction of 7.65 per cent is made on all earnings in a calendar year up to \$84,900. After an employee reaches the ceiling of \$84,900, there will still be a deduction of 1.45 per cent. This amount is subject to change according to Federal legislation.

### **3-12.C.3 Retirement**

All permanent, full-time employees of the University must participate in the North Carolina Teacher and State Employees Retirement System or one of the four programs under the Optional Retirement Plan provided by the State of North Carolina. Once you have made a choice, your decision will be irrevocable. Employee contributions are the same under all programs: 6 percent of your gross salary.

### **3-12.C.4 Awards**

The Internal Revenue Code, Section 74, states that an award received by an employee from his/her employer must be included within the employee's income. Therefore, awards in recognition of performance are fully taxable to the recipient.

An exception is provided that permits an award to be excluded from gross income if all of the following requirements are satisfied:

1. The prize or award is received in recognition of religious, charitable, scientific, educational, artistic, literacy, or civic achievement.
2. The recipient was selected without any action on his/her part to enter the contest or proceeding.
3. The recipient is not required to render substantial future services as a condition for receiving the prize or award.
4. The recipient transfers the prize or award to a qualified governmental unit or nonprofit organization.

Your award will be included in your regular payroll check/notice of deposit following the presentation of the award and will be taxed for applicable social security and State/Federal withholding taxes. If you wish to transfer your award, you must notify the Payroll Office prior to the payroll deadline with your donee information.

### **3-12.D Optional Deductions**

#### **3-12.D.1 Group Hospitalization**

A state-wide program of health and medical benefits for faculty and staff is available to all full-time and part-time employees who work 30 hours or more per week. The employee assumes the total cost of dependent coverage.

#### **3-9.C.2 Group Life**

The State Retirement System (TSERS) offers a death benefit of \$25,000 minimum to \$50,000 maximum. The Optional Retirement Plan (ORP) does not offer a death benefit. Supplemental insurances are available through four companies which include Colonial Life & Accident Insurance Company, AFLAC (American Family Life Assurance Company), Jefferson Pilot Life Insurance Company, and State Employees' Association of NC (SEANC). In addition to group term life insurance, these companies offer supplemental disability, cancer, accident/sickness and other various products.

**3-9.C.3 NCFLEX**

NCFlex is a program of pre-tax benefits available to all University employees working 20 or more hours per week in a permanent, probationary, or time-limited position. NCFlex offers eight benefit plans: 1) Health Care Flexible Spending Account, 2) Dependent Day Care Flexible Spending Account, 3) Vision Care Plan, 4) Voluntary Accidental Death and Dismemberment Insurance, 5) Dental Plan, 6) Cancer Insurance, 7) Voluntary Group Term Life Insurance, and 8) Supplemental Medical Insurance. The costs are paid by the employee.

**3-9.C.4 Parking Permits**

A pretax parking plan is available each year. Contact Human Resources for details.

**3-9.C.5 State Employees' Credit Union**

A payroll deduction is available to eligible employees and members of the Credit Union to be used for credit to savings and/or loan accounts. An ATM is located in the parking area near the rear of the Chavis University Center. Anyone wishing to participate in the Credit Union may do so by contacting a local State Employee Credit Union office or the Human Resources Office.

**3-9.C.6 Savings Bonds**

All University employees are given the opportunity to participate in the payroll savings plan with the purchase of U.S. Savings Bonds.

**3-9.C.7 The Standard Long Term Disability Plan**

This plan is provided for faculty members who are enrolled in the Optional Retirement Plan. Employee paid coverage. Contact the Human Resources Office for plan details.

**3-9.C.8 Disability Income Plan Of North Carolina**

The Disability Plan provides both Short Term Disability and Long Term Disability coverage to all employees who participate in the Teachers' and State Employees' Retirement System or the Optional Retirement Program. Short term benefits are paid at 50% of annual salary after one (1) year of contributing service. Long term benefits are paid at 65% of annual salary after five (5) years of contributing service. Upon approval of Long Term Disability benefits an employee must resign from the current position before receiving benefits.

**3-9.C.9 Tax-Sheltered Annuity Plans**

The University offers tax-sheltered annuity plans under Section 403(b) of the IRS Code to eligible employees. Plans are currently offered by TIAA-CREF, AIG/VALIC, Lincoln Financial, and AXA Equitable Life Assurance. Deferred Compensation of N.C. also offers a tax-sheltered savings plan under IRS Section 457. NC 401(k) Plan administered by Prudential offers a tax-deferred investment program governed under Section 401(k) of the Internal Revenue Code.

Additional information on any of the programs highlighted above may be obtained in UNCP's Human Resources Office or on the Human Resources web page at:  
<http://www.uncp.edu/hr/>

**3-12.D.2 Personal Liability Insurance Protection**

All full-time employees of The University of North Carolina and its constituent institutions are insured under a policy of personal liability insurance designed to pay specified types of judgments which might be rendered against them as a consequence of conduct undertaken within the course and scope of their employment.

### 3-13 Employee Benefits

#### 3-13.A Tuition Waiver Privileges For Faculty

As adopted by the University Board of Governors, full-time faculty who are eligible for membership in a State-supported retirement plan will be allowed tuition waiver for one course per regular school term for classes attended outside of the required work hours. The following conditions must be satisfied in order to be eligible for tuition waiver:

- (a) Employees with temporary and/or part-time appointments are not eligible.
- (b) Tuition waiver shall apply only during the period of one's normal employment at UNC Pembroke.
- (c) Only those who have met admission requirements may be granted tuition waiver.
- (d) Tuition waiver is for tuition and required fees only.
- (e) Tuition waiver cannot be granted for courses where no college credit is allowed.
- (f) Tuition waiver will be allowed only for courses that occur outside of scheduled work hours.

Questions concerning tuition waiver for faculty may be directed to the Office for Academic Affairs.

A tuition waiver for persons over age 65 is also available. Contact the Controller's Office – Student Accounts Receivable for details.

#### 3-13.B Workers' Compensation

The North Carolina Workers' Compensation Act covers all employees of The University of North Carolina at Pembroke, which is administered through the North Carolina Industrial Commission and the States Third Party Administration. If you suffer an injury on the job arising out of the course of your employment, report it immediately to your supervisor, the Human Resources Office, and the University's Safety Officer. Necessary forms can be obtained from the departmental secretaries, the Human Resources Office or downloaded from <http://www.uncp.edu/hr/forms/index.htm>. Form 18 and the "Employee's Statement" form must be completed by the employee and submitted to the supervisor. The supervisor then must complete form 19 and the "Supervisor's Accident Report". The completed forms are then submitted to the Human Resources Office so that a claim can be filed on your behalf with the Third Party Administrator and the North Carolina Industrial Commission. If the injury last more than 21 days, then the employee will receive 66 2/3 % of their salary while out on workers' compensation.

#### 3-13.C Insurance For Study Abroad Programs And Student Internships

Study Abroad: Insurance coverage is available (and in some instances, required) for all registered students taking credit hours and/or graduate students who are temporarily engaged in educational activities while outside the U.S. This coverage is also available for faculty and staff representing the University while engaged in University activities outside the U.S. Contact the Director of the Multi-Cultural Center, extension 6508.

Internships: Insurance coverage is available for students who will be participating in paid or unpaid non-medical internships for credit or for students participating in mandatory academic internship programs.

Both types of coverage are issued under master UNC policies and are administered on this campus by the Office for Academic Affairs, call extension 6224.

### **3-13.D Service Awards**

The Office of State Personnel has developed a Service Awards Program for all full-time State employees. The purpose of this program is to recognize the continued and dedicated service of career State employees.

On the anniversary of your 10th, 20th, and 30th year of employment with the State of North Carolina, you will be presented with your choice of any award or a Certificate of Service. Our awards program includes both faculty and staff. If you have had prior service with the State of North Carolina, please notify the Human Resources Office.

### **3-13.E Leaves, Absences, And Vacations**

#### **3-13.E.1 Leaves of Absence and Other Adjustments of Employment Obligations**

There may be times when a faculty member finds it necessary to be absent full-time or part-time for an extended period. In such cases, leave with pay will be considered (for one semester) subject to the following conditions and procedures, including the completion of the Leave Request and Certification forms included in Appendix X of the Faculty Handbook.

- (a) Eligibility for consideration is limited to those faculty who (1) are eligible to participate in the N. C. Teachers' and State Employees' Retirement System or the UNC Optional Retirement Program and (2) have been employed a minimum of halftime at The University of North Carolina at Pembroke for at least one year.
- (b) When a faculty member finds it necessary to take such leave, a request in writing will be submitted to the department chair stating the reason for the request and the expected length of time (not to exceed one semester) the absence or reduced work load will last. The request for leave should be submitted at least 60 days in advance of the leave or as soon as practical after the need for the leave is foreseen.
- (c) The chair will discuss the request with the dean who will in turn notify the Provost and Vice Chancellor for Academic Affairs of what has been requested and what is recommended. If the request for leave is from a chair, then the dean will assume or delegate the responsibilities of the chair listed below.
- (d) The Provost and Vice Chancellor for Academic Affairs will make the final decision and will so notify the faculty member in writing.
- (e) After the leave of absence or other adjustment of employment obligations, the University may require that the faculty member have a health care provider certify that the faculty member is fit to resume duties. The University makes the ultimate decision as to the faculty member's fitness to resume duties.

- (f) The department chair is responsible for arranging coverage of the faculty member's duties. Whenever feasible, replacement instructors should be hired to assume the duties of a faculty member on extended leave. Responsibility for covering the cost of replacement instructors will be determined through consultations among the department chair, dean, and provost.
- (g) At the time a probationary faculty member's request for leave is granted, the faculty member, department chair, dean, and provost will agree in writing whether time spent on the leave will count as probationary service. In the absence of an agreement, or if the parties fail to reach an agreement, time spent on leave will count as probationary service.
- (h) Paid leave provided for under this policy has no effect on the faculty member's other employment benefits. All periods of paid leave under this policy will be construed as family and medical leave under the Family Medical Leave Act, and the FMLA entitlement of 12 weeks without pay will run concurrently with any period of paid time off. The North Carolina Family Illness Act allows for an extension of up to 52 weeks of leave without pay during a five-year period in cases of serious illness of a child (as defined by the North Carolina Office for State Personnel), spouse, or parent. Faculty with a balance of accrued leave from a previous 12-month appointment will be requested to exhaust that leave before receiving paid sick leave under this policy.
- (i) Unused leave under this policy will not be accumulated or carried over to another academic year; allowable as terminal leave payment when the faculty member leaves the University; or used to extend years of creditable service for retirement benefit purposes.
- (j) Responsibility for maintaining faculty leave records rests with the Office of Academic Affairs. Copies of all such records should also be maintained in the offices of the appropriate department chair and dean. There may be occasions when a one-semester leave is not sufficient. When this is the case, a request for an extension of the leave may be made subject to the procedures and conditions stated above. Should time in excess of one semester be required, it will be necessary to consider a leave of absence without pay or a medical disability leave.

Leave with pay will be considered for any of the following reasons:

- (a) To exercise primary responsibility for the care of an infant immediately after the birth.
- (b) To exercise primary responsibility for the care of a child placed with the faculty member for adoption or foster care, provided the leave is taken immediately following the placement.
- (c) To exercise primary responsibility for the care of the faculty member's child, spouse, domestic partner,\* or parent when that child, spouse, domestic partner or parent has a serious health condition.
- (d) Because the faculty member has a serious health condition and is unable to perform the essential functions of the position.

\*A domestic partner is an adult person living with, but not married to, another adult person in a committed, intimate relationship. Thus, a university faculty member and the domestic partner of the faculty member:

- a. are each other's sole domestic partner and intend to remain so indefinitely;
- b. have a common residence and intend to continue the arrangement;
- c. are at least 18 years of age and mentally competent to consent to a contract;
- d. share responsibility for a significant measure of each other's common welfare and financial obligations;

- e. are not married to or domestic partners with anyone else;
- f. understand that willful falsification of information may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification; and
- g. are same-sex domestic partners and not related in a way that, if the two were of opposite sex, would prohibit legal marriage in the state in which they reside; or
- h. are opposite-sex domestic partners and are not related in a way that would prohibit legal marriage in the state in which they reside.

### **3-13.E.2 Leaves Of Absence And Absences From Class**

#### **3-13.E.2(a) Leaves Of Absence**

Leaves of absence for one or more semesters without salary may be arranged with a faculty member for the purpose of advanced study, research, or public service - without prejudice to future promotions in rank - provided the period of absence is reasonable and does not work undue hardship upon the University.

Leaves of absence without compensation normally should be for not more than two academic years. For faculty members who do not have tenure, a period of leave will not count as a part of the probationary period. Thus the tenure decision will be postponed for a period equal to the length of the leave. The final responsibility for recommending to the Board of Trustees those to be granted leaves will rest with the Chancellor.

#### **3-13.E.2(b) Educational Leave**

Faculty members approved for educational leave may petition for their retirement and hospitalization insurance to be continued while on leave. This continuation requires approval by the Teachers' and State Employees' Retirement System and The University of North Carolina at Pembroke. If you so desire, notify the University Human Resources Office in writing after your leave has been approved.

### **3-13.E.3 Absences**

#### **3-13.E.3(a) Faculty Emergency Absences From Class**

Faculty members who, because of sudden illness or other emergency, cannot meet a scheduled class or laboratory period must notify the Chair of the Department prior to the beginning of the class. The Chair should then arrange for satisfactory coverage of the class.

#### **3-13.E.4 Class Absences For Professional Reasons**

All teaching faculty who attend professional meetings must make satisfactory provisions for their classes through the department chair. Provisions for covering a class should include a meaningful class experience, preferably one conducted by a departmental colleague.

#### **3-13.E.5 Military Service Leaves**

The University of North Carolina System has developed policies covering the rights of employees who are on military duty. Those policies are consistent with the Uniformed Services Employment and Reemployment Rights Act of 1994. In general, employees who have been on military duty are entitled to reemployment at the termination of such service, provided the employee reports or applies for reemployment within certain time limits specified by policy, based on length of service. In addition, such employees are entitled to certain other benefits specified in the policy, including retirement plan participation, vacation and sick leave (if eligible), coverage under the State health plan, and others. The details of the provisions of these

policies are too extensive to list here, but are available in the UNCP Human Resources Office. Any faculty member who may be engaged in military service should check with the Human Resources Office to get the details of these arrangements. See also the UNC policy at <http://www.northcarolina.edu/content.php/policies/300.htm#300.2.8>.

### **3-13.E.6 Vacation Leave**

Faculty members are not granted vacation leave at any time within a scholastic session during which their teaching schedule or other duties incident to their employment may require their services. Holidays and vacation periods normally take care of such vacation. Twelve-month employees are entitled to vacation leave as provided under the laws of the State.

### **3-13.E.7 Sick Leave**

Currently, the State does not pay sick leave for faculty. However, if the responsibilities of the faculty member can be effectively carried on by the department staff, without additional personnel, the faculty member may continue to receive his monthly check for a period of time to be approved by the Chancellor of the University.

### **3-13.E.8 Other Types of Leave**

Questions about any other type of leave (e.g., disability, maternity, family) should be directed to the Human Resources Department. Additional information is also available via the Human Resources web site at: <http://www.uncp.edu/hr/benefits/index.htm>

## **3-14 Retirement**

### **3-14.A Regular Retirement**

Each member of the faculty may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes ("Retirement System of Teachers and State Employees"). [See also Phased Retirement procedures and documents below].

### **3-14.B Phased Retirement**

The University of North Carolina provides a phased retirement program, under which faculty who qualify may elect to retire and continue to maintain faculty responsibilities on a half-time schedule. Details are negotiated on an individual basis. See the Phased Retirement Policy, in Section 12-2 of this Handbook.

### **3-14.C Benefits for Retired Faculty (With or Without Emeritus Designation)**

The following recommendations honor retiring faculty, with or without emeritus designation:

1. The current issue of the Yearbook will be presented to each retiring faculty member by the Chancellor at the end of each academic year.
2. Each retired faculty member will continue to have access to the Bookstore, Library, and Gymnasium during free access periods. Permission to use the Media Center might be permitted upon special request. Retired faculty may retain a computer account upon notification to the University Computing and Information Services office.



3. These recommendations are retroactive where appropriate.
4. All faculty who have retired from UNCP are eligible to receive a free parking permit for any faculty area on campus. "Retired faculty" is interpreted to mean any faculty member who has held faculty rank and who has retired from UNCP. The permit is non-transferable between individuals, but may be transferred from one vehicle to another owned by the same faculty member. Each permit will be numbered and will show no expiration date.
5. All retirees from the University who have held academic rank (included those who have moved to phased retirement) are considered de facto members of the Retired Faculty Club. The category of Associate Member comprises those faculty not yet retired who have served at least 25 years at UNC-Pembroke as well as those retirees not current on their \$20.00 annual dues. Associate Members and their guests are invited to attend the annual dinner sponsored by the Chancellor in honor of retired faculty but are not eligible to hold office in the Club. The Retired Faculty Club is especially interested in assisting UNCP students who wish to study abroad.

### **3-15 Conflicts Of Interest And Commitment**

#### **3-15.A Introduction**

The University of North Carolina at Pembroke's Policies and Guidelines Concerning Conflicts of Commitment and Interest Affecting University Employment document supports the policies and guidelines adopted by the UNC Board of Governors on April 16, 1993.

The University of North Carolina at Pembroke subscribes to the statement of The Code of The University of North Carolina indicating that the basic mission of the faculty is "the transmission and advancement of knowledge and understanding."

University faculty engage in a number of activities within the academy related to their teaching, research and service. In addition, because of the nature of their credentials and expertise, faculty also have opportunities to utilize their skills and knowledge in settings and activities outside the University. In most instances, this independence and flexibility work to the advantage and benefit of the faculty member, the institution and the community.

The same opportunities can become problems, however, when a conflict of commitment or a conflict of interest arises.

#### **3-15.B Adjudication of Allegations of Conflict**

Violation of policies on conflict of interest or conflict of commitment may lead to disciplinary actions against the violator. Guidelines and procedures for handling charges of misconduct under the policies governing conflict of interest or conflict of commitment are described in 12-13 of this Handbook.

### **3-16 Policies On Employee Political Candidacy And Officeholding**

Policies adopted by the Board of Governors in 1976 establish processes for resolving, in advance, questions about possible conflicts between a University employee's satisfactory performance of employment responsibilities and his involvement in political candidacy and officeholding. All University employees (full-time, part-time, or adjunct) except those subject to the State Personnel Act are covered by the policies.

An employee who intends to become a candidate for election or appointment to or to hold any public office is responsible for knowing the terms of and complying with the requirements of the Board policies. A copy of the full text of the Board policies may be obtained from the Library, the Chancellor's Office, Human Resources Office and from the following website: [www.ga.unc.edu/publications/admin\\_manual](http://www.ga.unc.edu/publications/admin_manual) (see Section III E).

Failure to comply with the policies is a violation of the terms and conditions of University employment and may result in disciplinary action. A summary of the basic provisions of the Board policies is included in this Handbook in Section 12-13.C. The full text of the policies should be consulted by an affected employee. Advice concerning the interpretation and application of the policies may be obtained from the University Attorney.

### **3-17 Faculty Grievance Procedure**

The Faculty Grievance Procedure defines the framework for the consideration and satisfactory resolution of grievances within the University brought by faculty members against any members of the University community other than students. Policies and procedures for faculty grievances are described in detail in 13-1.

### **3-18 Policy on Administrative Separations and Retreats to Faculty Positions**

#### **3-16.1 Introduction.**

The Board of Governors and the Office of the President require each institution to establish a policy governing the separation and/or retreat of certain administrators. This policy is in response to that mandate. This policy addresses voluntary and involuntary relinquishments of duties by "Senior Academic and Administrative Officers" (as identified in section 300.1.1,I of The Policy Manual of The University of North Carolina). Conditions of employment of the Chancellor position are not part of this policy. The University will adhere to the regulations of the Board of Governors and the Office of the President regarding separations, reassignments, and retreats to faculty position by Senior Academic and administrative Officers as specified in The Policy Manual of The University of North Carolina. Voluntary and involuntary relinquishments of duties by Senior Academic and Administrative Officers will be handled in the following manner.

#### **3-16.2 Retreat to a Faculty Position**

A Senior Academic and Administrative Officer who holds a concurrent tenured faculty appointment may return to that appointment with all the rights and responsibilities of faculty in the home department, unless a proceeding is initiated to discharge or demote the administrator from the faculty position. If there has been an administrative stipend during the appointment, that stipend should be removed. The salary will be adjusted from a 12-month administrative salary to a 9-month or 12-month faculty salary that is commensurate with the salaries of comparable faculty members. At the Chancellor's discretion, the Chancellor may provide a reasonable period of time with full administrative salary to provide an opportunity for the employee to prepare for teaching and research responsibilities. The reasonable period of time should be related to the time spent in administrative duties. If the Chancellor proposes to pay the administrator full or partial administrative pay after the termination of the administrator's duties for longer than one year, the agreement must be approved by the Board of Trustees.

#### **3-16.3 Reappointment of an Administrator Without Faculty Retreat Rights**

A Senior Academic and Administrative Officer leaving a position that is categorized as "at will" has no claim to a position at the University; however, there may be circumstances in which assignment to another administrative or teaching position would be beneficial for both the University and the employee. In these cases, the new salary should be appropriate to the assignment. If the Chancellor proposes to pay the administrator his or her full administrative salary after moving the administrator to a position that would normally be lower paying, or if paid leave is to be granted, the agreement to so pay or grant leave to the administrator must be approved by the Board of Trustees. This policy does not supersede any notice or severance pay required by the Board of Governor's policy.

### **3-16.4 Separation from the University**

In some cases, it may be in the best interest of the University to negotiate a severance agreement with a Senior Academic and Administrative Officer. UNC policy addresses timely notice for termination of Senior Academic and Administrative Officers hired pursuant to *Policy 300.1.1, I.B.* In accordance with The University of North Carolina *Policy 300.1.1, III.B.*, in certain circumstances these employees are entitled to notice of the discontinuation of their employment with full pay for up to 90 days of severance pay, depending on their length of service. The Chancellor may, at his or her discretion, determine that the circumstances justify continuing full pay for employees subject to *Policy 300.1.1, I.A.*, for up to 90 days. The Board of Trustees must approve any agreement that results in a longer period of compensation.

### **3-16.5 Retirement**

Nothing in this policy shall prevent a Senior Academic and Administrative Officer from retiring or a Senior Academic and Administrative Officer who holds a faculty appointment from participating in phased retirement consistent with existing policies of The University of North Carolina.

*NOTE: Section 300.1.6 of The Policy Manual of The University of North Carolina infers that Board of Trustees approval is required for this policy and requires that the Preside approve this policy. The Board of Trustees approved this policy on February \_\_\_\_, 2004. The President approved this policy on \_\_\_\_\_, 2004.*

## 4 FACULTY EVALUATION MODEL

### 4-1 General Information And Guiding Principles

This Faculty Evaluation Model has the following sections: principles and criteria upon which faculty evaluations are based (Section 4-2); principles informing the roles of different parties in the faculty evaluation (Sections 4-3 and 4-4); evaluation procedures for each type of evaluation (Sections 4-4 to 4-11); and evaluation forms (Figures, Sections 4-12.A to 4-12.L and Calendars of Events for each type of evaluation (Tables, Section 4-13).

This model covers evaluations of full-time faculty members and evaluations by faculty members of department chairs, but does not cover administrators or academic support personnel even though they may hold faculty rank. Full-time teaching faculty are those who teach at least nine semesters hours. Some faculty who would normally be considered full-time but who have been reassigned to other non-teaching duties are to adjust the weights in their self-evaluations to account for those other responsibilities. Performance in such non-teaching functions will be evaluated by whomever the faculty member reports to for those responsibilities.

Full-time faculty receive annual evaluations (Section 4-6.B), as well as evaluations for promotion and/or tenure (Section 4-7) and for contract renewal and advisory evaluations (Section 4-8). Tenured faculty receive comprehensive, periodic, cumulative evaluation every five years, or five years from the last review related to tenure and/or promotion (Section 4-11). Procedures for non-tenure-track faculty are also described (Section 4-9). Faculty members are evaluated in three areas (teaching, scholarship, and service) to which flexible area weights are assigned (Section 4-2). Overall evaluation is recorded on standard evaluation forms (Figures, Sections 4-12.A, 4-12.C, 4-12.D), and measured in accordance with a four-category Standard Performance Rating Scale (Figure, Section 4-12.F). Overall performance ratings become the basis for annual recommendations for merit salary increases (Figure, Section 4-12.E), as well as for tenure, promotion, or contract renewal recommendations (Figure, Section 4-12.C). In this Model, the phrase "major evaluations" denotes evaluations for tenure, promotion, or contract renewal.

Librarians with faculty rank are evaluated under the provisions of the Faculty Handbook, Section 5-12, Policy Statement on Appointment, Reappointment, Promotion, and Tenure of Professional Librarians. Evaluation of library services, including performance of library personnel, is delegated to the Academic Support Services Sub-Committee of the Faculty Senate. Evaluations (*contract renewal*, annual, tenure, promotion, and post-tenure review) of professional librarians with faculty rank will follow the same general procedures that are applied to teaching faculty, with exceptions dependent on the special responsibilities of librarians. Those responsibilities are outlined in general terms as criteria for appointment, promotion, and tenure in 5-12 of the Faculty Handbook.

Faculty members seeking tenure and/or promotion are advised to consult also Section 5-11 of the Faculty Handbook, which outlines University-wide criteria for tenure and promotion.

The underlying philosophy of this Model is that evaluation of faculty performance is a complex process which should promote a reasonable degree of equity and consistency for all individuals and academic departments. The Model should be implemented in a way that enhances faculty development and promotes faculty achievement and satisfaction, while also promoting the mission of The University of North Carolina at Pembroke.

As a means to help insure fairness, in all formal evaluations, a faculty member has the right to submit a rebuttal pertaining to any aspects of reports submitted by Deans, department chairs or Peer Evaluation Committees. Each entity in the evaluation process, therefore, is to submit a copy of its report to the faculty member being evaluated.

All phases of evaluation are to be guided by the principles set forth in Sections 4-1 to 4-3. Individual faculty members have latitude in the roles they assume as they fulfill their responsibilities to the University and its mission. The Model encourages flexibility in applying the principles and criteria for each area of faculty evaluation (Section 4-2), allowing for the varying needs and traditions of different academic disciplines. The model also specifies procedures (Sections 4-4 to 4-10) that promote consistency in evaluation. This evaluation model will be reviewed periodically by the Faculty Evaluation Review Subcommittee and amended as the Faculty Senate deems appropriate.

While this Model attempts to be reasonably comprehensive with respect to policies and procedures, faculty members should also be familiar with other sections of the Faculty Handbook concerning tenure and promotion criteria (Section 5-11), grievance procedures (Section 13-1), and hearing procedures (due process: Sections 5-4, 5-5, and 13-3). Further, employment at the University and conduct as a faculty member are governed by sections of The Code of the University of North Carolina (copies of which are available from department chairs and the Office for Academic Affairs); faculty members should consult that document as well as the Faculty Handbook.

## **4-2 Faculty Evaluation: Principles And Criteria**

### **4-2.A Areas of Faculty Evaluation**

For purposes of evaluation, all faculty responsibilities are divided among three general areas as specified in the opening sentence of The University of North Carolina at Pembroke Mission Statement in the University Catalog: "The University of North Carolina at Pembroke is a comprehensive University committed to academic excellence in a balanced program of teaching, research, and service." Some activities, such as grant-related work, may fall into several areas and should be evaluated accordingly.

Throughout Section 4-2, the term "knowledge" is used as a broad summary term intended to include factual information, epistemological and empirical principles, artistic technique, empirical and interpretive methodologies, reasoning skills, and so forth.

### **4-2.B Evaluation of Teaching**

#### **4-2.B.1 Principles and Definitions**

At The University of North Carolina at Pembroke, teaching is the single most important responsibility of regular full-time faculty members. According to our Mission Statement, The University of North Carolina at Pembroke "provides an intellectual environment created by a faculty dedicated to effective teaching, interaction with students and scholarship." Teaching thus receives an area weight of 50%-70% in a faculty member's evaluation, unless an exception is granted in writing (see Section 4-6.A.1).

The teaching area has two components. Classroom teaching includes all activities involved in preparing and conducting the courses which a faculty member is assigned to teach.

Auxiliary teaching activities may include submitting grades, supervising student research projects or other learning not directly tied to a class, administration of teaching-related grants, cooperating with colleagues in planning curricula, cooperating with university-wide and departmental curricular objectives, and pursuing professional growth as a teacher.

#### 4-2.B.2 Criteria

1. Classroom teaching effectiveness is evaluated in terms of six broad dimensions:
  - a. Imparting general knowledge: Effective teachers impart a sound and up-to-date understanding of the concepts, categories, principles, summaries, and other generalizations that apply to the topics within a course, providing a foundation for other learning. Even courses in applied techniques present conceptual frameworks, which may be communicated through demonstrations, exercises, and discussions as well as lectures. Typically, success in imparting general content is evidenced by students' capacity to explain what they have learned; to understand new information in the area; to apply their knowledge to new problems and contexts; and to analyze, synthesize, and evaluate information.
  - b. Imparting specific knowledge: Effective teachers impart a representative, unbiased, selection of facts, examples, and other details that enrich a course's general content. In a successful course, specific content authenticates and illustrates concepts, stimulates the imagination, and presents logical relationships between specific and general content clearly.
  - c. Developing skills: Effective teachers develop students' capacity to perform various types of skills. Some of these skills reinforce course content. Other skills involve broader intellectual operations that underlie most university courses, such as creativity, oral and written communication skills, critical thinking, research methods, computer proficiency, and basic quantitative reasoning. Since many students need to develop basic skills, success in this area is an important component of effective teaching.
  - d. Motivating students: Effective teachers elicit from students a strong desire to learn. Motivated students prepare for class sessions, pay attention during class, participate in discussions, complete assigned work, rehearse skills, and study for examinations. Motivated students also show confidence, curiosity, and creativity; they strive for excellence in completing assignments; and they take an interest in non-required material and further course work in the area covered. Effective teaching practices to stimulate motivation are also addressed below.
  - e. Setting requirements and evaluating performance: Effective teachers fairly and accurately evaluate student learning while also providing students with specific feedback that promotes further learning. Performance standards are appropriate to course content and course level. Examinations, papers, and other assignments are sufficient, varied, and challenging; are appropriate to course content, course objectives, and students' background; and allow students to demonstrate their learning. Student work is graded carefully and returned in a timely manner with appropriate feedback. Student failure is handled constructively.

- f. Success with effective teaching practices: Effective teachers provide syllabi with clear course objectives and requirements; use teaching techniques (e.g., lectures, demonstrations, exercises, and discussions) that are effective and appropriate to fulfill course objectives; meet their classes as scheduled; set high expectations and help students meet them; involve students in active and cooperative learning; and continually review and revise courses. Effective teachers are enthusiastic and intellectually involved, treat students with respect and courtesy, offer extra assistance to students, and encourage students to consult with them outside of class.
2. Auxiliary teaching activities are evaluated by criteria appropriate to these activities, such as submitting valid grades in a timely manner, effectively supervising student research projects or other learning not directly tied to a class, working constructively with peers to develop curricula, supporting University and departmental objectives, and participating in activities for professional development as a teacher.

#### **4-2.B.3 Documentation**

1. Major evaluations (renewal, tenure, promotion, and post-tenure review) shall include documentation of teaching effectiveness. This documentation typically includes copies of representative syllabi, tests, assignments, and handouts; samples of student work and the faculty member's response to the work; and Student Evaluation Reports (Section 4-6.B.4). This documentation is typically not required for annual evaluations.

For major evaluations (renewal, tenure, promotion), reports on classroom observations by the department chair and members of a Peer Evaluation Committee are required (see Sections 4-7.A and 4-8 for procedures).

2. Auxiliary teaching activities may be documented by copies of student research projects, outlines of new curricula to which a contribution was made, and records of participation in activities for professional development as a teacher (workshops, seminars, conferences, etc).

#### **4-2.C Evaluation of Scholarship**

##### **4-2.C.1 Principles and Definitions**

Though teaching is their fundamental responsibility, all full-time tenured and tenure-track faculty members are expected to have a balanced pattern of scholarship and service over the previous three years of employment at The University of North Carolina at Pembroke. Scholarship receives an area weight of 10% to 40% in a faculty member's evaluation unless an exception is granted in writing (see Section 4-6.A.1). Scholarly work in progress, if appropriately documented, is recognized as a component of scholarship, but completed works of scholarship receive greater weight in evaluation. In promotion and tenure decisions, a consistent pattern of completed scholarly projects is expected.

Scholarship (scholarly research and/or scholarly publication) is defined as a set of disciplined intellectual activities that create or refine knowledge and exert influence through public dissemination in an academically respectable format. This definition of scholarship includes creative activity appropriate to the arts.

1. Scholarly research is defined as (a) creating basic knowledge, (b) compiling or synthesizing knowledge, (c) applying existing basic knowledge to the solution of practical problems, (d) applying professional knowledge and skills to artistic problems, or (e) completing a special program of intellectual development.

Scholarly research may include research involved in the dissemination of scholarship or the preparation of scholarly publications, as an editor or reviewer.

Attendance at professional conferences and workshops can contribute to a faculty member's scholarly research and may count among scholarly activities in a given year. Over time, however, conference attendance without scholarly publication (see below) in itself is not considered scholarship.

Preparation and administration of grants qualifies as scholarly research only insofar as it entails the activities cited above.

2. Scholarly publication is defined as employing accepted techniques to publicly communicate research to (a) scholarly audiences, (b) student audiences, or (c) general audiences. Although most scholarly publication is intended primarily for other scholars, a publication that informs a broader audience is acceptable as long as the format of the publication is appropriate to a discipline.

#### **4-2.C.2 Criteria**

1. Specialized criteria: Scholarship is evaluated primarily against specialized criteria appropriate to the disciplines of each department and consistent with a department's evaluation plan. The quality of scholarly publication is typically ensured through a peer review process appropriate to its audience.
2. General criteria for evaluating scholarship include (a) significance, indicated by judged intellectual depth and scope, originality, and potential benefit to academia or society at large; and (b) peer review or recognition, indicated by publication in a refereed journal, publication in book form by a scholarly press or other recognized publisher, or presentation at a recognized forum for work in progress. National and international forums are typically accorded greater significance than regional ones. In tenure and promotion decisions, completed projects carry more weight than works in progress.

#### **4-2.C.3 Documentation**

Typical documentation of scholarship includes copies of scholarly publications, books, conference papers, catalogs, or programs, and similar evidence of professional productivity in the faculty member's discipline. Less important is evidence of attendance at workshops, seminars, conferences, performances, or other activities even when they may directly contribute to a faculty member's scholarly or creative projects.

When such projects require longer periods of time to complete, a faculty member may provide evidence of significant progress toward completion, including paper presentations, contracts for book publication, or external peer comments on a paper or partial manuscript. In cases where the confidential nature of a research project prevents its wider dissemination, a faculty member should provide appropriate documentation.



#### **4-2.D Evaluation of Service**

##### **4-2.D.1 Principles and Definitions**

Though teaching is a fundamental responsibility, all full-time tenured and tenure-track faculty members are expected to have a balanced pattern of scholarship and service over the previous three years of employment at The University of North Carolina at Pembroke. Service receives an area weight of 10% to 40% in a faculty member's evaluation unless an exception is granted in writing (see Section 4-6.A.1).

Service is divided into three categories: University service, professional service, and external and community service. Faculty members may apportion their service activities among these categories as they deem appropriate or as they are needed by the University (e.g. required service to area public schools).

1. University service includes any University-related activities other than teaching and scholarship that promote the welfare of the University. Activities within and outside one's academic department (academic advisement of students, mentoring, preparation of grant applications, administrative activities associated with external grants and student activities, committee work and involvement in faculty governance, revision of curricula, preparation of accreditation reports, and similar voluntary activities not assigned as position responsibilities) may be considered University service.

Collegiality (willingness and ability to cooperate with colleagues) may be considered relevant to evaluation of service. If so, assessment of collegiality should be based solely on the faculty member's capacity to relate constructively to peers, including his or her impact on others' work.

2. Professional service consists of activities that benefit a faculty member's field of professional expertise. Professional service may include serving on professional committees and governing boards, serving as an officer in a professional organization, organizing and chairing sessions at professional meetings, and performing routine editing and reviewing. A professional activity for which remuneration is granted is evaluated as service only in cases where any compensation is very limited (e.g., expenses or a small honorarium).
3. External and community service connotes activities that are (a) charitable, and (b) performed for the benefit of individuals or groups separate from the University and from the wider profession. External service might include participating on committees and governing boards; speaking to non-professional audiences about topics in one's discipline; providing professional consultation to schools, civic organizations, and government agencies; or providing leadership on public matters related to the faculty member's discipline. An external service activity for which remuneration is granted is evaluated as service only in cases where any compensation is very limited (e.g., expenses or a small honorarium).

##### **4-2.D.2 Criteria**

1. University service is evaluated when possible by results: advisees graduated without major difficulties, grant applications completed, grants successfully administered, activities of student organizations, valuable contributions to a committee's projects, completion of reports, gaining accreditation, and similar accomplishments. Listing

committee membership as a form of service implies that one has fulfilled at least the basic responsibilities of membership.

2. Professional service is evaluated when possible by results: by the importance of contributions made, by how demanding activities were, and by how well objectives were achieved.
3. External and community service is evaluated when possible by results: by the importance of contributions made, by how demanding activities were, and by how well objectives were achieved.

#### **4-2.D.3 Documentation**

Service must be documented by appropriate materials only when it is granted a large area weight (15% or more) in an annual evaluation or is offered as support for contract renewal or for promotion or tenure. In general, letters of appreciation from organizers of service opportunities should be used as documentation only if they indicate an exceptional contribution.

1. University service may be documented by materials such as lists of advisees or advisement appointments, copies of reports or grants prepared, minutes of meetings, and supporting statements by department chairs, committee chairs, or the Center for Sponsored Research and Programs.
2. Professional service may be documented by printed or widely distributed materials such as conference programs, flyers, or minutes of meetings, or by statements from chairs or presidents.
3. External and community service may be documented by printed or widely distributed materials such as conference programs, flyers, or minutes of meetings, or by statements from chairs or presidents.

#### **4-3 Participants In Faculty Evaluation: Principles And Roles**

All evaluators should be guided by the traditions of academic freedom. Also, all evaluators are required to maintain confidentiality about all the information and decisions involved, except for disclosures required by their formal reporting responsibilities.

##### **4-3.A The Faculty Member Being Evaluated**

The main kinds of evaluations of faculty members, which are explained in more detail in Section 4-4, are as follows. Each full-time faculty member, even a faculty member not tenured or in a tenure-track position, receives annual evaluations. In addition, faculty members in tenure-track positions receive evaluations for tenure and for each promotion. Untenured tenure-track faculty receive *contract renewal evaluations according to the calendars found in section 4-13* and may receive advisory evaluations. Non-tenure-track faculty are evaluated annually (Section 4-9).

Because of the complexity and specialized nature of academic work, a faculty member's self-evaluation should be a primary source of information about the goals, methods, and degree of success associated with his or her performance. Faculty members are responsible for representing their work accurately and providing appropriate documentation for their claims (see Section 4-2). Faculty members should have considerable freedom to allocate their time and effort in ways that use their competencies most productively, while still fulfilling their responsibilities to the

University. To allow individual choices to play a meaningful role in self-evaluation, the faculty member indicates a set of annual area weights when completing a Self-Evaluation Report (see Figure, Section 4-12.A). These weights are taken into account by evaluators in developing overall performance evaluations. In all formal evaluations, the candidate has the right to submit a rebuttal pertaining to any aspects of reports submitted by the Dean, department chair, or the Peer Evaluation Committee.

#### **4-3.B Students**

Students who take a faculty member's courses play a prominent role in evaluating the faculty member's teaching. They submit information on a Student Evaluation of Instruction Form (Figure, Section 4-12.D), from which summaries are compiled for each course, consisting of numerical data as well as all student comments. Student evaluations must be administered in a manner that conveys their importance and protects students' sense of freedom to give candid evaluations. Students should also have significant input in developing or selecting the instruments used to gather their evaluations of teaching (see Section 4-6.B.1).

Student evaluations by themselves do not provide sufficient information to validly judge a faculty member's performance as a teacher; hence, evaluation of teaching effectiveness involves a variety of types of documentation (see Section 4-2.B.3).

#### **4-3.C The Department Chair**

The department chair is responsible for (a) coordinating the evaluation process at the departmental level, (b) providing the primary administrative evaluation of the faculty member's performance, and (c) promoting the professional growth of the department's faculty. In years prior to tenure and/or promotion decisions, the department chair is strongly encouraged to provide each faculty member with constructive, timely guidance about the means by which any deficiencies can be corrected.

A Department Chair's Evaluation Report includes assigning performance ratings, recommending merit salary increases in annual evaluations, and reporting on classroom observation for major evaluations. In preparing the Department Chair's Evaluation Report for a faculty member, a chair should use the Format for Evaluation Reports (Figure, Section 4-12.A) and be guided by the Standard Performance Rating Scale (Figure, Section 4-12.F). Serious consideration must be given to the area weights on the faculty member's Self-Evaluation Report(s).

#### **4-3.D The Peer Evaluation Committee**

The Peer Evaluation Committee is responsible for preparing and submitting a Peer Evaluation Report in decisions involving tenure and/or promotion, as well as contract renewal evaluations (see Section 4-7.C.1 and 4-7.D) and in post-tenure review evaluations (see Section 4-11.C.3).

The report is based on documentation submitted by the faculty member being evaluated, classroom observations, and external review if called for. The Peer Evaluation Committee is responsible for gathering appropriate information, assessing its implications, and formulating a coherent evaluation of the faculty member's performance. To retain the special value of their perspective, Committee's evaluation should be independent of the department chair's evaluation.

In preparing the Peer Evaluation Report for a faculty member, a Peer Evaluation Committee should use the Format for Evaluation Reports (Figure, Section 4-12.A) and be guided

by the Standard Performance Rating Scale (Figure, Section 4-12.F). Serious consideration must be given to the area weights on the faculty member's Self-Evaluation Report(s).

#### **4-3.E The Deans of Schools and Colleges**

The Deans of Schools and Colleges are responsible for monitoring the evaluation process for compliance with the Faculty Evaluation Model as well as for overall fairness and equity. After reviewing the materials submitted by the Department Chair, Peer Evaluation Committee (if provided), and the faculty member under review, the Dean will complete the Dean's Recommendation or Report form (Figures, Section 4-12.I - 4-12.L), which will then be forwarded, with the materials the Dean has reviewed, to the Provost and Vice Chancellor for Academic Affairs.

Academic units (for example, the library and the nursing program currently) that are not under the supervision of a Dean will submit evaluation reports directly to the Office for Academic Affairs.

#### **4-3.F The Promotion and Tenure Committee**

The Promotion and Tenure Committee advises the Provost and Vice Chancellor for Academic Affairs on matters of promotion and tenure. This University wide committee attempts to ensure a fair and consistent application of promotion and tenure standards. The responsibilities of the Promotion and Tenure Committee are to (a) gather the reports of the appropriate dean, department chair, and Peer Evaluation Committee, (b) request any additional information that it deems necessary, (c) examine all facets of the application, and (d) reach an equitable final decision. Responsibilities in the tenure and/or promotion process are described in Section 13-2 Adjudicatory Bodies and Procedures.

#### **4-3.G The Faculty Evaluation Review Subcommittee**

The Faculty Evaluation Review Subcommittee is responsible for representing the norms and values of the general faculty in all matters related to the Faculty Evaluation Model.

When the current provisions of the Faculty Evaluation Model do not provide adequate instruction on a specific procedural matter, the party involved may request an ad hoc ruling from the Faculty Evaluation Review Committee. This ruling will be forwarded for consideration to the Faculty Evaluation Review Subcommittee's parent committee, the Faculty and Institutional Affairs Committee.

#### **4-3.H The Provost and Vice Chancellor for Academic Affairs**

The Provost and Vice Chancellor for Academic Affairs is responsible for making recommendations about a faculty member's salary increases, merit salary increases, tenure, promotion, and contract renewal to the Chancellor, based on recommendations and materials submitted by the department chair and other evaluators. The Provost and Vice Chancellor for Academic Affairs is also responsible for establishing and maintaining a general climate conducive to successful implementation of the Faculty Evaluation Model and for fostering conditions in which high levels of faculty achievement can occur. The Provost and Vice Chancellor for Academic Affairs may modify deadlines in the evaluation process as circumstances warrant.

1. Recommendations about salary and about tenure, promotion, and contract renewal: In reviewing department chairs' and dean's salary recommendations, the Provost/Vice Chancellor for Academic Affairs should balance the need for institutional accountability

with the need to provide equitable opportunities for annual merit salary increases. In cases of tenure, promotion, and contract renewal, the recommendations of the Dean and Provost to the Chancellor should provide the faculty member with a fair, reasonable decision that serves the interests of the University.

2. Implementation climate: The Provost/Vice Chancellor for Academic Affairs is responsible for collaborating with department chairs and deans to develop a uniform set of norms for interpreting the meaning of the Standard Performance Rating Scale (Figure, Section 4-12.F). These norms will necessarily represent some discipline-related variations across departments, especially in the area of scholarship. Beyond such variations, no department chair should be permitted to use standards that deviate from the general norms and practices of the University.
3. Promoting faculty achievement: The Provost and Vice Chancellor for Academic Affairs should, through the Academic Deans, facilitate faculty development in teaching, scholarly activities, and service. The Provost and Vice Chancellor for Academic Affairs should encourage department chairs to schedule teaching assignments judiciously and appropriately, and to award reassigned time to faculty members as necessary. Working with the Faculty Research and Development Committee and the Center for Sponsored Research and Programs, the Provost and Vice Chancellor for Academic Affairs should promote a healthy program of both internal and external funding for scholarly and creative work.

#### **4-3.I The Chancellor**

As Chief Executive Officer of the University, the Chancellor is responsible for facilitating the work of the Provost and Vice Chancellor for Academic Affairs and others in implementing the Faculty Evaluation Model and promoting faculty achievement. The Chancellor receives, reviews, and acts upon all evaluative materials provided by the Provost and Vice Chancellor for Academic Affairs. After reviewing the materials produced by the final evaluation process, the Chancellor takes actions regarding salary and employment.

### **4-4 Procedures For Evaluating Faculty: General Considerations**

#### **4-4.A Introduction**

The evaluation procedures described in this section are designed to attain the following objectives: (a) provide every faculty member with adequate information on how evaluations will be conducted; (b) promote a reasonable degree of equity and consistency both within and among departments; (c) provide procedures that allow a reasonable degree of flexibility for faculty; and (d) define the relationship between the various components of an evaluation and the final decision of the evaluator.

New faculty members should be informed of the evaluation procedures during their orientation to the University and should be encouraged to familiarize themselves with the Faculty Evaluation Model.

#### **4-4.B Annual Evaluation**

The annual evaluation provides the basis for merit salary increases and ongoing administrative supervision of faculty. It consists of a Self-Evaluation Report, Student Evaluation Report, Chair's Evaluation Report, an Annual Merit Salary Increase Recommendation, the Dean's Recommendation for Annual Salary Increase, and a recommendation by the Provost and Vice

Chancellor for Academic Affairs. Every full-time faculty member is evaluated annually. Faculty members on leave of absence are not evaluated, and part-time faculty are evaluated by department chairs using procedures developed by the Provost and Vice Chancellor for Academic Affairs.

Procedures are explained in Section 4-6 and the Calendar of Events is found in Section 4.13. Annual evaluation reports from previous years are used in evaluations for contract renewal, tenure, and promotion.

#### **4-4.C Evaluation for Tenure and/or Promotion**

Evaluations for decisions concerning tenure and/or promotion of tenure-track faculty include:

- Self-Evaluation Report
- Student Evaluation Report
- Current-year Chair's Evaluation Report (with Tenure, Promotion, and Renewal Form)
- A minimum of the previous three year's Chair's Evaluation Reports
- Peer Evaluation Report (with Tenure, Promotion, and Renewal Form)
- Promotion and Tenure Committee Evaluation Report (with Tenure, Promotion, and Renewal Form)
- Dean's Report for Tenure/Promotion
- Recommendation by the Provost and Vice Chancellor for Academic Affairs.

All tenure track faculty are evaluated for tenure and/or promotion no later than their sixth year of employment at the University. All faculty applying for tenure and/or promotion also receive a major evaluation. Procedures are explained in Section 4-7 and the Calendar of Events is shown in Section 4.13. See Section 5 of the Faculty Handbook for Tenure Regulations.

A faculty member being considered for promotion who is a member of the Promotion and Tenure Committee must resign that membership by September 21, if he or she is to be considered for a promotion in that academic year.

#### **4-4.D Contract Renewal Evaluations and Advisory Evaluations**

*Tenure-track faculty receive a renewal evaluation according to the calendars found in section 4-13. Non-tenure-track faculty receive a major evaluation in their first year of employment at the University.* In subsequent years, a major evaluation for untenured faculty is optional at the discretion of the faculty member or department chair. Peer evaluations of visiting faculty are at the option of the department chair, the appropriate Dean, and the Provost and Vice Chancellor for Academic Affairs.

Evaluations after the second year (but prior to tenure and/or promotion evaluation) may be initiated by a tenure-track faculty member or by his/her chair anytime during the tenure-track process and will be advisory in nature.

For additional information and procedures see Section 4-8 and the *Calendars of Events in Section 4-13*.

#### **4-4.E Evaluation of Tenured Faculty (Post-Tenure Review)**

Tenured faculty must undergo a cumulative review process every five years, commencing from date of the tenure review (or from date of review for promotion, if such review occurs within the five-year period after tenure review).

The purpose of this review is to support and encourage excellence among tenured faculty by (a) continuing tenure for faculty whose performance has been found satisfactory, (b) providing a clear plan and a specified time line of not more than three years for improvement of performance of faculty whose performance has been found unsatisfactory, and (c) for those whose performance remains unsatisfactory, providing for the imposition of appropriate sanctions, which may include a recommendation for discharge in the most serious cases of incompetence.

For additional information and procedures, see Section 4-11.

#### **4-5 Optional Departmental Evaluation Plan**

The general objectives of the Faculty Evaluation Model (Sections 4-1 to 4-4) may be attained by other methods. Departments that prefer to modify criteria or procedures are strongly encouraged to develop a Departmental Evaluation Plan. That plan may provide specific criteria as supplements to the Principles and Criteria (Section 4-2), and may substitute alternatives for the Format for Evaluation Reports (Figure, Section 4-12.A), the Student Evaluation of Instruction Form (Figure, Section 4-12.D), and the Department Chair Evaluation Form (Figure, Section 4-12.G). In developing any alternative Student Evaluation of Instruction Form, a department should obtain input from its students.

An acceptable plan must (a) adhere to the guiding principles and procedural objectives in this document; (b) conform to all deadlines established herein; (c) produce a final output that can be expressed in terms of the Annual Merit Salary Increase Recommendation Form (Figure, Section 4-12.E) and the Tenure, Promotion, and Renewal Form (Figure, Section 4-12.C); (d) be approved by a two-thirds majority of the department's full-time faculty; and (e) be approved by the Faculty Senate. Departmental plans are required to be reasonably consistent across time so that no individual's evaluation is affected by temporary, arbitrary, or radical changes. The Office for Academic Affairs will maintain a file of all approved departmental plans for examination by all faculty members.

#### **4-6 Procedures For Annual Evaluation**

Every faculty member is evaluated every academic year. The annual evaluation includes a(n): (1) Self-Evaluation Report, (2) Student Evaluation Report, (3) Chair's Evaluation Report, (4) Chair's Annual Merit Salary Increase Recommendation, (5) the Dean's Recommendation for Annual Salary Increase, and (6) recommendation of the Provost and Vice Chancellor for Academic Affairs. Procedures for compiling these reports are listed below. The Calendar of Events for Annual Evaluations appears in Table 4-13.A.

##### **4-6.A Faculty Self-Evaluation Report**

In the Self-Evaluation Report, the faculty member must discuss his or her teaching, scholarship, and service. In addition, each component is assigned an area weight reflective of the time, effort, and accomplishments in each area. The following sections present guidelines to assist the faculty member in compiling the Self-Evaluation report. These guidelines are intended as a general overview of the specific information that should appear in a faculty member's Self-Evaluation Report both in terms of area weights and subheadings (see Figure, Section 4-12.A).

#### **4-6.A.1 Area Weights**

1. Allocation of area weights: A faculty member must specify an area weight for each of the three areas of evaluation. For faculty with a regular 12-hour teaching load, these percentages must conform to the following ranges: teaching, 50% - 70%; scholarship, 10% - 40%; and service, 10% - 40%. For any given academic year, the sum of these weights must equal 100%. Faculty members with unusual teaching loads are to adjust the ranges appropriately. A request for an exemption from these standards must be submitted in writing and approved by the chair of the faculty member's department. Exceptions to these standards will be granted in reference to department needs. Grounds for an exemption may include, for example, additional teaching duties, administrative or grant activity, or retraining and retooling in the methodology appropriate to a faculty member's discipline. Faculty members may discuss their area weights with the department chair at any time prior to completing their self-evaluation.
2. Adjustment of area weights. When circumstances create special demands on a department, a chair may require a faculty member to adapt his or her pattern of responsibilities to meet such demands. The department chair must inform the faculty member in writing of the circumstances and the adjustments required. The faculty member may then adjust his or her area weights on the Self-Evaluation Report as he or she deems appropriate.

If the department chair is concerned that a prior pattern of area weights is not generating a record adequate for tenure in the department, the chair should recommend that a faculty member adjust his or her weights in future years.

Adjustments in area weights may also be needed if a faculty member's teaching load is reduced to allow for other types of activities, such as research or administrative responsibilities.

#### **4-6.A.2 Format of Faculty Self-Evaluation Report**

The faculty Self-Evaluation Report should be structured so that subheadings indicate the items reported and indicate appropriate area weights for each subheading. See Figure, Section 4-12.A for an example of how the report should be structured and the subheadings listed.

#### **4-6.B Student Evaluations of Instruction**

Students evaluate the teaching of all teaching faculty. Results are summarized in a Student Evaluation Report. In the following sections, the procedures, format, and reporting of these student evaluations are discussed.

##### **4-6.B.1 Policies for Student Evaluations**

All course instructors (full- or part-time faculty, department chairs, or administrators who teach) are evaluated by students in all their classes. Full time faculty are evaluated during one semester of each academic year and part-time faculty are evaluated each semester. The Student Evaluation of Instruction Form must be approved by the Senate of the Student Government Association and the Faculty Senate (see Figure, Section 4-12.D). A department may add up to five supplementary items or scales to this form without approval from the Senate. Alternatively, a department may develop a substitute Student Evaluation of Instruction Form in lieu of the general form. The Senate of the Student Government Association and the Faculty Senate must approve any alternate forms.



**4-6.B.2 Collection Procedures for Student Evaluations**

Instructors being evaluated by students must employ the following evaluation procedures. First, the class is to select a student who will distribute the forms, collect the completed forms, place them in an envelope, and return the sealed envelope to the department secretary. Second, the faculty member must be absent from class while the evaluations are completed. Third, the faculty member being evaluated must not tabulate the student evaluations. Fourth, the faculty member must not receive any report on his or her evaluations until grades for the current semester have been submitted; verbatim evaluation statements will be transcribed when possible. Faculty members are encouraged to conduct student evaluations at the beginning of a class session, to allow adequate time to complete them.

Student evaluation of graduate instruction follows the same procedures as in undergraduate instruction. Graduate courses are evaluated following procedures approved by the Graduate Council and the Faculty Senate. These procedures can be found in the Graduate Faculty Handbook.

**4-6.B.3 Schedule of Student Evaluations**

All first-year faculty are to be evaluated by students in both fall and spring semesters. Other faculty members are to be evaluated once a year on the following schedule:

Academic years that begin in odd-numbered years (e.g., fall, 1995-spring, 1996)

Faculty whose last names begin A - M are evaluated in the fall semester

Faculty whose last names begin N - Z are evaluated in the spring semester

Academic years that begin in even-numbered years (e.g., fall, 1996-spring, 1997)

Faculty whose last names begin N - Z are evaluated in the fall semester

Faculty whose last names begin A - M are evaluated in the spring semester

**4-6.B.4 Preparation of Student Evaluation Reports**

A quantitative summary of the ratings in each course is prepared as soon as possible and transcripts of student comments are prepared when possible. The faculty member being evaluated must not prepare the quantitative summary or the transcript of comments. The department chair must retain the raw Student Evaluation of Instruction Forms for as long as these may be required for future evaluation reviews.

After grades have been submitted, the faculty member receives copies of the quantitative summaries and copies of the transcribed student comments if available. The faculty member may examine the original comments in the department chair's office.

The department chair prepares the Student Evaluation Report, based on both undergraduate and graduate student evaluations, to be included in the annual Chair's Evaluation Report, by summarizing in a narrative the quantitative summaries and individual comments given by students.

**4-6.C Annual Chair's Evaluation Report**

As specified in Section 4-4, each department chair must compile an annual Chair's Evaluation Report for each faculty member in the department. This report consists of the (a) faculty member's Self-Evaluation Report, (b) Student Evaluation Report, (c) chair's narrative evaluation, and (d) Chair's Annual Merit Salary Increase Recommendation Form. In the

following sections, the Chair's Evaluation Report and the Annual Merit Salary Increase Recommendation Form are discussed.

#### **4-6.C.1 Policies for Annual Chair's Evaluation Report**

Each chair must compile and submit to the appropriate Dean an annual Chair's Evaluation Report for each faculty member he or she supervises. This report should discuss the faculty member's teaching, scholarship, and service. This report should conform to the general guidelines of the Format for Evaluation Reports (Sections 4-6.A; Figure, Section 4-12.A), with the addition of: (1) a narrative synthesis of the faculty member's performance, (2) an overall rating of the faculty member using the Standard Performance Rating Scale (Figure, Section 4-12.F), and (3) a signature section for the department chair and faculty member being evaluated. The information appearing in the annual Chair's Evaluation Report for a faculty member will be drawn from (a) the faculty member's Self-Evaluation Report, (b) student evaluations, and (c) the department chair's observations on teaching, scholarship, and service. Even when a major evaluation has been conducted earlier in the academic year, a separate annual evaluation is required for purposes of a merit salary increase recommendation, since most of the year's work will have been completed after the earlier major evaluation.

The department chair is required to obtain the faculty member's signature on the Chair's Evaluation Report and the Annual Merit Salary Increase Form. In both instances, the signature merely acknowledges having reviewed the report and form, but does not indicate agreement with their content.

#### **4-6.C.2 Chair's Annual Merit Salary Increase Recommendation Form**

The department chair's recommendation on the Annual Merit Salary Increase Recommendation Form (Figure, Section 4-12.E) is based on information developed in the annual Chair's Evaluation Report for each faculty member, and must reflect the UNC Board of Governors' regulations for the dispersal of salary increase monies and the constraints set for The University of North Carolina at Pembroke by the Provost and Vice Chancellor for Academic Affairs and by the Chancellor. The recommendation is to correspond to the overall performance rating contained in the Chair's Evaluation Report, as indicated by the relationships below.

<b>Overall Performance Rating</b>	<b>Recommended Merit Salary Increase</b>
Distinguished	High Plus
Very Good	High
Adequate	Medium
Deficient	Low or No Increase

#### **4-6.D Annual Dean's Evaluation Report**

After reviewing the materials the Department Chairs submit, the Dean of the relevant college or school will complete the Dean's Recommendation for Annual Salary Increase form for each faculty member. Within three days, each faculty member will sign the Dean's Recommendation, acknowledging having seen it but not necessarily agreement with it. One copy of the signed Dean's Recommendation will be retained by the faculty member. The Dean will then forward the recommendation, with the materials submitted by the Department Chair, to the Provost and Vice Chancellor for Academic Affairs.

In the event that the Dean's recommendation does not agree with that of the Department Chair, the Dean shall justify that decision with appropriate comments on the Dean's Recommendation for Annual Salary Increase form. The faculty member shall have the right to rebut comments made on the Dean's Recommendation form; such rebuttal shall be submitted to the Provost and Vice Chancellor for Academic Affairs within 10 days of the faculty member's signing of the Dean's recommendation.

#### **4-6.E Annual Provost's Evaluation Report**

The Provost and Vice Chancellor for Academic Affairs reviews all the evaluative materials submitted by the Deans and recommends to the Chancellor whether or not to increase each faculty member's salary and how much to increase the salary, if an increase is recommended.

#### **4-6.F Chancellor's Evaluation**

After reviewing all the materials accumulated by the Provost and Vice Chancellor for Academic Affairs, and considering the recommendation of the Provost and Vice Chancellor for Academic Affairs, the Chancellor makes the final decision on all faculty salary increases.

#### **4-7 Procedures And Responsibilities For Promotion And Tenure Of Tenure-Track Faculty**

All Assistant and Associate Professors receive a tenure and/or promotion evaluation no later than their sixth year of employment at the University. In the following sections, the tenure and/or promotion evaluation procedures and documents are discussed. See Section 4-4 and Tables, Section 4-13 for descriptions and Calendars of Events for these evaluations.

Faculty members seeking tenure and/or promotion also should consult Section 5-11, of the Faculty Handbook, which outlines University-wide criteria for tenure and/or promotion.

#### **4-7.A Notification and Scheduling of Tenure and Promotion Evaluations**

The department chair is responsible for ascertaining when mandatory tenure and/or promotion evaluations are due. The department chair is responsible for announcing these occasions by September 7, in letters to the candidate, the Dean of the faculty member's school or college, the Provost and Vice Chancellor for Academic Affairs, and the Promotion and Tenure Committee. The letter to the candidate must indicate that the Self-Evaluation Report, Student Evaluation Reports, Peer Evaluation Committee Nomination Form, and supporting materials are due by September 21.

Although there are established eligibility dates for faculty members applying for tenure and promotion (Faculty Handbook, Section 5-3), a faculty member may request consideration for tenure and/or promotion earlier than these dates. To exercise this option, a faculty member must petition in writing to the department chair, the Dean of the relevant school or college, and the Provost and Vice Chancellor for Academic Affairs by August 21 of the current academic year. Otherwise, evaluation for promotion and tenure will occur in accordance with established dates.

#### **4-7.B Responsibilities of the Faculty Member in Relation to Tenure and Promotion**

A faculty member being evaluated for promotion or tenure must submit the documentation listed below to the department chair by September 21. Other possible actions are also listed.

**4-7.B.1 Forms and Documents Submitted by a Faculty Member**

For renewal of contract, promotion, and tenure, the candidate must complete and submit the following items:

1. An expanded Self-Evaluation Report that covers the entire period under consideration (e.g. one to six years for tenure, or the period since the last major evaluation) with an emphasis on the past three years of employment.
2. A summary of teaching effectiveness indicated by Student Evaluation Reports for the period under consideration, and by current course syllabi and course materials (assignments, handouts, tests, etc.) for one general education course, one upper division course, and one graduate course when appropriate. Current year student evaluations for faculty members considered for tenure and/or promotion will not be included due to the difficulty of obtaining valid reports early in the semester. Instead, prior-year Student Evaluation Reports (from department chair or Office for Academic Affairs files) will be used.
3. Evidence of scholarship (e.g., conference papers, publications, books) or other evidence of professional activity related to a faculty's particular discipline (e.g., works in progress, creative works, participation in recitals or exhibitions).
4. A completed Peer Evaluation Committee Nomination Form (Figure, Section 4-12.B). A faculty member being evaluated may not nominate another faculty member who is also being considered for tenure and/or promotion during the same academic year, the department chair, or a member of the Promotion and Tenure Committee.

**4-7.B.2 Optional External Review**

A faculty member may request an external review of his or her scholarship to support an application for tenure and/or promotion. Faculty members wishing to do so must submit a written request to the department chair by October 7. The Peer Evaluation Committee may also request an external review of a faculty member's scholarship by following the same procedure. In either case, the candidate is solely responsible for providing (a) an outline of specialty areas and materials that pertain to specialty areas and (b) a list of potential reviewers for each specialty area. The candidate, department chair, and Peer Evaluation Committee must agree concerning the qualifications of any external reviewer. If external review is contemplated, the candidate is advised to make preparations before the fall semester.

**4-7.B.3 Signing Evaluation Reports and Tenure, Promotion, and Renewal Forms; Optional Rebuttals**

Upon receipt of the Chair's Evaluation Report and completed Tenure, Promotion, and Renewal Form (Figure, Section 4-12.C), the faculty member must sign and return one copy of each to the chair within three working days. The faculty member also is required to sign the Peer Evaluation Report and its Tenure, Promotion, and Renewal Form. In both instances, the signature merely acknowledges having reviewed the reports and forms, but does not indicate agreement with their content.

If the faculty member has received an unfavorable report from either the department chair or Peer Evaluation Committee, the faculty member may submit a rebuttal to the Office for Academic Affairs within 10 days of receiving either report.

#### **4-7.C Responsibilities of Department Chairs in Relation to Tenure and Promotion Evaluations**

As discussed in Section 4-7.A, department chairs are responsible for notifying a faculty member by September 7 of the evaluation year, in writing, that a mandatory major evaluation is due. Additionally, department chairs are responsible for establishing Peer Evaluation Committees, conducting classroom observations, compiling and submitting Student Evaluation Reports, preparing and submitting all Chair's Evaluation Reports that are required for tenure and/or promotion decisions, and completing the Tenure, Promotion, and Renewal Forms (Figure, Section 4-12.C).

##### **4-7.C.1 Establishment of the Peer Evaluation Committee**

The department chair obtains a Peer Evaluation Committee Nomination Form (Figure, Section 4-12.B) from the candidate and appoints three faculty members to the Peer Evaluation Committee.

In small departments, the faculty member may nominate one tenured faculty member from an allied field outside the department. Department chairs from departments other than that of the faculty member being reviewed may also participate on Peer Evaluation Committees. (Flexibility in appointments under these rules are allowable for initial contract renewal reviews in small departments.) The department chair is obligated to appoint the candidate's assured nominee (see Figure, Section 4-12.B) so long as the nominee is qualified, but the department chair may substitute other qualified faculty members for the two remaining positions. Whenever possible, the department representatives must be tenured members of the department (except that faculty members participating in phased retirement are eligible to serve) whose rank is equal to or higher than that sought by the candidate.

In a three-person department, the third department member is automatically appointed to the committee unless he or she is also being considered for tenure and/or promotion; at least one of the other members must be from an allied discipline (usually in the same division of the Faculty Senate).

Prohibited from serving on a Peer Evaluation Committee are the department chair of the faculty member's department, members of the Promotion and Tenure Committee, and any faculty member being considered for tenure and/or promotion during the same academic year.

By September 30, the department chair must send a letter notifying Peer Evaluation Committee members of their appointment, and the time and date of an initial meeting, with copies to the candidate and the Provost and Vice Chancellor for Academic Affairs. The department chair will submit the candidate's materials to the Peer Evaluation Committee.

##### **4-7.C.2 Chair's Evaluation Report for Tenure and Promotion Decisions**

1. Classroom Observations: The department Chair's Evaluation Report should include information from classroom observations each lasting at least 30 minutes in two separate courses.
2. Summary Report of Student Evaluations: The department chair prepares the Student Evaluation Report by summarizing in a narrative the quantitative summaries and individual comments given by students. The chair prepares this report in a similar fashion to the annual evaluation by combining the results of the previous three annual Student Evaluation Reports. See Section 4-6.B for a discussion of student evaluations.

3. Chair's Evaluation Report and Recommendation: The department chair must prepare a report and make a recommendation for tenure and/or promotion. In completing this report, the department chair considers the faculty member's self-evaluation, supporting documentation, student evaluations, and classroom observations. Other input from students, colleagues, external sources, and University administrators may also be used. The Standard Performance Rating Scale (Figure, Section 4-12.F) is to be followed in making the final recommendation. See Figure, Section 4-12.A for the areas to be addressed in the Chair's Evaluation Report for tenure and/or promotion.

#### **4-7.C.3 Discussion and Submission of Chair's Evaluation Report for Tenure and Promotion**

The department chair provides the faculty member with two completed, signed, and dated copies of the Chair's Evaluation Report, including a completed Tenure, Promotion, and Renewal Form, for the faculty member's review and signature. The department chair at that time conducts a conference with the faculty member to explain the report, receive feedback, and discuss future directions. Finally, within three days of the conference the department chair obtains the signature of the faculty member on one set of copies, which becomes part of the department chair's full report. When a faculty member signs and returns any evaluation report, such action shall indicate merely that the faculty member acknowledges being apprised of its contents, not that he or she agrees with it. The Chair's Evaluation Report is forwarded to the Dean of the relevant school or college by November 15.

#### **4-7.D Responsibilities of the Peer Evaluation Committee**

The requirements for membership on a Peer Evaluation Committee are described in Section 4-7.B.1 and Section 4-7.C.1; see also the Peer Evaluation Committee Form (Figure, Section 4-12.B).

Under the guidance of its chair, the Peer Evaluation Committee is charged with preparing and submitting a Peer Evaluation Report based on the following items: documentation submitted by the faculty member undergoing evaluation for tenure and/or promotion, classroom observations, and external review if necessary.

##### **4-7.D.1 The Committee Chair**

A Peer Evaluation Committee's first task is to elect a chair, who then notifies the department chair of his or her election. The committee chair is responsible for conducting meetings, insuring that all pertinent provisions of the Faculty Evaluation Model are followed, using standard parliamentary procedure in reaching all major decisions, insuring confidentiality of the proceedings, and preparing and distributing the Committee's report. The department chair assists the peer evaluation process. By October 7, the department chair provides to the chair of the Peer Evaluation Committee a copy of the candidate's Self-Evaluation Report, the cumulative Student Evaluation Report, and any supporting materials.

##### **4-7.D.2 Classroom Observations**

At least two members the Committee must conduct classroom observations of the candidate's teaching. To promote reliability, a set of classroom observations should consist of at least one observation lasting at least 30 minutes in two separate courses by each observer. Observers submit an oral or written report of their observations to the Committee. The Committee's final report weighs and integrates these reports but does not incorporate them verbatim.

#### **4-7.D.3 Optional External Review**

External review of scholarly work is not typically required for the Peer Evaluation Committee report. However, the Peer Evaluation Committee is obligated to initiate an external review under two circumstances: (a) if the candidate requests such review or (b) if, during the course of its deliberations, the Peer Evaluation Committee discovers that some scholarly works require external review. The candidate is responsible for providing an outline of the specialty areas involved and the materials that pertain to each specialty area and a list of potential reviewers for each specialty area (see Section 4-7.B.2). The Committee is responsible for selecting from the candidate's list three or more external reviewers for each set of materials, soliciting and receiving the external reviews, and providing a copy of the reviews to the department chair. If adjustments must be made to the slate of external reviewers, these adjustments must be agreed to by the candidate, the department chair, and the Peer Evaluation Committee.

#### **4-7.D.4 The Decision Process of the Peer Evaluation Committee**

The Standard Performance Rating Scale (Figure, Section 4-12.F) is used as a general guide. The Committee should strive for consensus in developing its conclusions, and its report (including the completed Tenure, Promotion and Renewal Form) must reflect a majority opinion. Nevertheless, a member of a Peer Evaluation Committee is obligated to object to any procedure believed to violate the provisions of the Model or to any conclusion believed to be inaccurate. The Committee should then deliberate these objections, consulting the Model as appropriate. When an issue cannot be resolved to each member's satisfaction, the Committee is obligated to investigate the matter more fully. Inquiries can be made to the candidate, the department chair, the Faculty Evaluation Review Committee, or the Office for Academic Affairs at any time. When a minority member disagrees with the majority's final action on any matter, and believes that the overall evaluation has been affected, he or she is obligated to submit a narrative minority report detailing his or her position.

#### **4-7.D.5 The Peer Evaluation Committee's Report**

The Committee's report consists of a narrative Peer Evaluation Report or approved substitute (see Figure, Section 4-12.A; including area weights from the candidate's Self-Evaluation Report, as completed for tenure and/or promotion); a Tenure, Promotion, and Renewal Form (Figure, 4-12.C) when appropriate; any supporting materials submitted by the candidate; and any minority report. The Committee chair prepares the report, obtains the signatures of other members, provides the candidate with signed and dated copies of the Peer Evaluation Report and of the Tenure, Promotion, and Renewal Form. Within three days, the Committee chair obtains the candidate's signature on one copy of the Peer Evaluation Report and the Tenure, Promotion, and Renewal Form. The signed copies the Committee's final report are submitted to the Dean of the relevant school or college, along with all the candidate's materials, by November 15.

When a faculty member signs and returns any evaluation report or form, such action shall indicate merely that the faculty member acknowledges being apprised of its contents, not that he or she agrees with it.

#### **4-7.E Responsibilities of the Dean**

The Dean will read the Department Chair's Report, the Peer Evaluation Committee's Report, and all attached materials, and then complete the Dean's Report for Tenure/Promotion. That form will serve as a cover letter to the report package and will include as attachments the Chair's Report, the Peer Evaluation Committee's Report, any rebuttals, and the candidate's materials. Within three days, the faculty member being evaluated will sign the Dean's Report,

acknowledging having seen it, but not necessarily agreement with it. One copy of the signed Dean's Report will be retained by the faculty member.

The Dean will then forward his or her report, with attached materials (Chair's report, Peer Evaluation Committee's report, and the candidate's materials), to the Promotion and Tenure Committee, via the Office for Academic Affairs. In the event that the Dean's recommendation does not agree either with that of the Department Chair or of the Peer Evaluation Committee, the Dean shall justify that decision with appropriate comments on the Dean's Report for Tenure/Promotion form. The faculty member shall have the right to rebut comments made on the Dean's Report form; such rebuttal shall be submitted along with the other materials. The Dean's report should be submitted to the Promotion and Tenure Committee by January 15.

#### **4-7.F Responsibilities of the Promotion and Tenure Committee**

The responsibilities of the Promotion and Tenure Committee are to receive from the Provost and Vice Chancellor for Academic Affairs the Chair's Evaluation Report and the Peer Evaluation Report (plus any rebuttals of these), request any additional information that it deems necessary, examine all facets of the application, reach an equitable final decision, prepare a report on the candidate, and complete a Tenure, Promotion, and Renewal Form (Figure, Section 4-12.C).

##### **4-7.F.1 The Decision Process of the Promotion and Tenure Committee**

A candidate's record should be evaluated in terms of documents submitted to the Committee and using the area weights given on the Self-Evaluation Report (as completed for tenure and/or promotion). The Committee may consult with the candidate, the department chair, the chair of the Peer Evaluation Committee, and administrators to obtain additional information about a candidate, as it deems appropriate. When a candidate has submitted a rebuttal to a Chair's Evaluation Report or Peer Evaluation Report, the Promotion and Tenure Committee is obligated to consider it. If the Committee finds probable cause for concern, it should instruct the parties involved to submit, in a timely manner, either a counter-rebuttal or a corrected report. In the event of a counter-rebuttal, the matter should be pursued to a satisfactory resolution.

##### **4-7.F.2 Recommendation of the Promotion and Tenure Committee**

The Committee's final recommendation (indicated on the Tenure, Promotion, and Renewal Form; Figure, 4-12.C) should be an independent judgment based on a synthesis of the overall record. The Committee is to use the Standard Performance Rating Scale (Figure, Section 4-12.F) as a general guide, and it should strive for consistency over time. In the interest of fairness to candidates for tenure, the Committee should give very strong consideration to a set of consistently favorable annual evaluations from the department chair during the years prior to the tenure decision. In such cases, the Committee should have very compelling countervailing evidence to justify a recommendation against tenure and/or promotion.

##### **4-7.F.3 The Promotion and Tenure Committee's Report**

After reaching a final decision on tenure and/or promotion, the Committee, as directed by the chair, prepares a draft report. This consists of a narrative Tenure and Promotion Report following the Guidelines for Evaluation Forms (Figure, Section 4-12.A); any rebuttals, counter-rebuttals, or corrected reports from the department chair or Peer Evaluation Committee; and a completed Tenure, Promotion, and Renewal Form (Figure, Section 4-12.C). If either the chair or vice chair has abstained from a case, the non-abstaining party prepares the preliminary draft of the final report. The Committee deliberates on this draft until a majority approves it. The approved Tenure and Promotion Report, along with all other reports and the candidate's



materials, should be submitted within 14 days, no later than April 1, to the Provost and Vice Chancellor for Academic Affairs, and, at the same time, a copy of this advisory report sent to the candidate under consideration for tenure and/or promotion. Members may submit minority reports, which are appended to the approved report. If the faculty member has received an unfavorable report from the Promotion and Tenure committee, the faculty member may submit a rebuttal to the Office for Academic Affairs within ten days of receiving the report.

#### **4-7.G Responsibilities of the Provost and Vice Chancellor for Academic Affairs in Relation to Promotion and Tenure**

The Provost and Vice Chancellor for Academic Affairs shall receive and distribute all materials from the department chair, Peer Evaluation Committee, Dean of the faculty member's school or college, Promotion and Tenure Committee, and the faculty member being evaluated. Upon receipt of the Tenure and Promotion Report, the Provost and Vice Chancellor for Academic Affairs considers all recommendations and supporting materials. Further consultations with the candidate or any of the participants in the evaluation process may be conducted.

The Provost and Vice Chancellor submits a final recommendation to the Chancellor no later than May 1, accompanied by all of the evaluation materials received, and at the same time sends the candidate under consideration for promotion or tenure an unelaborated statement of this recommendation. The Provost and Vice Chancellor for Academic Affairs is responsible for informing the candidate of the final action taken by the Chancellor, the vote of the Promotion and Tenure Committee, and any additional details that are deemed beneficial to a consistent and equitable evaluation process. The Provost and Vice Chancellor for Academic Affairs will return the candidate's materials to him or her at the conclusion of the evaluation process.

#### **4-7.H Responsibilities of the Chancellor in Relation to Promotion and Tenure**

The Chancellor shall receive, review, and act upon all evaluative materials provided by the Provost and Vice Chancellor for Academic Affairs. After reviewing the materials produced by the final evaluation process, the Chancellor shall take actions regarding salary and employment.

#### **4-8 Procedures For Contract Renewal Evaluations And For Advisory Evaluations of Untenured Tenure-Track Faculty**

All untenured tenure-track faculty should receive a comprehensive evaluation *according to the calendars found in Section 4-13*. In subsequent years, such an evaluation for untenured tenure-track faculty is optional at the discretion of the faculty member or department chair. These evaluations, if initiated by the department chair, may be for cause or, at the discretion of either the faculty member or chair, may be advisory in nature.

##### **4-8.A Contract Renewal Evaluations**

*The procedures for these evaluations generally follow the procedures specified for tenure and/or promotion. These evaluations are conducted according to the calendars found in Section 4-13. Procedures to be followed by the Peer Evaluation Committee are shown in Section 4-7.D.*

*Faculty members undergoing contract renewal evaluations are to collect student evaluations of their courses, generally following the procedures shown in Section 4-6.B. Classroom observations by the department chair and by members of the Peer Evaluation Committee, therefore, are even more important to the evaluation process.*

The department chair completes a Chair's Evaluation Report as described in Section 4-7.C.2, and submits the report as described in Section 4-7.C.3. The Peer Evaluation Committee (if convened) submits a Peer Evaluation Report (see Section 4-7.D) as well. The Dean of the relevant school or college reviews the reports from the Chair and the PEC, as well as any rebuttals by the faculty member. The Dean then completes the Dean's Report of *Contract Renewal Evaluation* and submits it with all supporting materials, to the Provost and Vice Chancellor for Academic Affairs.

The Provost and Vice Chancellor for Academic Affairs reviews all the evaluative materials and recommends to the Chancellor whether or not to reappoint the candidate. The Chancellor makes the final decision on reappointment. Conditions governing nonreappointment are listed in the Faculty Handbook, Section 5-6; note that the faculty member's competence is not the only factor considered in reappointment decision. The Code of the University of North Carolina (see the excerpt in the Faculty Handbook, Section 12-1) specifies *deadlines for notification of non-reappointment*.

#### **4-8.B Advisory Evaluations**

Advisory evaluations may be initiated by a tenure-track faculty member or by his/her department chair anytime during the tenure-track process. Such evaluations are proactive steps to help faculty members improve performance and become more tenurable. The department chair may appoint a Peer Evaluation Committee as part of advisory evaluations. If advisory evaluations are conducted, the committee should identify aspects of the faculty member's performance that may present problems when a tenure decision is due. Advisory evaluations have no formal consequences for decisions about contract renewal, tenure, or promotion.

#### **4-9 Procedures For Special Evaluations Of Non-Tenure Track Faculty**

Non-tenure-track faculty members will be evaluated annually just as all other faculty members are. Non-tenure-track faculty receive a major advisory evaluation at the discretion of the faculty member or department chair. Peer evaluations for non-tenure-track faculty (including visiting faculty) may be included in this process at the option of the department chair and the Provost and Vice Chancellor for Academic Affairs.

#### **4-10 Evaluation Of Department Chairs**

##### **4-10.A Annual Evaluations of Faculty Responsibilities**

Each department chair is evaluated annually by the Dean of his or her college or school and by the Office for Academic Affairs. Procedures parallel those for annual evaluations of all faculty, except that the duties normally carried out by the department chair are handled by the Chair's Dean (see Section 4-6). A chair is evaluated in terms of teaching, scholarship, and service using area weights deemed appropriate for the department. There will, of course, be no merit salary increase recommendation from the department chair. As part of the annual evaluation of the Chair's faculty responsibilities, the Dean will schedule a conference with each Chair to discuss the Dean's evaluation of the Chair's performance.

The Dean will prepare a written annual evaluation report and present it to the department chair at least three days before the annual evaluation conference is to be held. At the evaluation conference, the department chair signs the evaluation report and receives a copy.

The Office for Academic Affairs collects from each chair an annual self-evaluation and supporting documentation, and may conduct classroom observations of the department chair's teaching. In evaluating a chair's performance both as a faculty member and as an administrator, the Chair's Dean and the Office for Academic Affairs consider direct knowledge of the department chair's administrative performance, input from other administrators, and input from faculty, as well as documentation submitted by the department chair.

#### **4-10.B Evaluation of Chair's Departmental Administrative Responsibilities**

Department chairs' administrative responsibilities are taken into account by the Office for Academic Affairs as part of the department chairs' annual evaluation, although formal faculty assessments are not collected each year. Departmental chairs' administrative responsibilities are assessed as part of the procedure for renewable terms for department chairs (Faculty Handbook, Section 10-6.C). Briefly, chairs are evaluated by the Office for Academic Affairs in the second year of service as chair. At this time, the Dean will seek input from the faculty concerning performance of the chair's administrative responsibilities and will distribute evaluation forms (e.g., Figure, Section 4-12.G) to each full-time faculty member in the department. The forms will be returned directly to the Dean.

#### **4-10.C Evaluations for Tenure and/or Promotion**

Department chairs who may be candidates for tenure and/or promotion will be evaluated under the tenure and promotion procedures in Section 4-7. As listed in the introductory paragraph of Section 4-7.C, the Chair's Dean will carry out the duties normally the responsibility of the department chair. Necessarily, however, there will be no recommendation from the department chair regarding the tenure and/or promotion decision.

#### **4-10.D Probationary Evaluations; Advisory Evaluations**

Department chairs will receive a *contract renewal evaluation, based on rank and initial contract length*, just as any other probationary faculty member does (see Section 4-8). Procedures normally the responsibility of the department chair will be handled by the Chair's Dean. Necessarily, however, there will be no recommendation from the department chair regarding reappointment.

Any department chair, just as any other faculty member, can call for an advisory evaluation. Advisory evaluations may be requested by the Provost and Vice Chancellor for Academic Affairs. Advisory evaluations have no formal consequences for decisions about contract renewal, tenure, or promotion.

#### **4-10.E Evaluation for Renewable Terms for Department Chairs**

Department chairs are appointed for terms of three years. They may be continued in the chair's position for one additional term. Procedures for appointment and for evaluation of chairs with respect to term continuation and renewal are specified in the Faculty Handbook, Section 10-6.C.

### **4-11 Evaluation Of Tenured Faculty (Post-Tenure Review)**

#### **4-11.A General Background**

A. In response to the Board of Governors' and General Administration of The University of North Carolina's request to develop institutional policies and procedures with regard to post-tenure review, the Post-Tenure Advisory Committee of The University of North Carolina at Pembroke has

prepared this document outlining UNC Pembroke's post-tenure review process. It is felt that this document adheres not only to the 1) broad principles outlined in the Executive Summary as found in the Report of the University of North Carolina Committee to Study Post-Tenure Review that was approved by the UNC Board of Governors on 16 May 1997, 2) the Guidelines as found in the Administrative Memorandum Number 371 issued by President C. D. Spangler, Jr. on 24 June 1997, and 3) Chapter VI of The Code of the University (August, 1988), but also parallels and reflects the basic tenets of the Faculty Evaluation Model as found in the UNCP Faculty Handbook. It must furthermore be noted that nothing in this Post-Tenure document prohibits the Provost and Vice Chancellor for Academic Affairs and the Chancellor from making personnel decisions and taking personnel actions relative to reappointment, non-reappointment, and dismissal of faculty in warranted cases as indicated by The Tenure Policies and Regulations of The University of North Carolina at Pembroke [UNCP Faculty Handbook, Section 5-1 through Section 5-9] and The UNC Code [The UNC Code, [http://www.northcarolina.edu/content.php/policies/The\\_Code\\_TOC.htm](http://www.northcarolina.edu/content.php/policies/The_Code_TOC.htm)].

B. In the words of the Executive Summary cited above, "Post-tenure review is a comprehensive, formal, periodic evaluation of cumulative faculty performance, the prime purpose of which is to ensure faculty development and to promote faculty vitality (p. I)." This document further states that "institutional policies shall explicitly involve peers in the review process." In addition, it was noted in that report that the recommendations contained therein were intended "to strengthen the system of tenure and academic freedom while assuring on-going quality in the teaching, research, and service mission of The University of North Carolina."

C. Thus presented below are the necessary 1) principles and criteria upon which the UNCP post-tenure review process is based, 2) principles governing the roles of individuals and groups, 3) evaluation procedures to be followed, 4) forms needed for the cumulative evaluation of tenured faculty, 5) a calendar of events for cumulative evaluation of tenured faculty, and 6) a specified time line of not more than three academic years for the implementation of the review process.

#### **4-11.B Principles and Criteria**

A. Faculty at The University of North Carolina at Pembroke who are tenured must undergo the cumulative review process outlined below every five years. The purpose of this review is to support and encourage excellence among tenured faculty by (a) continuing tenure for faculty whose work is found satisfactory, (b) providing a clear plan and a specified time line of not more than three academic years for improvement of performance of faculty found unsatisfactory, and (c) for those whose performance remains unsatisfactory, providing for the imposition of appropriate sanctions, which may include in the most serious cases of incompetence a recommendation for discharge. ["A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty or misconduct of such nature as to indicate that the individual is unfit to continue as a member of the faculty." The UNC Code, Section 603(1).]

B. All UNCP faculty are evaluated annually in three areas (teaching, scholarship, and service) according to a four-category Standard Performance Rating Scale (Figure, Section 4-12.F). This annual review includes a(n) (a) Self-Evaluation Report, (b) Student Evaluation Report, (c) Chair's Evaluation Report, (d) Chair's Annual Merit Salary Increase Recommendation, (e) Dean's Recommendation for Annual Salary Increase, and (f) recommendation of the Provost and Vice Chancellor for Academic Affairs (Section 4-6.B In addition to these reports, Evaluations for Contract Renewal and Evaluations for Tenure and/or Promotion include a Peer

Evaluation Report. The latter of these evaluation processes also includes a Tenure and Promotion Evaluation Report (Section 4-4.C; and also Section 4-7 through 4-8.B). The comprehensive, periodic, cumulative review process outlined herein for tenured faculty in no way detracts from, replaces, or diminishes the importance and significance of this annual performance review. Furthermore, a comprehensive review undertaken for promotion decision purposes may preclude the need for the cumulative review process outlined in this document until the fifth year following such review (see Section 4-11.C.1). As is true for all phases of the UNCP faculty evaluation model, a faculty member has the right to receive written feedback and to submit a rebuttal to any aspect of reports submitted by Deans, department chairs or Peer Evaluation Committees.

C. In situations where a faculty member has received a rating of "unsatisfactory," an individual development or career plan will be created that includes (a) specific steps designed to lead to improvement, (b) a specified time line in which improvement is expected to occur, and (c) a clear statement of consequences should adequate improvement not occur within the designated time line. These consequences may include dismissal as allowed by The UNC Code, 603 (1).

D. All phases of this evaluation process are to be guided by the principles set forth in Sections 4-1 to 4-3 of the UNCP Faculty Evaluation Model (UNCP Faculty Handbook). Thus all "Principles and Criteria" relevant to faculty evaluation detailed in Section 4-2 of that document are also relevant to the post-tenure evaluation process, and consequently are not repeated in this present document. These include principles and definitions, criteria, and documentation for the evaluation of teaching (Section 4-2.B), scholarship (Section 4-2.C), and service (Section 4-2.D).

#### **4-11.C Principles Governing the Roles of Individuals and Groups**

##### **4-11.C.1 The Faculty Member Being Evaluated**

All tenured faculty will undergo a cumulative review process every five years commencing from date of the tenure review. If during that period, the tenured faculty member is promoted, this cumulative review will not be necessary until the fifth year following the promotion review. When tenured faculty apply for promotion and undergo post-tenure review at the same time, separate decisions will be made on each. As indicated in Section 4-3.A of the UNCP Faculty Evaluation Model, the faculty member's self-evaluations should be "a primary source of information about the goals, methods, and degrees of success associated with his or her performance." As is also stated therein, the annual weights assigned to each area by the individual being evaluated are to be taken into account by subsequent evaluators. Furthermore, the candidate has the right to submit a rebuttal pertaining to any aspect of the reports submitted by the department chair or the Peer Evaluation Committee or Dean.

##### **4-11.C.2 Students**

As is the case with all evaluation procedures at UNCP, student evaluations, while thought to play a prominent role in evaluating the faculty member's teaching, do not by themselves provide sufficient information to judge fully a faculty member's performance as a teacher. Hence, evaluation of teaching effectiveness at UNCP involves a variety of types of documentation. [For more information on the role that students play in the evaluation process at UNCP, see Section 4-3.B.]

##### **4-11.C.3 The Peer Evaluation Committee**

The Peer Evaluation Committee is responsible for preparing and submitting a Peer Evaluation Report to the Office for Academic Affairs. This group is responsible for gathering appropriate information, assessing its implications, and formulating a coherent evaluation of the

faculty member's performance. The Peer Evaluation process must be independent of the department chair's evaluation.

#### **4-11.C.4 The Department Chair (or Dean for department chairs)**

The department chair (Dean of the Chair's school or college for department chairs) is responsible for writing his/her own recommendations (see Figure, Section 4-12.G below), and submitting this document to the Office for Academic Affairs.

#### **4-11.C.5 The Dean of the Faculty Member's School or College**

The Dean will review the reports from the Chair and from the PEC, as well as any supporting materials and rebuttals. The Dean will assess the performance of the faculty member based on the materials presented and will complete the Dean's Recommendation for Post-Tenure Review. The Dean will give the faculty member a copy of the Dean's recommendation and submit that recommendation, with all attached materials, to the Provost and Vice Chancellor for Academic Affairs.

#### **4-11.C.6 The Provost and Vice Chancellor for Academic Affairs**

The Provost and Vice Chancellor for Academic Affairs is responsible for making recommendations based on the materials submitted by the Dean to the Chancellor concerning the status of each tenured faculty member who has undergone the cumulative review process (for further information regarding the responsibilities of the Provost and Vice Chancellor for Academic Affairs, see Section 4-11.D below). The Provost and Vice Chancellor for Academic Affairs, in consultation with the faculty member, the faculty member's Department Chair (or Dean for department chairs), and the Dean of the relevant college or school, will also be responsible for constructing, monitoring, and evaluating satisfactory completion of any plan for improvement of performance for any faculty member whose performance has been judged unsatisfactory.

#### **4-11.C.7 The Chancellor**

As Chief Executive Officer of the University, the Chancellor receives, reviews, and acts upon the recommendations of the Provost and Vice Chancellor for Academic Affairs. After reviewing the materials produced by this evaluation process, the Chancellor takes actions as deemed appropriate. In situations where a tenured faculty member has received a rating of "unsatisfactory," and the identified deficiencies are not removed in the specified period of time, the Chancellor may impose sanctions, which may include discharge as allowed by The UNC Code, Section 603 (1).

#### **4-11.D Evaluation Procedures**

A. The cumulative evaluation for tenured faculty provides a basis for the support and encouragement of excellence among tenured faculty by (a) continuing tenure for faculty whose work is found satisfactory, (b) providing a clear plan and a specified time line of not more than three academic years for improvement of performance of faculty found unsatisfactory, and (c) for those whose performance remains unsatisfactory, providing for the imposition of appropriate sanctions, which can include a recommendation for discharge. All tenured faculty will undergo this cumulative review process every five years. If during that period, the tenured faculty member is evaluated for promotion, this cumulative review may not be necessary until the fifth year following the conclusion of that process (see Section 4-11.C.1). In the initial stages of the post-tenure review process, those faculty members with more than five years of service beyond tenure will be reviewed in order of seniority (for more information concerning this matter, see below in

the Section **Error! Reference source not found.**, Timetable for the Implementation of the Review Process). The cumulative review process includes the faculty member, the Peer Evaluation Committee, the department chair (Dean of relevant college or school in the case of department chairs), the Dean of the faculty member's college or school, the Provost and Vice Chancellor for Academic Affairs, and the Chancellor.

B. At the point in time when the cumulative evaluation for tenured faculty process is to begin, the faculty member involved will be so notified in writing by his/her department chair (Dean of relevant college or school for department chairs) (see Calendar of Events below). The faculty member will subsequently submit to his or her department chair (Dean of relevant college or school for department chairs) a copy of (a) Self Evaluations for the previous five years, (b) Student Evaluation summaries for the previous five years, (c) Chair Evaluations for the previous five years, (d) Dean's annual evaluation reports for the previous five years, (e) any additional information since the last annual evaluation that is deemed pertinent, and (f) a completed copy of the Peer Evaluation Committee Nomination Form (Figure, Section 4-12.B). In the initial stages of this process, these various materials might be collected from a variety of sources (the faculty member's own copies, copies in the possession of the department chair, and/or copies in the possession of the Office for Academic Affairs).

The department chair (or Dean for department chairs) then (a) appoints three faculty members to the Peer Evaluation Committee in the manner described in Section 4-7.C.1, (b) calls this group together for their initial meeting in order to orient them to the process, and (c) makes available to them the materials cited above with the exception of the Chair Evaluations. The Chair Evaluations are not made available to the Peer Evaluation Committee in order to protect the integrity and independence of the peer evaluation process.

C. The make-up of the Peer Evaluation Committee will be identical to that described in Figure, Section 4-12.B of the UNCP Faculty Handbook. The responsibilities of the Peer Evaluation Committee will be consistent with those described in Section 4-7.D of the Faculty Handbook.

D. The Peer Evaluation Committee and the department chair (Dean of relevant college or school for department chairs), working independently of each other, are responsible for preparing and submitting a Post-Tenure Evaluation Report Form (See Figure, Section 4-12.H) to the Dean of the faculty member's college or school and, through the Dean, to the Provost and Vice Chancellor for Academic Affairs. These reports, based on the various documents that have been submitted, will include a rating of the overall performance of the faculty member as either satisfactory or unsatisfactory and a narrative justification. If the ranking indicates unsatisfactory performance, the Committee's report has the option of including specific suggestions that might lead to improvement. The faculty member undergoing this cumulative post-tenure review process will be given two completed, signed, and dated copies of each of these reports (the Peer Evaluation Committee's report and the department chair's report). Within three days, the faculty member being evaluated returns one copy that has been signed and dated. This signature indicates merely that the faculty member acknowledges being apprised of its contents, not that he/she agrees with it. In all cases, the faculty member being reviewed may submit a rebuttal to the Office for Academic Affairs within ten days of having received these reports. These two reports are subsequently submitted by the respective chair (Peer Evaluation Committee or department) to the Dean of the faculty member's school or college.

E. The Dean of the relevant college or school will review the reports from the Department Chair (if available) and the Peer Evaluation Committee, including any supporting materials

provided by the Chair or Peer Evaluation Committee, as well as any rebuttals submitted by the faculty member being evaluated. The Dean will then complete the Dean's Report for Post-Tenure Review, including his or her evaluation of the faculty member's performance as satisfactory or unsatisfactory. The Dean's Report will serve as a cover letter to the Provost and Vice Chancellor for Academic Affairs and will include as attachments the reports from the Department Chair and from the Peer Evaluation Committee, along with all supporting documents. Within three days, the faculty member will sign the Dean's Report, acknowledging having seen it but not necessarily agreement with it. One copy of the signed Dean's Recommendation will be retained by the faculty member. The Dean will then forward his or her report, with the attached materials, to the Provost and Vice Chancellor for Academic Affairs.

If the Dean does not agree with the evaluation of the Chair and/or the PEC, the Dean must justify that judgment with appropriate comments. The faculty member has the right to submit a rebuttal to the Dean's evaluation within 10 days of signing the report.

F. The Provost and Vice Chancellor for Academic Affairs will review the Dean's report, with the reports of the Department Chair and the Peer Evaluation Committee and all supporting documents attached. In the event that the ratings in the reports submitted unanimously indicate unsatisfactory performance, the Provost and Vice Chancellor for Academic Affairs will communicate this finding in writing to the faculty member, the Department Chair (unless the faculty member is the department chair), and the Dean of the faculty member's college or school. It will be responsibility of the Department Chair (or Dean if the faculty member concerned is the Department Chair), in collaboration with the faculty member evaluated, to draw up an individual development or career (remediation) plan. The plan shall include steps designed to lead to improvement in the faculty member's performance to a satisfactory level, a specified time frame of not more than three academic years in which this improvement is to occur, and a clear statement of consequences should improvement to a satisfactory level of performance not occur within the specified time frame. After review and concurrence by the Dean of the faculty member's college or school, the plan will be submitted to the Provost and Vice Chancellor for Academic Affairs, who must approve the plan, taking into account the need for institutional resources to support the faculty member's efforts to remediate identified deficiencies in his or her performance.

At the end of the time period specified in the remediation plan, the Provost and Vice Chancellor for Academic Affairs, in consultation with the faculty member's Department Chair (Dean, if the faculty member is a department chair), and Dean of the faculty member's college or school, will determine if the provisions of the plan have been met. If so, the faculty member will be judged satisfactory in performance for the current post-tenure review cycle. Note that the existence of a remediation plan does not defer or postpone any succeeding post-tenure review. If the provisions of the remediation plan have not been met and the required improvement not occurred, the Provost and Vice Chancellor for Academic Affairs shall recommend sanctions to the Chancellor, under the provisions of the UNCP Tenure Regulations (Section 5 of the Faculty Handbook) and of The Code of the University of North Carolina. Such sanctions may include reduction in rank, discharge, or other disciplinary action.

If performance ratings unanimously indicate satisfactory performance or if there is disagreement among the reports on the satisfactory or unsatisfactory performance of the faculty member being evaluated, the Provost and Chancellor for Academic Affairs shall recommend to the Chancellor that no action be taken.



G. As Chief Executive Officer of the University, the Chancellor receives, reviews, and acts upon all evaluative materials provided by the Provost and Vice Chancellor for Academic Affairs. After reviewing the materials produced by this evaluation process, the Chancellor will take appropriate action(s). In the case where a faculty member's performance is found to be unsatisfactory and those elements of unsatisfactory performance have not been improved to a satisfactory level in the specified period, the Chancellor's action may include discharge as specified by The UNC Code, Section 603 (1).

#### **4-11.E Forms Required for Cumulative Evaluation of Tenured Faculty**

##### **4-11.E.1 Peer Evaluation Committee Nomination Form.**

See Figure, Section 4-12.B.

##### **4-11.E.2 Post-Tenure Evaluation Recommendation Form.**

See Figure, Section 4-12.H.



## 4-12 Figures For Use In Faculty Evaluation Process

### 4-12.A Format for Evaluation Reports

These format guidelines give an overview of specific information that should appear in a faculty member's self-evaluation form, the department chair's evaluation report, the Peer Evaluation Committee's evaluation report, and the report of the Promotion and Tenure Committee. Area weights assigned to specific areas must sum to 100%. The following are the headings which should appear at the beginning of each evaluation area being discussed with the area weight listed to the right of the heading.

1). Introductory Heading - The introductory heading should appear at the top of the first page of the evaluation form and include the following information as listed below.

Faculty Member's Name \_\_\_\_\_  
 Current Professorial Rank \_\_\_\_\_  
 Current Academic Year \_\_\_\_\_ Department \_\_\_\_\_  
 Type of Form Self \_\_\_\_\_ Chair (Dean for Chairs) \_\_\_\_\_ Peer \_\_\_\_\_  
 Type of Evaluation (check all applicable): Renewal \_\_\_ Annual \_\_\_ Tenure \_\_\_ Promotion \_\_\_

#### 2). TEACHING Area Weight (50% to 70%)

a) Classroom activities. Discuss classroom work as it relates to how knowledge in a faculty member's discipline is covered (e.g., categories, principles, summaries), how the specific content of a discipline is imparted (e.g., facts, examples), the development of general student skills (e.g., communication, critical thinking, creativity, mathematics), how student learning is motivated (e.g., stimulating curiosity, confidence, and task-specific motivation), measures of student performance (e.g., examinations, papers, presentations, other projects), and future plans for development in the area of teaching.

b) Auxiliary teaching activities. Discuss evidence that grades have been submitted in a timely manner, how students are being advised, supplementary instructional time provided outside of class, the supervising of student research projects, working with colleagues to develop curricula, and plans for future development in this area.

c) How has the information from your most recent evaluation been used to improve instruction?

#### 3). SCHOLARSHIP Area Weight (10% to 40%) \_\_\_\_\_

a) Research. Discuss scholarly research for the period of the evaluation. In particular, there should be emphasis on (a) how knowledge has been developed, (b) the application of existing knowledge used to solve practical problems, (c) the application of professional knowledge and skill to an artistic problem if applicable, or (d) the completion of a special program of intellectual development. Include comments on future plans for development in this area.

b) Publication. Discuss scholarly works that have been disseminated within the faculty member's discipline. Examples across disciplines are exhibition of artistic work, editing grant applications,

publication in scholarly journals, and publishing of works aimed toward student and general audiences. Also include comments on future plans for development in this area.

4). SERVICE Area weight (10% to 40%) \_\_\_\_\_

A faculty member may work in any of the following categories.

a) University Service. Comment about on-campus service provided during the period, including activities such as committee work, grant administration, consultations supporting the work of staff or faculty. Quality of service is very important (e.g., serving actively on a small number of committees is more valuable than serving minimally on many committees). Include comments on future plans for development in this area.

b) Professional service. Comment on the nature, scope, and effectiveness of service to the faculty member's profession. Include comments on future plans for development in this area.

c) External Service. Comment on the strengths and weaknesses of off-campus service during the period, including such activities as participation on professional committees and governing boards, providing professional consultation to schools, civic organizations, and government agencies, and providing leadership on public matters. Include comments on future plans for development in this area.

5). Anticipated Area Weights for the Next Academic Year - This section should only appear on the self-evaluation form. The following anticipated area weights as indicated below should be listed in this section.

Teaching (50% to 70%)

Scholarship (10% to 40%)

Service (10% to 40%)

6). SYNTHESIS - This section will only appear in a department chair or Peer Evaluation Committee's evaluation form. In this section, the evaluator(s) determine the overall performance rating of the faculty member for the period covered. The quality of performance is weighed in relation to the faculty member's area weights. The final evaluation should (a) adhere to the guiding principles, (b) reflect equity within the department and among departments, and (c) allow a reasonable degree of flexibility in how a faculty member orients his or her effort.

a). Rationale of rating - This section clarifies the relationship between the various performance areas as listed in the University mission statement and the overall performance ranking given.

b). Overall rating of faculty member - Listed below are the ratings a faculty member will be assigned.

Distinguished performance

Very good performance

Adequate performance

Deficient performance

Date

Signature of Department or Committee Chair

Date

Signature of Evaluated Faculty Member

**4-12.B Peer Evaluation Committee Nomination Form**

Current Academic Year \_\_\_\_\_ Department \_\_\_\_\_  
Faculty Member's Name \_\_\_\_\_

Department Representatives. Nominate up to three members from within your department to serve on your Peer Evaluation Committee. (To the extent possible, they should be tenured. In small departments, you may nominate one tenured faculty member from an allied field outside the department. You may not nominate your department chair, other faculty members who are being considered for tenure and/or promotion during this academic year, or members of the Promotion and Tenure Committee.) Flexibility in appointments under these rules are allowable for initial contract renewal reviews in small departments.

- a) \_\_\_\_\_
- b) \_\_\_\_\_
- c) \_\_\_\_\_

University Representative. Nominate one tenured faculty member from outside your department to serve on the Peer Evaluation Committee.

\_\_\_\_\_

Assured nomination. From the names appearing above, enter the name of the one individual whom you wish to be nominated automatically to the Peer Evaluation Committee.

\_\_\_\_\_

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Candidate

**4-12.C Tenure, Promotion, and Renewal Form**

Current Academic Year \_\_\_\_\_ Department \_\_\_\_\_

Candidate's Name \_\_\_\_\_

Current Professorial Rank \_\_\_\_\_

Number of Years at UNCP (including present year) \_\_\_\_\_

Number of Years in Rank (including present year) \_\_\_\_\_

Type of Decision (check each that applies) Promotion \_\_\_\_ Tenure \_\_\_\_ Renewal \_\_\_\_

Recommendations

Promotion: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Not applicable \_\_\_\_\_

Vote of Committee (when applicable): Number For \_\_\_\_\_ Number Against \_\_\_\_\_

Remarks (optional; continue on back if needed) \_\_\_\_\_

Tenure: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Not applicable \_\_\_\_\_

Vote of Committee (when applicable): Number For \_\_\_\_\_ Number Against \_\_\_\_\_

Remarks (optional; continue on back if needed) \_\_\_\_\_

Renewal after probationary year: Approved \_\_\_\_ Disapproved \_\_\_\_ Not applicable \_\_\_\_\_

Vote of Committee (when applicable): Number For \_\_\_\_\_ Number Against \_\_\_\_\_

Remarks (optional; continue on back if needed) \_\_\_\_\_

(continued on the back)

Participating Members of Committee: \_\_\_\_\_

Abstaining Members: \_\_\_\_\_

Date	Signature of Chair
Date	Signature of Evaluating Committee Member
Date	Signature of Evaluating Committee Member
Date	Signature of Evaluating Committee Member

\_\_\_\_\_  
Date Signature of Evaluated Faculty Member

(except for Promotion and Tenure Committee use)

**4-12.D STUDENT EVALUATION OF INSTRUCTION**

Indicate the extent in which you agree that the following statements characterize your instructor in this course by checking the appropriate box to the right of the statement.

	SA	A	N	D	SD
<b>1. Prepared for Class</b>					
<b>2. Made clear, understandable class presentations</b>					
<b>3. Explained difficult concepts and techniques and/or demonstrated difficult techniques clearly</b>					
<b>4. Conveyed a willingness to help students outside of class.</b>					
<b>5. Clearly explained the grading system used in the course</b>					
<b>6. Followed stated standards in assigning grades.</b>					
<b>7. Graded and returned tests and other work with reasonable promptness</b>					
<b>8. Challenged students to achieve course objectives.</b>					
<b>9. Acted in a courteous and professional manner.</b>					
<b>10. Encouraged student participation in class</b>					
<b>11. Clearly stated the purposes or objectives of the course</b>					
<b>12. Made a good use of the materials that students were required to purchase.</b>					
<b>13. Stimulated the students' intellectual curiosity</b>					
<b>14. In general, taught the course effectively</b>					

**SA = strongly agree; A = agree; N = no opinion; D = disagree; SD = strongly disagree**

Student classification \_\_\_\_\_

Course number \_\_\_\_\_

Expected course grade \_\_\_\_\_

Course title \_\_\_\_\_

Date \_\_\_\_\_

Professor \_\_\_\_\_

**Please make any additional comments that you have below or on the back.**

**4-12.E Annual Merit Salary Increase Recommendation Form**

Current Academic Year \_\_\_\_\_ Department \_\_\_\_\_

Faculty Member's Name \_\_\_\_\_

Current Professorial Rank \_\_\_\_\_

Number of Years at UNCP (including present year) \_\_\_\_\_

Number of Years in Rank (including present year) \_\_\_\_\_

Overall Recommendation for Merit Salary Increase - Annual merit salary increase recommendation should reflect the faculty members current year performance rating, the UNC Board of Governors' regulations on the dispersal of salary increase monies, and University-wide constraints set by the Provost and Vice Chancellor for Academic Affairs and by the Chancellor.

Performance Rating.

(Check one)

Distinguished

Very Good

Adequate

Deficient

Recommended Merit Salary Increase

(Check one)

High Plus

High

Medium

Low or No Increase

Remarks (optional):

Date

Signature of Department Chair

Date

Signature of Evaluated Faculty Member



**4-12.F Standard Performance Rating Scale**

Faculty Evaluation, The University of North Carolina at Pembroke

This scale is to be used in evaluating each major area of responsibility: teaching, scholarship, and service.

**Distinguished performance** consists of an exceptionally high degree of success in performing the various duties in the area. To earn a rating in this category, the faculty member should demonstrate exceptional creativity and involvement in performing all the responsibilities related to the area, and these efforts should result in a very high level of effectiveness relative to the opportunities available at the University.

**Very good performance** consists of an overall pattern of very substantial success in meeting the highest standards of faculty performance. The faculty member may be consistently very good in all domains or may be outstanding in several domains and only good in others.

**Adequate performance** consists of performance that generally meets minimum standards of faculty performance. This category is also earned when the faculty member is good in some functions and mildly deficient in others so long as the overall contribution to the University is adequate. Any deficiencies lie in secondary domains rather than in those directly impacting on the University's major functions.

**Deficient performance** consists of an overall pattern of success that is below an acceptable minimum.

**4-12.G Department Chair Evaluation Form**

Instructions: This form is for use by a faculty member in evaluating the department chair. The forms are distributed, collected, and assessed by the appropriate Dean and submitted to the Provost. Use the scale given below to rate your opinion of the department chair's performance during the past year. Assign a numeric rating ranging from 5 (excellent) to 1 (unsatisfactory) to each area. Since a rating by itself provides only limited information, you should also write comments in the space provided or on a separate sheet. These comments will be crucial in identifying specific strengths and weaknesses.

Scale: 5 Excellent; 4 Good; 3 Adequate; 2 Needs improvement; 1 Unsatisfactory

I. LEADERSHIP OF TEACHING ACTIVITIES: shows general optimism and enthusiasm toward the department's teaching responsibilities, encourages creativity, diversity, and dedication in teaching; facilitates the development of rigorous yet reasonable teaching standards, fosters the timely development and revision of curricula, discreet and balanced in handling student input; reduces interpersonal tensions and promotes genuine consensus in the area of teaching, innovative and flexible in solving practical problems related to teaching (e.g., printing, scheduling, and utilization of classroom and laboratory resources), inspirational as a model of good teaching, available to confer with faculty on these matters, and democratic in leadership style and the delegation of responsibilities in this area.

Rating\_\_\_\_\_ Comments:

II. LEADERSHIP OF SCHOLARLY ACTIVITIES: provides avenues for recognizing scholarly achievement within the department, promotes tolerance and understanding of different approaches to research within the department, fair in allocating departmental resources to support research, resourceful and cooperative in helping faculty members solve practical problems related to research (including the development of grant proposals), inspirational as a model of scholarly achievement, available to confer with faculty on these matters, and democratic in leadership style and the delegation of responsibilities in this area.

Rating\_\_\_\_\_ Comments:

III. FACULTY EVALUATION: fair in setting aside personal feelings, loyalties, and philosophical considerations in conducting evaluations, reasonable in setting evaluation standards, accurate and thorough in reviewing the details of a faculty member's work, flexible in encouraging individualized patterns of overall achievement, conscientious in using evaluative criteria that are consonant with the guidelines of the Faculty Evaluation Model and the broad parameters of the disciplines represented in the department, diligent in handling the procedural details associated with evaluation, available to confer with faculty on these matters, and democratic in leadership style and the delegation of responsibilities in this area.

Rating\_\_\_\_\_ Comments:

IV. REPRESENTATION OF THE DEPARTMENT: effective in communicating the department's concerns to the administration and the administration's concerns to the department, effective in representing the department to accrediting organizations and to potential students and faculty, diligent and resolute in seeking University resources for the department, stalwart in protecting the department's standards and integrity, and democratic in leadership style and the delegation of responsibilities in this area.

Rating\_\_\_\_\_ Comments:

V. RECRUITMENT OF FACULTY: accurate in assessing the department's short- and long-term needs, diligent in announcing vacancies, processing applications, and meeting legal requirements, flexible in filling positions with the best available candidate, democratic in establishing recruitment procedures and making final decisions, and democratic in leadership style and the delegation of responsibilities in this area.

Rating\_\_\_\_\_ Comments:

**4-12.H Post-Tenure Evaluation Recommendation Form**

Current Academic Year \_\_\_\_\_ Department \_\_\_\_\_

Faculty Member's Name \_\_\_\_\_

Current Professorial Rank \_\_\_\_\_

Number of Years at UNCP \_\_\_\_\_ Number of Years in Rank \_\_\_\_\_

Ranking (check one):

Satisfactory \_\_\_\_\_

Unsatisfactory \_\_\_\_\_

Narrative Justification for Ranking:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Peer Evaluation Committee/Department Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Peer Evaluation Committee Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Peer Evaluation Committee Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Evaluated Faculty Member

**4-12.I Format for Dean's Report for Probationary Year Review**

To: Provost and Vice Chancellor for Academic Affairs

Subject: Reports for Tenure/Promotion

I have read the \_\_\_\_\_ Chair's Report, the Peer Evaluation Committee's Report (and any rebuttals, if provided) and have reviewed any other materials attached to those reports, and I

\_\_\_\_\_ Recommend renewal after the probationary year

\_\_\_\_\_ Do NOT recommend renewal after the probationary year

Additional Comments (if necessary):

\_\_\_\_\_  
Signature, Dean of the College/School of \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Signature, Faculty Member (if needed) \_\_\_\_\_ Date \_\_\_\_\_

Attachments: Chair's Report  
Peer Evaluation Committee Report  
Rebuttals (if any)

**4-12.J Format for Dean’s Recommendation for Annual Salary Increase**

To: Provost and Vice Chancellor for Academic Affairs

Subject: Recommendation for Annual Salary Increase for \_\_\_\_\_

I have read the Chair’s Report, the Peer Evaluation Committee’s Report (and any rebuttals, if provided) and have reviewed any other materials attached to those reports.

\_\_\_\_\_ I agree with the Chair’s recommendation.

\_\_\_\_\_ I do NOT agree with the Chair’s recommendation and recommend the following:

\_\_\_\_\_ High Merit Salary Increase

\_\_\_\_\_ Medium Merit Salary Increase

\_\_\_\_\_ Low Merit Salary Increase

\_\_\_\_\_ No Merit Salary Increase

Additional Comments (if necessary):

\_\_\_\_\_  
Signature, Dean of the College/School of \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Signature, Faculty Member (if needed) \_\_\_\_\_ Date \_\_\_\_\_

Attachments: Chair’s Report  
Rebuttals (if any)

**4-12.K Format for Dean’s Report for Tenure/Promotion**

To: Provost and Vice Chancellor for Academic Affairs

Subject: Reports for Tenure/Promotion of \_\_\_\_\_

I have read the Chair’s Report, the Peer Evaluation Committee’s Report (and any rebuttals, if provided) and have reviewed any other materials attached to those reports, and I

\_\_\_\_\_ Recommend Tenure

\_\_\_\_\_ Recommend Promotion

\_\_\_\_\_ Do NOT recommend Tenure

\_\_\_\_\_ Do NOT recommend Promotion

Additional Comments (if necessary):

\_\_\_\_\_  
Signature, Dean of the College/School of \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Signature, Faculty Member (if needed) \_\_\_\_\_ Date \_\_\_\_\_

Attachments: Chair’s Report  
Peer Evaluation Committee Report  
Rebuttals (if any)

**4-12.L Format for Dean's Report for Post-Tenure Review**

To: Provost and Vice Chancellor for Academic Affairs

Subject: Reports for Post-Tenure Review of \_\_\_\_\_

I have read the Chair's Report, the Peer Evaluation Committee's Report (and any rebuttals, if provided) and have reviewed any other materials attached to those reports.

I evaluate the faculty member's performance as:

\_\_\_\_\_ Satisfactory  
\_\_\_\_\_ Unsatisfactory

Additional Comments (if necessary):

\_\_\_\_\_  
Signature, Dean of the College/School of \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Signature, Faculty Member (if needed) \_\_\_\_\_ Date \_\_\_\_\_

Attachments: Chair's Report  
Peer Evaluation Committee Report  
Rebuttals (if any)



### 4-13 Calendars Of Events For Evaluation

#### 4-13.A Typical Calendar of Events for Annual Evaluations

The events listed below are intended as guidelines only; dates are approximate and may be altered as conditions warrant. Specific policies and procedures are found in the full Faculty Evaluation Plan.

DATE	EVENT OR DOCUMENT
August 14 - April 14	Area Weight Discussion: A faculty member can discuss at any time before submitting the Self-Evaluation Report the area weights to be assigned to specific areas of evaluation.
December	Fall Student Evaluation: All faculty scheduled for student evaluations in the fall semester should conduct these evaluation the last week of class (Section 4-6.B). Department chairs compile Student Evaluation Reports.
April 1-14	Spring Student Evaluation: Faculty scheduled for student evaluations in the spring semester should conduct these evaluations during April 1 to April 14. See Section 4-6.B.3 for discussion of the schedule of student evaluations. The department chair is responsible for compiling a summary of student evaluations.
April 14	Submission of Self-Evaluation Report: A faculty member should submit his or her Self-Evaluation Report to the department chair by April 14 (Section 4-6.A).
April 14 - May 1	Annual Chair's Evaluation Report and Faculty Conference: The department chair will prepare an annual Chair's Evaluation Report for each member of the department, and discuss this report and the Annual Merit Salary Increase Recommendation with the faculty member being evaluated (Section 4-6.C).
Report transmittal + 3 days	Signing and Returning Chair's Evaluation Report: The faculty member has three (3) working days after receipt of chair's evaluation to review the evaluation materials, and to sign and return one copy to the department chair.
Report signing + 10 days	Optional Rebuttal of Chair's Evaluation: The faculty member may submit a rebuttal of the Chair's annual evaluation to the Dean of his or her school or college (Provost and Vice Chancellor for Academic Affairs if the Dean is also the department chair) within 10 days after signing the report when there are areas of disagreement.
May 1	Submission of Chair's Annual Reports: The department chair should submit to the Dean of the respective school or college the annual Chair's Evaluation Report, attaching the faculty member's Self-Evaluation Report, any supporting documentation, Student Evaluation Report, and Annual Merit Salary Increase Recommendation.
May 1-15	Annual Dean's Evaluation Report: The Dean will prepare an annual Dean's Evaluation Report for each member in his or her school or college, and complete the Annual Merit Salary Increase Recommendation for the faculty member being evaluated.

Report transmittal + 3 days	Signing and Returning Dean's Evaluation Report: The faculty member has three (3) working days after receipt of Dean's evaluation to review the evaluation materials, and to sign and return one copy to the Dean.
Report signing + 10 days	Optional Rebuttal of Dean's Evaluation: If the Dean's evaluation disagrees with that of the department chair, the faculty member may submit a rebuttal of the Dean's annual evaluation to the Provost and Vice Chancellor for Academic Affairs within 10 days after signing the report.
May 15	Submission of Dean's Annual Reports: The Dean should submit the annual Dean's Evaluation Report, attaching the faculty member's Self-Evaluation Report, any supporting documentation, Student Evaluation Report, and Annual Merit Salary Increase Recommendation to the Provost and Vice Chancellor for Academic Affairs.
May-August	Faculty Contracts: The Office of the Chancellor should send the next year's contract, and salary increase information, to faculty members by the start of the new academic year.

**4-13.B Typical Calendar of Events for Tenure and/or Promotion**

The events listed below are intended as guidelines only; dates are approximate and may be altered as conditions warrant. Specific policies and procedures are found in the full Faculty Evaluation Plan.

<b>DATE</b>	<b>EVENT OR DOCUMENT</b>
April 1-14	Spring Student Evaluation: Faculty members collect student evaluations (the schedule varies by surname and year).
August 21	Early Review Petition: The faculty member petitions for early review for tenure or promotion, if desired.
September 7	Evaluation Announcement: The department chair notifies the faculty member, the Dean, the Promotion and Tenure Committee (PTC), and the Provost and Vice Chancellor for Academic Affairs of the impending major evaluation.
September 21	Submission of Materials: The faculty member submits materials to the department chair (see Section 4-7.B).
September 30	PEC Formation: The department chair announces the composition of the Peer Evaluation Committee (PEC) and passes candidate's materials to the PEC.
October 7- November 15	External Review Initiation: If desired, external review of the faculty member's scholarly or creative work is initiated by either the faculty member or the PEC (through the department chair).
	Classroom observations: Observations in the candidate's classes are carried out by the department chair and members of the PEC.
	PEC Evaluation: The PEC deliberates on all materials, observations, etc., to reach a recommendation. A report is drafted and the PEC Tenure, Promotion and Renewal Form is completed. The PEC transmits its report to the faculty member.
	Chair's Evaluation: The department chair prepares an independent report and completes the Tenure, Promotion, and Renewal form. The department chair then transmits his or her report to, and confers with, the faculty member.
Report transmittal + 3 days	Faculty Signatures: The faculty member signs the reports from PEC and department chair, acknowledging content but not necessarily agreement.
Report signing +10 days	Optional Rebuttal: The faculty member may submit a rebuttal of the PEC and/or department chair's report, if desired, to the Dean of the faculty member's school or college.
November 15	Report Submission: Department chair and PEC submit reports to the Dean of the relevant school or college. The chair submits the candidate's materials to the relevant Dean. Any minority PEC report is also submitted. The PTC may request, if they desire, a counter rebuttal or corrected report responding to candidate's rebuttal to PEC or department chair report.

December 1	Dean's Evaluation Report for Promotion and Tenure: The Dean will prepare a Dean's Evaluation Report for each faculty member in his or her school or college being considered for promotion or tenure.
Report transmittal+ 3 days	Returning Dean's Evaluation Report: The faculty member has three (3) working days after receipt of Dean's evaluation to review the evaluation materials, and to sign and return one copy to the Dean.
Report signing +10 days	Optional Rebuttal of Dean's Evaluation: If the Dean's evaluation disagrees with that of the department chair or PEC, the faculty member may submit a rebuttal of the Dean's evaluation to the Provost and Vice Chancellor for Academic Affairs within 10 days after signing the report.
January 15	Dean submits the Dean's report, Chair's report, PEC report (including any minority reports and rebuttals), and the candidate's materials to the Promotion and Tenure Committee (PTC).
April 1	Submission of Promotion and Tenure Committee Report: The Dean should submit the Dean's Promotion and Tenure Evaluation Report, attaching all relevant materials, to the Provost and Vice Chancellor for Academic Affairs. Any PTC minority report is also submitted to the Provost and Vice Chancellor for Academic Affairs.
Report transmittal + 10 days	Optional rebuttal to the PTC Report: If the PTC report is unfavorable, the faculty member may, within 10 days of receiving the report, submit a rebuttal to the Provost and Vice Chancellor for Academic Affairs.
May 1	The Provost and Vice Chancellor for Academic Affairs sends his or her recommendation for promotion and/or tenure to the Chancellor.
May	Administrative Report: The Provost and Vice Chancellor for Academic Affairs sends a report of Chancellor's decision, vote of PTC, and other information to candidate.

The faculty member under consideration for tenure and/or promotion is to receive a copy of the various reports as they are submitted. Note that promotion decisions are also reviewed by the UNCP Board of Trustees. Tenure decisions are reviewed by both the UNCP Board of Trustees and by the UNC Board of Governors.

**4-13.C Calendar of Events for one year contract review**

The events listed below are intended as guidelines only; dates are approximate and may be altered as conditions warrant. Specific policies and procedures are found in the full Faculty Evaluation Plan.

<b>DATE</b>	<b>EVENT OR DOCUMENT</b>
September 7	Notification: The department chair notifies the faculty member, the Dean of the relevant school or college, and the Provost and Vice Chancellor for Academic Affairs that the evaluation is to be conducted.
September 21	Submission of Materials: The faculty member presents the department chair with documents required, including the Peer Evaluation Committee (PEC) Nomination Form.
September 30	PEC Formation: The department chair announces make-up of PEC.
October	Student Evaluations: The faculty member collects student evaluations of their courses.
October 7-December 1	Transmittal of Evaluation Materials: The department chair gives the PEC chair the candidate's materials.  Classroom Observations: The department chair and members of PEC carry out classroom observations.  PEC Evaluation: The PEC deliberates on all materials, observations, etc., to reach a recommendation. A report is drafted and the PEC Tenure, Promotion and Renewal Form is completed. The PEC transmits its report to the faculty member.  Chair's Evaluation: The department chair prepares an independent report and completes the Tenure, Promotion, and Renewal form. The department chair then transmits his or her report to, and confers with, the faculty member.
Report transmittal + 3 days	Faculty Signatures: The faculty member signs the reports from PEC and department chair, acknowledging content but not necessarily agreement.
Report signing + 10 days	Optional Rebuttal: The faculty member may submit a rebuttal of the PEC and/or department chair's report, if desired, to the Dean of the faculty member's school or college.
December 1	Report Submission: Department chair and PEC submit reports to the Dean of the relevant school or college. Any minority PEC report is also submitted.
December 15	Report transmittal + 3 days

- Report signing + 10 days      Dean's Evaluation Report: The Dean will prepare a Dean's Evaluation Report for each member in his or her school or college undergoing first- or second-year review, and complete the Dean's Evaluation Report Form for each faculty member being evaluated. Signing and Returning Dean's Evaluation Report: The faculty member has three (3) working days after receipt of Dean's evaluation to review the evaluation materials, and to sign and return one copy to the Dean.
- Optional Rebuttal of Dean's Evaluation: If the Dean's evaluation disagrees with that of the department chair or the PEC, the faculty member may submit a rebuttal of the Dean's evaluation to the Provost and Vice Chancellor for Academic Affairs within 10 days after signing the report when there are areas of disagreement.
- Jan 15      Submission of Dean's Reports: The Dean is to submit the Dean's Evaluation Report, attaching all materials presented, to the Provost and Vice Chancellor for Academic Affairs.
- February 15      Reappointment Decision: Following procedures in the UNCP Tenure Regulations, after conferring with the faculty member's department chair, with the Dean of the faculty member's school or college, and with the PTC, the Provost and Vice Chancellor for Academic Affairs decides whether to reappoint the faculty member recommendation to Chancellor (Section 5-6). The Provost and Vice Chancellor reports the decision to the Chancellor for information.
- Notification of Decision: By Feb 15 of the first year, if the decision is not to reappoint an Assistant or Associate Professor, the Provost and Vice Chancellor for Academic Affairs provides written notice (Section 5-3.B.2, 5-3.B.3, 5-3.B.4.)
- May 15      Notification of Decision: By May 15 of the second year of the probationary appointment, if the decision is not to reappoint Professor, the Provost and Vice Chancellor for Academic Affairs provides written notice (Section 5-3.B.2, 5-3.B.3, 5-3.B.4).

**4-13.D Calendar of Events for Initial Two-Year Contract Review**

The dates listed below should be followed. If the date falls on a day that administrative offices are closed, the deadline will be the first day the offices reopen. Other relevant policies and procedures are found in the full Faculty Evaluation Plan.

<b>DATE</b>	<b>EVENT OR DOCUMENT</b>
September 7	Notification: The department chair notifies the faculty member, the Dean of the relevant school or college, and the Provost and Vice Chancellor for Academic Affairs that the evaluation is to be conducted.
November 15	Submission of Nomination Form: The faculty member submits the Peer Evaluation Committee (PEC) Nomination Form to the department chair.
November 30	PEC Formation: The department chair announces make-up of PEC.
Prior to end of the first semester	Student Evaluations: The faculty member conducts student evaluations of his/her courses. The chair distributes the collated data and typed comments to the faculty member as soon as the faculty member's final course grades have been submitted.
January 20	Submission of Materials: The faculty member submits all required materials to the department chair including the self-evaluation. Part 2, Section C of the self-evaluation should discuss the student data.
February 3	Transmittal of Materials: The department chair meets with the PEC and gives the PEC the candidate's materials. The PEC meets and elects a chair.
February-April 14	Classroom Observations: The department chair and members of PEC carry out classroom observations. If the faculty member is teaching on-line, provisions must be made for observations of online teaching.  PEC Evaluation: The PEC deliberates on all materials, observations, etc., to reach a recommendation. A report is drafted and the PEC Tenure, Promotion and Renewal Form is completed.  Chair's Evaluation: The department chair prepares an independent report and completes the Tenure, Promotion, and Renewal form.
April 15	Reports Conveyed: The PEC and department chair convey their reports to the faculty member.
April 21	Faculty Signatures: The faculty member signs the reports from PEC and department chair, acknowledging content but not necessarily agreement.
April 22	Report Submission: Department chair and PEC submit reports to the Dean of the relevant school or college. Any minority PEC report is also submitted.

- May 1                      Optional Rebuttal: The faculty member may submit a rebuttal of the PEC and/or department chair's report, if desired, to the Dean of the faculty member's school or college.
- August 30                Dean's Evaluation Report: The Dean will prepare a Dean's Evaluation Report for each member in his or her school or college undergoing second year initial review, and complete the Dean's Evaluation Report Form for each faculty member being evaluated. The Dean will convey the Dean's report to the faculty member by August 30.
- September 5             Signing and Returning Dean's Evaluation Report: The faculty member has until this date to review the Dean's evaluation materials, and to sign and return one copy to the Dean.
- September 15            Optional Rebuttal of Dean's Evaluation: If the Dean's evaluation disagrees with that of the department chair or the PEC, the faculty member has until this date to submit a rebuttal of the Dean's evaluation to the Provost and Vice Chancellor for Academic Affairs.
- September 15            Submission of Dean's Reports: The Dean is to submit the Dean's Evaluation Report, attaching all materials presented, to the Provost and Vice Chancellor for Academic Affairs.
- November 1               Reappointment Decision: Following procedures in the UNCP Tenure Regulations, after conferring with the faculty member's department chair, and with the Dean of the faculty member's school or college the Provost and Vice Chancellor for Academic Affairs decides whether to reappoint the faculty member. The Provost and Vice Chancellor reports the decision to the Chancellor for information.
- November 15  
**(This date may not be altered)**      Notification of Reappointment Decision: By November 15 of the second year, if the decision is not to reappoint an Assistant Professor, the Provost and Vice Chancellor for Academic Affairs provides written notice to the faculty member. Per Section 604.A of the UNC Code, "If a decision is not to reappoint, then failure to give timely notice of nonreappointment will oblige the Chancellor to offer a terminal appointment of one academic year."



**4-13.E Calendar of Events for Initial Three-Year Contract Review**

The dates listed below should be followed. If the date falls on a day that administrative offices are closed, the deadline will be the first day the offices reopen. Other relevant policies and procedures are found in the full Faculty Evaluation Plan.

<b>DATE</b>	<b>EVENT OR DOCUMENT</b>
Both semesters of the first year	Student Evaluations: The faculty member conducts student evaluations of his/her courses. The chair distributes the collated data and typed comments to the faculty member after the faculty member's final course grades have been submitted each semester.
September 7 of the second year	Notification: The department chair notifies the faculty member, the Dean of the relevant school or college, and the Provost and Vice Chancellor for Academic Affairs that the evaluation is to be conducted.
September 21	Submission of Materials: The faculty member presents the department chair with documents required, including the Peer Evaluation Committee (PEC) Nomination Form. Part 2, Section C of the self-evaluation should discuss the student data.
September 30	PEC Formation: The department chair announces make-up of PEC.
October 3	Transmittal of Materials: The department chair meets with the PEC and gives the PEC the candidate's materials. The PEC meets and elects a chair.
October –January 14	Classroom Observations: During the fall semester, the department chair and members of PEC carry out classroom observations. If the faculty member is teaching online, provisions must be made for observation of online teaching.
January 15	PEC Evaluation: The PEC deliberates on all materials, observations, etc., to reach a recommendation. A report is drafted and the PEC Tenure, Promotion and Renewal Form is completed.  Chair's Evaluation: The department chair prepares an independent report and completes the Tenure, Promotion, and Renewal form.  Reports Conveyed: The PEC and department chair convey their reports to the faculty member.
January 20	Faculty Signatures: The faculty member signs the reports from PEC and department chair, acknowledging content but not necessarily agreement.
January 21	Report Submission: Department chair and PEC submit reports to the Dean of the relevant school or college. Any minority PEC report is also submitted

February 1	Optional Rebuttal: The faculty member may submit a rebuttal of the PEC and/or department chair's report, if desired, to the Dean of the faculty member's school or college.
February 15	Dean's Evaluation Report: The Dean will prepare a Dean's Evaluation Report for each member in his or her school or college undergoing second-year review, and complete the Dean's Evaluation Report Form for each faculty member being evaluated. The Dean will convey his/her report to the faculty member by February 15.
February 20	Faculty Signature: The faculty member has until this date to review the Dean's evaluation materials, and to sign and return one copy to the Dean.
March 3	Optional Rebuttal of Dean's Evaluation: If the Dean's evaluation disagrees with that of the department chair or the PEC, the faculty member has until this date to submit a rebuttal of the Dean's evaluation to the Provost and Vice Chancellor for Academic Affairs.
March 3	Submission of Dean's Reports: The Dean is to submit the Dean's Evaluation Report, attaching all materials presented, to the Provost and Vice Chancellor for Academic Affairs.
April 1	Reappointment Decision: Following procedures in the UNCP Tenure Regulations, after conferring with the faculty member's department chair and with the Dean of the faculty member's school or college, the Provost and Vice Chancellor for Academic Affairs decides whether to reappoint the faculty member. The Provost and Vice Chancellor reports the decision to the Chancellor for information.
May 15 <b>(This date may not be altered)</b>	Notification of Reappointment Decision: By May 15 of the second year of the probationary appointment, if the decision is not to reappoint an Associate Professor, the Provost and Vice Chancellor for Academic Affairs provides written notice to the faculty member no later than this date.

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**4-13.F Typical Calendar of Events for Post-Tenure Review**

The events listed below are intended as guidelines only; dates are approximate and may be altered as conditions warrant. Specific policies and procedures are found elsewhere in this document and in the full UNCP Faculty Evaluation Model.

<b>DATE</b>	<b>EVENT OR DOCUMENT</b>
April 15	Notification: Department chair notifies faculty member that the post-tenure review process will occur during the following academic year.
Sept. 21	Submission of Materials: The faculty member presents the department chair with the required documents. [In the initial stages of this process, these various materials might be collected from a variety of sources (the faculty member's own copies, copies in the possession of the department chair, and/or copies in the possession of the Office of Academic Affairs).]
Sept. 30	PEC Formation: The department chair announces the composition of the Peer Evaluation Committee (PEC).
Oct. 7	Optional classroom observations (when deemed appropriate) are carried out by department chair and members of the Peer Evaluation Committee.
Nov. 30	PEC report transmitted to faculty member.
Nov. 30	Department chair report transmitted to faculty member.
Report transmittal + 3 days	Faculty member being evaluated signs/dates form from PEC/department chair
Report transmittal + 10 days	[Optional] Faculty member being evaluated submits rebuttal to report(s).
Jan. 15	Provost and Vice Chancellor for Academic Affairs confers with the department chair concerning outcome of evaluation process.
Feb. 15	
March 15	Provost and Vice Chancellor for Academic Affairs gives recommendations to Chancellor.

## **5 UNCP Tenure Policies And Regulations**

(See also Section 12-1, Policy Documents, for the relevant excerpt from The Code.)

### **5-1 Freedom And Responsibility In The University Community**

A. The University of North Carolina at Pembroke is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution therefore supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.

B. The University of North Carolina at Pembroke shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.

C. Faculty and students of this institution shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.

### **5-2 Academic Freedom And Responsibility Of Faculty**

A. It is the policy of The University of North Carolina at Pembroke to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of this institution's academic staff. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with this institution and their position as men and women of learning. They should not represent themselves, without authorization, as spokespersons for The University of North Carolina at Pembroke.

B. The University of North Carolina at Pembroke will not penalize nor discipline members of the faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

### **5-3 Academic Tenure**

#### **5-3.A In General**

Academic tenure refers to the conditions and guarantees that apply to a faculty member's employment. More specifically, it refers to the protection of a faculty member against involuntary suspension or discharge from employment or reduction in rank by The University of North Carolina at Pembroke except upon specified grounds and in accordance with the procedures provided in Section 5-4 and 13-3 and against termination of employment except as provided for in Section 5-6 and 5-7.

Academic tenure for faculty members is intended to secure their academic freedom and to help the institution attract and retain faculty members of high quality. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible under Section 5-6, a conferral of tenure requires an assessment of the faculty member's demonstrated professional competence, potential for future contribution, and institutional needs and resources.

**5-3.B In Relation to Faculty Ranks**

Academic tenure, as herein described, pertains exclusively to the employment of faculty members by appointment to specified faculty ranks. Such appointments may be for fixed terms of appointment, automatically terminable when they expire ("fixed term appointment"); or they may be for probationary terms ("probationary term appointments"); or they may be continuous until retirement, death, or resignation ("appointment with permanent tenure").

The faculty ranks to which appointments may be made and the incidents of academic tenure applicable to each are:

**5-3.B.1 Instructor**

The rank of instructor is appropriate for one who is appointed to the faculty in the expectation that in the normal course he will progress to professional rank in this or another institution but lacks, when appointed, one or more qualifications expected by the University for appointment to professorial rank. When he meets all those qualifications, the faculty member will usually be promoted to assistant professor or given a terminal appointment of one academic year.

The initial appointment to the rank of instructor is for a probationary one-year term. The instructor may be reappointed successively for six one-year terms, a total of seven such terms. At least 90 calendar days before the end of the first term and 180 calendar days before the end of the second consecutive term, the instructor shall receive written notice whether, when his current term expires, he will be reappointed at the rank of instructor for another term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 5-3.B.5, or not reappointed. During the last 180 days of the second consecutive year of employment, the institution may notify the instructor that his employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, an instructor who has not been notified that his employment will be ended in that year as provided in the preceding sentence shall receive a written decision whether, when his current term expires, he will be reappointed to a fourth consecutive term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 5-3.B.5, or offered a terminal appointment for one academic year at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and six consecutive terms. No reappointment to the rank of instructor may be made after seven consecutive years' employment at that rank. The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 5-3.C.

Promotion at any time from the rank of instructor to the rank of assistant professor constitutes an initial appointment to the first two-year term at the latter rank, with the incidents described in Section 5-3.B.2.

**5-3.B.2 Assistant Professor.**

The initial appointment to the rank of assistant professor is for a probationary two-year term. Unless at any point the assistant professor is not reappointed, he will be reappointed one additional two-year term and one three-year term before a decision is made to recommend permanent tenure at the same or higher rank or not to reappoint. At least 180 calendar days before the end of the first two-year appointment, the assistant professor shall receive written notice whether, when his current term expires, he will be reappointed at the rank of assistant professor for an additional two-year term or not reappointed. Before the end of the first year of the second two-year term as assistant professor, the assistant professor

shall receive written notice whether, when his current term expires, he will be reappointed to a three-year term or not reappointed. Before the end of the second year of the three-year term as assistant professor, the assistant professor shall receive written notice whether, when his current term expires, he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment at the same rank for one academic year. The decisions herein required shall be made as provided in 5-3.C.

Promotion at any time from the rank of assistant professor to the rank of associate professor constitutes an initial appointment to the first three-year term at the latter rank, with the incidents described for that term in Section 5-3.B.3.

### **5-3.B.3 Associate Professor**

When a faculty member's initial appointment by the institution is to the rank of associate professor, the appointment is to a probationary term of one three years . Unless at any point the associate professor is not reappointed, he usually will be reappointed to one four-year term before a decision is made to recommend permanent tenure at the same or higher rank or not to reappoint. At least one year before the end of the three-year appointment, the associate professor shall receive written notice whether, when his current term expires, he will be reappointed at the rank of associate professor for a four-year term, or not reappointed. Before the end of the third year of the four-year appointment, the associate professor shall receive written notice whether, when his current term expires, he will be reappointed, with permanent tenure at the same or higher rank or not reappointed.

The failure to offer the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 5-3.C.

A promotion at any time from the rank of associate professor to the rank of professor confers permanent tenure from the effective date of the promotion. Since this promotion confers permanent tenure, it must be approved by the President and the Board of Governors.

### **5-3.B.4 Professor**

An initial appointment by the University to the rank of professor, is for a probationary term of three years. Before the end of the second year of the three-year term, the professor shall receive written notice whether, when his current term expires, he will be reappointed at rank with permanent tenure or not reappointed.

The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment for one academic year. The decisions herein required shall be made as provided in Section 5-3.C.

### **5-3.B.5 Special faculty appointments**

Appointments may be made to fixed-term faculty ranks with title designations "lecturer," "artist in residence," "writer in residence," and any faculty rank designation provided in paragraphs (1) through (4) of this subsection with the prefix-qualifier "adjunct," "clinical," or

"research" under the conditions and with the incidents herein provided. Such an appointment, using any of the foregoing title designations, is appropriate for one who has unusual qualifications for teaching, research, academic administration, or public service, but for whom neither the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

Initial appointments may be for a fixed term of from one to three years. Subsequent appointments to fixed terms of one to five years' duration may be made either in direct succession or at intervals. Each is considered an initial appointment. No obligation exists on the part of The University of North Carolina at Pembroke to give any notice, other than statement of the length of appointment in the appointment contract, before a current term expires as to whether appointment will be offered for a succeeding term. The Provost and Vice Chancellor for Academic Affairs, upon the faculty member's written request made not earlier than 180 calendar days nor later than 90 calendar days before his current term expires, shall, as a matter of professional courtesy, within 20 calendar days after he receives the request give the faculty member a written statement as to whether the University would like to negotiate a new appointment with the faculty member and, if so, the proposed terms. Failure to communicate a decision shall not affect or replace the notice of nonreappointment deemed to have been made with the original appointment contract and shall not constitute a new determination of nonreappointment or an offer..

The decisions herein required shall be made as provided in Section 5-3.C.

### **5-3.C General Provisions**

#### **5-3.C.1 Initiation, review, and approval of appointments, promotions, and reappointments**

Each initial appointment to a fixed or probationary term, each promotion in rank, each reappointment to a fixed term, and each reappointment of an instructor, assistant professor, associate professor, or professor, whether or not the reappointment recommends the conferral of permanent tenure, shall be initiated by recommendation of the Provost and Vice Chancellor for Academic Affairs after consulting with the chair of the department<sup>1</sup> concerned and the Committee on Promotion and Tenure (See Appendix A for the composition of this committee.) The Provost and Vice Chancellor for Academic Affairs' recommendation shall be sent to the Chancellor. If the Provost and Vice Chancellor decides the faculty member should not be reappointed, promoted, or recommended for permanent tenure, he shall give the faculty member being considered a simple, unelaborated, written statement of that decision.

If the Chancellor decides not to recommend reappointment, promotion or permanent tenure, he shall give the faculty member being considered a simple, unelaborated, written statement of the decision. This decision is final except as it may later be reviewed in accordance with the provisions of Section 5-6. If the Chancellor concurs in a recommendation that will confer permanent tenure, he shall consult with the Board of Trustees and, unless dissuaded, forward the recommendation to the President and Board of Governors for final approval. All other favorable recommendations by the Chancellor in regard to appointments, reappointments, and promotions

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<sup>1</sup>"Department" is used herein as a generic term for departments or any other academic units to which faculty appointments are made; "chair" is a generic term for department chair or any other heads of academic units to which faculty appointments are made.

shall be forwarded by him to the Board of Trustees for final approval unless that Board delegates the authority to give final approval.

### **5-3.C.2 Decisions not to reappoint when probationary terms expire**

The decision not to reappoint when a probationary term appointment as instructor, assistant professor, associate professor, or professor expires shall be made by the Provost and Vice Chancellor for Academic Affairs, after consulting with the chair of the department concerned and the Committee on Promotion and Tenure. Each such decision shall be communicated for information to the Chancellor. The decision shall be final except as it may later be reviewed in accordance with the provisions of Section 5-5.

### **5-3.C.3 Early promotion and tenure**

Nothing in these regulations shall be construed to preclude a faculty member from being recommended for permanent tenure and/or promotion at any time.

### **5-3.C.4 Tenure Consideration for Newly-Hired Faculty and Administrators**

When a tenured distinguished faculty member or senior academic administrator (department chairs, deans, associate vice chancellors, and provosts) who requests a faculty appointment is being considered for a position at UNCP, tenure can be conferred upon hiring. In such exceptional cases, before a contract is offered, the Provost and Vice Chancellor for Academic Affairs submits the portfolio of the candidate to the appropriate department for consideration of tenure. After careful consideration, the department chair and faculty make a recommendation to the appropriate dean, who in turn makes a recommendation to the Provost for or against tenure in that department. It is expected that the Provost and the Chancellor would abide by these recommendations except in extraordinary circumstances.

### **5-3.C.5 Visiting faculty members**

Persons other than regular members of the faculty may be appointed as visiting members of the faculty with rank designations, prefixed by the word "visiting," appropriate to their status in their regular employment. Such appointments shall be for a term of not more than one year. The term of the appointment shall be set forth in writing when the appointment is made, and the specification of the length of the appointment shall be deemed to constitute full and timely notice of no reappointment when that term expires. One successive appointment for a term of not more than one year may be made. Appointments are made in accordance with the procedures for appointing an instructor, except that The University of North Carolina at Pembroke has no obligation to give notice before a current term expires whether an appointment will be offered for a second term. During his term of appointment, a visiting faculty member may not be suspended or discharged except upon the grounds and by the procedures provided in 5-4 and 13-3.

### **5-3.C.6 Terms and conditions of appointments**

The terms and conditions of each initial appointment and of each reappointment to the faculty shall be set out in writing. A copy of the terms, signed by the Chancellor, shall be delivered to the faculty member, and the Chancellor shall retain a copy. The general terms and conditions of such appointments, including those provided herein, shall be either set out in the document of appointment or incorporated therein by clear reference to specified documents that shall be readily available to the faculty member.



Any special terms and conditions shall be clearly stated in the written appointment. Except as herein provided, no special terms or conditions may be included that vary the general terms and conditions stated herein. The Provost and Vice Chancellor for Academic Affairs shall be responsible for initiating the inclusion of special terms and conditions in documents of appointment.

#### **5-3.C.6(a) Continued availability of special funding**

The appointment, reappointment, or promotion of a faculty member to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the faculty member's services, whether for a specified term or for permanent tenure, shall be contingent upon the continuing availability of such funds. This contingency shall not be included in a faculty member's contract in either of the following situations:

- (1) In a promotion to a higher rank if, before the effective date of that promotion, the faculty member had permanent tenure and no such condition is attached to the tenure.
- (2) If the faculty member held permanent tenure in the institution on 1 July 1975 and his contract was not then contingent upon the continuing availability of sources other than continuing state budget or permanent trust funds.

#### **5-3.C.6(b) Provisions for less than full-time employment**

Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specific period, may be included in an appointment or reappointment to any faculty rank or may be added by a written memorandum of amendment during the term of an appointment. For compassionate reasons of health, or requirements of childbirth or child care, or similar compelling reasons, such terms may, with the concurrence of the faculty member, include extensions of the period of a current probationary term of appointment to coincide with the extent and duration of the relief from the full-time employment obligation. Such special terms must be expressly stated in initial appointment documents or, if added by memorandum of amendment, must be approved by signature of the Chancellor and the faculty member, with a copy to be retained by each. Except as may be otherwise expressly provided in the document of appointment, all appointments to any faculty rank are on the basis of a full-time employment obligation and confer the full incidents of academic tenure pertinent to the particular appointment.

These provisions shall not apply to informal temporary adjustment of the regularly assigned duties of faculty members by the department chair who is responsible for their direct supervision or to the University's granting of extended leaves of absence with or without compensation.

#### **5-3.D Resignation**

A faculty member shall give prompt written notice of his resignation with its effective date to the Chancellor and to the Provost and Vice Chancellor for Academic Affairs. When possible, the faculty member should give at least 90 days' notice of his resignation.

#### **5-4 Faculty Hearing Committee**

The Faculty Hearing Committee considers requests for hearings concerning discharge or the imposition of serious sanctions. (Section 5-5), nonreappointment (Section 5-6) or termination

of employment (Section 5-7). A complete description of the membership, elections, and procedures of the Faculty Hearing Committee is in Section 13-3, Adjudicatory Bodies and Procedures in this Handbook.

### **5-5 Due Process Before Discharge Or The Imposition Of Serious Sanctions**

A. A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees, the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty.<sup>2</sup> These penalties may be imposed only in accordance with procedures prescribed in this section. For purposes of these regulations, a faculty member serving a stated term shall be regarded as having tenure until the end of that term. These procedures shall not apply to nonreappointment (Section 5-5) or termination of employment (Section 5-7).

B. The Chancellor or his delegate shall send the faculty member by registered mail (return receipt requested) a written statement of intention to discharge him. The statement shall include notice of the faculty member's right, upon request, to both written specification of the reasons for the intended discharge and a hearing by the Faculty Hearing Committee. (See Section 13-3, Adjudicatory Bodies and Procedures, for the composition of this committee.)

C. If, within ten days<sup>3</sup> after the faculty member receives the notice referred to in paragraph B above, the faculty member makes no written request for either a specification of reasons or a hearing, he may be discharged without recourse to any institutional grievance or appellate procedure.

D. If, within ten days after he receives the notice referred to in paragraph B above, the faculty member makes written request, by registered mail (return receipt requested) for a specification of reasons, the Chancellor or his delegate shall supply such specification in writing by registered mail (return receipt requested) within ten days after receiving the request. If the faculty member makes no written request for a hearing within ten days after he receives the specification, the faculty member may be discharged without recourse to any institutional grievance or appellate procedure.

E. If the faculty member makes a timely written request for a hearing, the Chancellor or his delegate shall insure that the hearing is accorded before the Hearing Committee. The hearing shall be on the written specifications of the reasons for the intended discharge. The Hearing

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<sup>2</sup>Retirement for reason of disability shall be in accordance with North Carolina statutes and regulations governing retirement for faculty who are members of the state retirement system. A faculty member who is not a member of the state retirement system and who is mentally or physically disabled, but refuses to retire, may be discharged because of that disability only in accordance with the procedures of this section.

<sup>3</sup>Whenever it is used in Sections 5-4, 5-5, and 5-6, except where calendar day is specified, the word "day" shall mean any day except Saturday, Sunday, or any institutional holiday. In computing any period of time, the day on which notice is received is not counted, but the last day of the period being computed is to be counted.

Committee shall accord the faculty member twenty days from the time it receives his written request for a hearing to prepare his defense. The Hearing Committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member.

F. The hearing shall be closed to the public unless the faculty member and the Hearing Committee agree that it may be open. The faculty member shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. A written transcript of all proceedings shall be kept; upon request, a copy thereof shall be furnished to the faculty member at the institution's expense.

G. The Chancellor, or his delegate or counsel, may participate in the hearing to present evidence, cross-examine witnesses, and make argument.

H. In reaching decisions on which its written recommendations to the Chancellor shall be based, the Hearing Committee shall consider only the evidence presented at the hearing and such written and oral arguments as the Hearing Committee, in its discretion, may allow. The Hearing Committee shall make its written recommendations to the Chancellor within ten days after its hearing concludes.

I. If the Chancellor concurs in a recommendation of the Hearing Committee that is favorable to the faculty member, the Chancellor's decision shall be final. If the Chancellor either declines to accept a Hearing Committee recommendation that is favorable to the faculty member or concurs in a Hearing Committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the Chancellor's decision to the Board of Trustees. This appeal shall be transmitted through the Chancellor and be addressed to the Chair of the Board of Trustees. Notice of such appeal shall be filed within ten days after the faculty member receives the Chancellor's decision. The appeal to the Board of Trustees may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members of the Board of Trustees. The Board of Trustees, or its committee, shall consider the appeal on the written transcripts of hearings held by the faculty Hearing Committee, but it may, in its discretion, hear such other evidence as it deems necessary. The Board of Trustees' decision shall be made within forty-five days after the Chancellor has received the faculty member's request for an appeal to the Board of Trustees. The Board of Trustees' decision shall be final except that the faculty member may, within ten days after receiving the Board of Trustees' decision, file a written petition for review with the Board of Governors if he alleges that one or more specified provisions of The Code of The University of North Carolina have been violated. All such petitions to the Board of Governors shall be transmitted through the President of The University of North Carolina, and the Board of Governors shall, within forty-five days, grant or deny the petition or take such other action it deems advisable. If it grants the petition for review, the Board of Governors' decision shall be made within forty-five days after it has notified the faculty member that it will review the petition.

J. When a faculty member has been notified of the institution's intention to discharge him, the Chancellor may suspend him at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be exceptional and shall be with full pay.

## 5-6 Nonreappointment Of Faculty Members On Probationary Term Appointments

### A. Permissible and Impermissible Grounds for Nonreappointment

The decision whether to reappoint a faculty member when a probationary term of appointment expires may be based on any factor considered relevant to the total institutional interests, but it must consider the faculty member's demonstrated professional competence, his potential for future contributions, and institutional needs and resources. These considerations may form, in whole or in part, the basis of the ultimate decision, except that a decision not to reappoint may not be based upon (1) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's race, sex, religion, national origin, age, disability, or honorable service in the armed services of the United States; or (3) personal malice.

**Definition of “personal malice”:** As used in *The Code*, the term “personal malice” means dislike, animosity, ill-will or hatred based on personal characteristics, traits or circumstances of an individual that are not relevant to valid University decision making. While the terms “ill-will,” “dislike,” “hatred” and “malevolence” may connote different degrees of antipathy, such distinctions make no difference in applying the fundamental rationale of the prohibitions. Any significant degree of negative feeling toward a candidate based on irrelevant personal factors, regardless of the intensity of that feeling, is an improper basis for making decisions.

### B. Conference with Provost and Vice Chancellor for Academic Affairs

Within five days after receiving a written notice of nonreappointment a faculty member may request in writing a private conference with the Provost and Vice Chancellor for Academic Affairs<sup>4</sup> to discuss the reasons for nonreappointment. This request shall be granted and the conference held forthwith, within five days after receipt of the request if possible. Within five days after the conference, the Vice Chancellor shall give the faculty member a simple, unelaborated, written statement whether the original decision remains in effect.

### C. Request for Review by Hearing Committee

Within ten days after receiving the Provost and Vice Chancellor's statement, the faculty member may request that the Hearing Committee review the decision. This review is limited solely to determining whether the decision not to reappoint was based on any of the grounds stated to be impermissible in Section 5-6 above or whether the procedure followed to reach the decision materially deviated from prescribed procedures such that doubt is cast on the integrity of the decision not to reappoint. The request for review shall be written and addressed to the chair of the Hearing Committee, with a copy to the Provost and Vice Chancellor for Academic Affairs. It shall specify the grounds upon which the faculty member contends that the decision was impermissibly based and each manner in which the faculty member contends that the procedure to determine whether to reappoint deviated materially from prescribed procedures, with a short, plain statement of the facts that he believes supports the contention. Such a request constitutes on the faculty member's part:

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<sup>4</sup>If the initial decision not to reappoint is made by the Chancellor or Board of Trustees, the faculty member who is not to be reappointed may seek review of that decision in accordance with the procedure set out in Section 501 C(4) of The Code of The University of North Carolina.

- (1) A representation that he can support his contention by factual proof.
- (2) An agreement that the institution may offer in rebuttal of his contention any relevant data within its possession.

The Hearing Committee shall consider the request. A denial of the request finally confirms the decision. The Hearing Committee shall grant a hearing if it determines that:

- (1) The request contains a contention that the decision was
  - (a) impermissibly based under these policies and regulations or
  - (b) reached using a procedure that deviated materially from those prescribed ;
 and
- (2) The facts suggested, if established, will support the contention.

If the request is granted, a hearing shall be held within ten days after the request is received. The faculty member shall be given at least five days' notice of the hearing.

D. Conduct of the Hearing

The hearing shall be conducted informally. Only the members of the Hearing Committee, the faculty member, the Provost and Vice Chancellor for Academic Affairs, the department chair, and such witnesses as may be called may attend, except that the faculty member and the Provost and Vice Chancellor may be accompanied by a person of their choosing, which person shall not actively participate in the hearing. A quorum for the hearing is a simple majority of the total committee membership. Committee members who hold an appointment in the faculty member's department, who will testify as witnesses, or who have any other conflict of interest are disqualified. All testimony and other evidence received by the Hearing Committee must be preserved in a form that will permit its later review by the parties to the proceeding, the Chancellor, and if appealed, the Board of Governors. A professional court reporter or a similarly reliable means (such as a tape recording of good quality) should be used to enable the production of a verbatim written transcript of the hearing and properly to maintain a record of the documents received by the Hearing Committee. Any such record is a part of the personnel inquiry and must be treated with appropriate confidentiality. Only the immediate parties to the controversy, the responsible administrators and attorneys, and the members of the University governing boards, and their respective committees and staffs, are permitted access to such materials. Upon request, a copy of the transcript of the proceedings shall be provided to the faculty member at the institution's expense.

The Hearing Committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers relevant, fair and reliable. All witnesses may be questioned by the committee members, the faculty member, the Provost and Vice Chancellor for Academic Affairs, or the department chair, or by the representatives of the faculty member or Provost and Vice Chancellor. Except as herein provided, the conduct of the hearing is under the Hearing Committee chair's control.

E. Hearing Procedure

The hearing shall begin with the faculty member's presentation of contentions, which shall be limited to those grounds specified in the request for a hearing and supported by such

proof as the faculty member desires to offer. When the faculty member has concluded this presentation, the Hearing Committee shall recess to consider whether a prima facie case has been established. If the Committee determines that the contention has not been so established, it shall so notify the parties to the hearing and thereupon terminate the proceedings. Such termination confirms the decision not to reappoint. If the Committee determines that rebuttal or explanation is desirable, it shall so notify the parties and the hearing shall proceed. The Provost and Vice Chancellor for Academic Affairs shall then present in rebuttal of the faculty member's contentions, or in general support of the decision not to reappoint, such testimony or documentary proofs as he desires to offer, including his own testimony.

At the end of such presentation, the Hearing Committee shall consider the matter in executive session. The burden is upon the aggrieved faculty member to satisfy the Hearing Committee by a preponderance of the evidence that his contentions are true.

F. Procedure after Hearing

If the Hearing Committee determines that the faculty member's contentions have not been established by a preponderance of the evidence, it shall, by a simple, unelaborated statement, so notify him, the Provost and Vice Chancellor for Academic Affairs, and the department chair. Such a determination confirms the decision not to reappoint. If the Hearing Committee determines that the faculty member's contentions have been satisfactorily established, it shall so notify him, the Provost and Vice Chancellor for Academic Affairs, and the department chair by a written notice that shall also include a recommendation for corrective action by the Provost and Vice Chancellor for Academic Affairs.

Within five days after receiving such a recommendation, the Provost and Vice Chancellor for Academic Affairs shall notify the faculty member and the Chair of the Hearing Committee what modification, if any, he will make with respect to the original decision not to reappoint.

If the Provost and Vice Chancellor for Academic Affairs fails to make a recommended modification in the original decision, the Hearing Committee chair shall submit a written report to the Chancellor containing the Committee's findings and recommendation and what it considers to be appropriate action by the Chancellor to resolve the matter.

G. The Chancellor's Decision

The Chancellor shall base his or her decision on the recommendation of the Faculty Hearing Committee and the record from the Faculty Hearing Committee hearing. The Chancellor may, in his or her discretion, consult with the Faculty Hearing Committee, in person or in writing, before making a decision.

The Chancellor shall notify the faculty member and relevant administrators of the Chancellor's decision in writing and shall send the notice of decision to the faculty member by registered mail (return receipt requested). The Chancellor's notice to the faculty member of the decision must inform the faculty member: (1) that the faculty member may appeal the chancellor's decision by filing a written notice of appeal with the Board of Governors by submitting such notice to the President of The University of North Carolina by certified mail, return receipt requested, or by another means that provides proof of delivery, within ten (10) days after the faculty member's receipt of the Chancellor's decision, (2) that a simple written notice of appeal with a brief statement of its basis is all that is required within the ten-day period and, (3) that, thereafter, a detailed schedule for the submission of relevant documents will be established if such notice of appeal is received in a timely manner.

#### H. Appeal to the Board of Governors

An appeal to the Board of Governors is intended only to determine if the campus-based process or decision had material procedural errors, was clearly erroneous, or was contrary to controlling law or policy. The Board of Governors will exercise jurisdiction under Section 604 D of *The Code* in a manner that assures that primary focus will be on the integrity of campus procedures. Additional guidance regarding appeals to the Board of Governors of tenure, reappointment, and promotion decisions is found in Section 101.3.1 of the Administrative Manual of the Office of the President.

The first step in any appeal to the Board of Governor will be an evaluation by the Board, through a designated subcommittee, of the faculty member's written statement of grounds for appeal to determine whether the issues sought to be raised warrant Board attention, as judged by the three basic standards set out in Administrative Manual. If not, the Board may dismiss the appeal without further proceedings.

If the faculty member has made allegations that are sufficient to invoke the jurisdiction of the Board of Governors, and if the Board of Governors finds material errors in the campus decision, the case may be remanded to the campus for a new or supplemental grievance inquiry. The remedy available on appeal is never an award by the Board of Governors of the conferral of tenure, reappointment or promotion, absent a positive recommendation from UNCP.

## **5-7 Termination Of Faculty Employment**

### **5-7.A General**

The employment of any faculty member may be terminated by The University of North Carolina at Pembroke because of (1) demonstrable, bona fide institutional financial exigency, or (2) major curtailment or elimination of a teaching, research, or public service program. Financial exigency is defined as a significant decline in institutional financial resources that is brought about by decline in institutional enrollment or by other action or events that compel a reduction of the institution's current operating budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public service program shall be made by the Chancellor, after consulting with academic administrative officers and faculties as required by Section 5-7.B below. This determination is subject to concurrence by the President of The University of North Carolina and approval by the Board of Governors of The University of North Carolina. If the financial exigency or curtailment or elimination of a program is such that the institution's contractual obligation to a faculty member cannot be met, the employment of the faculty member may be terminated in accordance with Section 5-7.C below.

### **5-7.B Consultation with Faculty and Administrative Officers**

When it appears that the institution will experience an institutional financial exigency or when it is considering a major curtailment in or elimination of a teaching, research, or public service program, the Chancellor shall first seek the advice and recommendations of the academic administrative officers and faculties of the departments or other units that might be affected.

## **5-7.C Termination Procedure**

### **5-7.C.1 Considerations in determining whose employment is to be terminated**

In determining which faculty member's employment is to be terminated for the reasons set forth in 5-7.A above, consideration shall be given to tenure status, years of service to the institution, and other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program consistent with the functions and responsibilities of the institution.

### **5-7.C.2 Timely notice of termination**

a. When a faculty member's employment is to be terminated because of financial exigency, the institution shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources, to give the same notice as set forth in Section 605 B(1) of The Code of The University of North Carolina.

b. When a faculty member's employment is to be terminated because of major curtailment or elimination of a teaching, research, or public service program and such curtailment or elimination of program is not founded upon financial exigency, the faculty member shall be given timely notice as set forth in Section 605 B (1) of The Code of The University of North Carolina..

### **5-7.C.3 Type of notice to be given**

The Chancellor or his delegate shall send the faculty member whose employment is to be terminated a written statement of this fact by registered mail (return receipt requested). This notice shall include a statement of the conditions requiring termination of the faculty member's employment; a general description of the procedures followed in making the decision; a disclosure of pertinent financial or other data upon which the decision was based; a statement of the faculty member's right, upon written request, to a reconsideration of the decision by the Hearing Committee if the faculty member alleges that the decision to terminate him rather than another faculty member was arbitrary or capricious; and a copy of this procedure on termination of employment.

### **5-7.C.4 Termination if reconsideration not requested**

If, within ten days after the faculty member receives the notice required by Section 5-7.C.2 and 5-7.C.3 above, he makes no written request for a reconsideration hearing, his employment will be terminated at the date specified in the notice given pursuant to Section 5-7.C.3 above, and without recourse to any institutional grievance or appellate procedure.

### **5-7.C.5 Request for reconsideration hearing**

Within ten days after receiving the notice required by Section 5-7.C.3 above, the faculty member may request by registered mail (return receipt requested) a reconsideration of the decision to terminate his employment if he alleges that the decision was arbitrary or capricious. The request shall be submitted to the Chancellor. It shall specify the grounds upon which the faculty member contends that the decision to terminate his employment was arbitrary or capricious and include a short, plain statement of facts that the faculty member believes supports the contention. Submission of such a request shall constitute on the faculty member's part:

- (l) A representation that he can support his contention by factual proof.



- (2) An agreement that the institution may offer in rebuttal of his contention whatever relevant data it may have.

#### **5-7.C.6 Jurisdiction of reconsideration committee**

If the faculty member whose employment is to be terminated makes a timely written request for reconsideration of the decision, the Chancellor or his delegate shall insure that the hearing is accorded before the Faculty Hearing Committee. (See Section 13-3 for the composition of this committee.) The Hearing Committee's reconsideration shall be limited solely to a determination of the contentions made in the faculty member's request for reconsideration hearing shall be held promptly, but the Hearing Committee shall accord the faculty member five days from the time it receives the request for a hearing to prepare for it.

#### **5-7.C.7 Conduct of hearing**

The hearing shall be conducted informally and shall be closed to the public. The faculty member and the Chancellor shall have the right to have legal counsel present but counsel may not actively participate in the hearing. The faculty member and the Chancellor shall have the right to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. To the extent possible without violating the rights of any other employees to have UNCP maintain the confidentiality of certain of said employees' personnel records, the faculty member and the Hearing Committee shall be given access, upon request, to The University of North Carolina at Pembroke documents that were used in making the decision to terminate the faculty member after the decision was made that some faculty members' employment must be terminated. At the faculty member's request, a transcript of the proceedings shall be given the faculty member at the institution's expense.

The Hearing Committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers relevant, fair and reliable. All witnesses may be questioned by committee members. The Hearing Committee may consider only whether the selection of the faculty member for termination, with regard to other faculty members, was arbitrary or capricious. Its jurisdiction does not extend to a reconsideration of whether a financial exigency exists or a teaching, research, or public service program should be curtailed or eliminated. Except as herein provided, the conduct of the hearing is under the control of the Hearing Committee chair.

A quorum for purposes of the hearing is a simple majority of the total membership of the Hearing Committee. No one shall serve on the Hearing Committee who holds an appointment in the faculty member's department, who participated directly in the decision to terminate him, or who has any other substantial conflict of interest.

#### **5-7.C.8 Hearing procedure**

The hearing will begin with the faculty member's presentation of contentions, limited to those grounds specified in the request for a hearing and supported by such proof as he desires to offer. The Chancellor or his representative may then present in rebuttal of the faculty member's contentions, or in general support of the decision to terminate the faculty member's employment, such testimonial or documentary proofs as he desires to offer, including his own testimony.

After opportunity for cross-examination by both parties, the Hearing Committee shall consider the matter in executive session and shall make its written recommendations to the Chancellor within ten days after the hearing concludes.

#### **5-7.C.9 Procedure after hearing**

If the Hearing Committee determines that the contentions of the faculty member have not been established, it shall, by a simple, unelaborated statement, so notify the faculty member and the Chancellor. The faculty member may then appeal the decision to terminate his employment to the UNCP Board of Trustees pursuant to Section 605 of *The Code* of The University of North Carolina.

If the Hearing Committee determines that the faculty member's contentions have been satisfactorily established, it shall notify the faculty member and the Chancellor by written notices.

Within ten days after receiving the written notice that concludes that the faculty member's contentions have been satisfactorily established, the Chancellor shall send written notice to the faculty member and the chair of the Hearing Committee what modifications, if any, the Chancellor will make with respect to the original decision to terminate the faculty member's employment. If the Chancellor fails to reverse the original decision, the faculty member may appeal the termination to the UNCP Board of Trustees in the manner provided by Section 605 of *The Code* of The University of North Carolina. If the Chancellor concurs in the conclusion of the Hearing Committee that is favorable to the faculty member, the Chancellor's decision is final.

#### **5-7.C.10 Time limits on appeals under 605 of the Code**

If the line of appeal as prescribed by Section 605 C (6) is from the Chancellor to the UNCP Board of Trustees.

A grievant dissatisfied with the Chancellor's disposition of his grievance must file written notice of appeal with the UNCP Board of Trustees, by submitting such notice to the Chancellor, within 10 days after the grievant's receipt of the Chancellor's decision by registered mail (return receipt requested). If the Board of Trustees agrees to consider the appeal, it will do so on a schedule established by the Chancellor, subject to any instructions received from the committee of the Board of Trustees that has jurisdiction of the subject matter of the grievance. The Board of Trustees will issue its decision within 90 days after receipt of the notice of appeal; provided, that if the grievant fails to comply with the schedule established for perfecting and processing the appeal and thereby precludes a decision within 90 days, the Board of Trustees in its discretion may extend the period for decision or it may dismiss the appeal..

(In each instance used, in Section 5-7.C.10., the term "days" shall mean consecutive calendar days.) Adopted September 14, 1984; amended June 14, 1985 and \_\_\_\_\_, 2003, by the Board of Governors.

#### **5-7.D Institutional assistance to employees who are terminated**

The institution, when requested in writing by an employee whose employment has been terminated, shall give him reasonable assistance in finding other employment.

#### **5-7.E First right of refusal of new position**

For two years after the effective termination date of a faculty member's contract for any of the reasons specified in Section 5-7.A, the institution shall not replace the faculty member

without first offering the position to the person whose employment was terminated. The offer shall be made by registered mail (return receipt requested) to the last address given by the faculty member. The faculty member will be given thirty calendar days after the notice is received to accept or reject the offer.

### **5-8 Retirement Of Faculty**

Each member of the faculty may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes ("Retirement System of Teachers and State Employees"). [See also Phased Retirement procedures and documents in Section 0, Policy Documents].

### **5-9 Effective Date**

These policies and regulations supersede all other institutional documents governing the matters covered herein and they shall become operative (with respect to all existing as well as future faculty appointments) on the effective date, which shall be the date 28 calendar days after the day on which these policies and regulations have been approved by the President and the Board of Governors of The University of North Carolina.

A. Faculty members who, upon the effective date, have been serving at the rank of instructor for seven or more years, shall be appointed on July 1, 1976, to a fixed term rank as authorized by 5-3, promoted to the two-year term as assistant professor, recommended for permanent tenure at the rank of assistant professor, or offered a terminal appointment of one academic year. This decision shall be made in accordance with the procedure of Section 5-3.

B. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of assistant professor for fewer than two years shall be appointed on July 1, 1976, to the second two-year term as assistant professor unless they are not reappointed in accordance with Section 5-3. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of assistant professor for two or more years shall be appointed on July 1, 1976, to the third two-year term as assistant professor, recommended for permanent tenure at the rank of assistant professor, promoted to associate professor with or without a recommendation for permanent tenure, or offered a terminal appointment of one academic year. These decisions shall be made in accordance with the procedure of Section 5-3.

C. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of associate professor for fewer than two years shall be appointed on July 1, 1976, to the first three-year term as associate professor unless they are not reappointed in accordance with Section 5-3. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of associate professor for two or more years shall be appointed on July 1, 1976, to the second three-year term as associate professor, recommended for permanent tenure at the rank of associate professor, promoted to professor, or offered a terminal appointment of one academic year. These decisions shall be made in accordance with the procedure of Section 5-3.

D. Faculty members who, upon the effective date, have been serving at the rank of professor without permanent tenure shall be appointed on July 1, 1976, to the three-year term as professor, recommended for permanent tenure, or offered a terminal appointment of one academic year. This decision shall be made in accordance with the procedure of Section 5-3.

E. The provisions of Section 5-5 shall apply, not only with respect to those to whom notices of nonreappointment are given after the effective date, but also with respect to those to whom

such notices have been given within the period of 60 calendar days next preceding the effective date. Instructors, assistant professors, associate professors, and professors to whom notices of nonreappointment have been given within the period of 60 calendar days next preceding the effective date shall have 20 calendar days after the effective date within which to initiate the procedures for review provided in Section 5-5.

F. The provisions of Section 5-8 shall apply with respect to all those who, upon the effective date, have attained normal retirement age and are in continued terms of employment, as well as to those who attain normal retirement age after the effective date.

G. Revision of Section 5-7.A and 5-7.B shall be effective on July 1, 1982, upon approval of the President of The University of North Carolina acting on behalf of the Board of Governors as provided in a resolution of the Board of Governors adopted March 12, 1982.

These Tenure Regulations were approved by the Board of Governors of The University of North Carolina and became effective on February 13, 1976.

## **5-10 Policy For Promotion Of Nondoctoral Faculty**

(Approved by The University of North Carolina at Pembroke Faculty Senate on May 6, 1987)

### **5-10.A General Introduction**

Persons holding the master's degree as their highest earned degree shall not be automatically entitled to consideration for promotion to or within professorial rank. Such persons may, however, where they can present substantial evidence of comparable professional distinction, petition for promotion to or within professorial rank. Comparable professional distinction is understood herein to mean the functional equivalent of a terminal degree in the petitioner's discipline or field. In no case shall length of service to the University or teaching competence qualify as evidence of comparable professional distinction. While these items might constitute considerations to be taken into account within the structure of any promotion decision, they do not constitute a means of qualifying for promotion consideration on the basis of comparable professional distinction. For promotion purposes, a Master of Fine Arts degree may be considered a terminal degree in lieu of a doctorate in the appropriate creative and performance areas. For promotion purposes, additional individual consideration may be given to the Master of Social Work degree (recognized as the terminal practice degree) combined with membership to the Academy of Certified Social Workers or NC State License/Certification in appropriate area of practice and the Master of Business Administration degree combined with the Certified Public Accounting License.

### **5-10.B Criteria for Comparable Professional Distinction**

a. Evidence of outstanding academic/professional accomplishment. This would include a history of being a contributing and exceptional member of an academic discipline. Items to be considered in this regard include a record of publication, artistic productivity in studio or performing arts, as well as exceptional professional accomplishment in fieldwork relevant to the academic discipline.

b. Evidence of continuing professional development. There must be a strong record of involvement in professional activity. Presentation of conference papers, conference attendance, symposium participation, and any other activity, exhibit, or show where one's work product is subject to professional peer review may be considered.

- c. Evidence that one has a reputation as a respected scholar/ professional among peers.
- d. Demonstration of how evidence compiled with respect to items a, b, and c above may combine to justify the petitioner's claim to have attained, by virtue of outstanding accomplishment, the functional equivalent of a terminal degree in his/her discipline or field.

### **5-10.C Procedure**

Any person wishing to be considered for promotion to or within professorial rank on the basis of comparable professional distinction must petition for such consideration. This is to be done by presenting a written request, along with supporting evidence, to the department chair. The department chair will convene the departmental peer evaluation committee. This committee will consider the merits of the request and shall send it, the supporting evidence, the committee's written recommendation, along with the department chair's recommendation to the Provost and Vice Chancellor for Academic Affairs. The Vice Chancellor, if he or she deems the request to have merit, shall ask for a review by the Promotion and Tenure Committee. This committee shall consider only if the petitioner has met the stated criteria for comparable professional distinction. Having thoroughly examined the evidence, the committee shall submit its recommendation to the Provost and Vice Chancellor for Academic Affairs. The Provost and Vice Chancellor shall make the final determination on comparable professional distinction. If the Provost and Vice Chancellor decides that the criteria for comparable professional distinction are not met, he/she shall so inform the petitioner in a manner consistent with general provisions of the University's promotion policy. Any petitioner who is determined to have met the criteria for comparable professional distinction shall be considered, for promotion purposes, to have the functional equivalent of a terminal degree in his/her field or discipline. From that point forward, the petitioner shall be entitled to the same consideration and evaluated by the same criteria which apply to all terminal degree holders with respect to promotion.

## **5-11 Tenure And Promotion Criteria**

On November 2, 1988, the Faculty Senate unanimously approved the following criteria to be used in tenure and promotion considerations.

### **5-11.A General Introduction**

Recognizing that the quality of an institution rests largely on the quality of its faculty, it is imperative that there be at least minimal criteria to assist in tenure and promotion decisions. Faculty members need to be informed and to understand from the beginning of their employment that neither tenure nor promotion is a right or an automatic consequence of years of service, that each is earned through demonstrated excellence. In tenure decisions consideration must be given additionally to the faculty member's potential for future contribution and institutional needs and resources. The terminal degree is required for all professorial ranks beginning with the assistant professor level. While the criteria for tenure and promotion are largely the same, and while tenure and promotion decisions might be made at the same time, it should be understood that they are separate decisions.

### **5-11.B Criteria for Tenure and Promotion**

Candidates for tenure and/or promotion will be evaluated using the criteria of scholarship and professional growth, university and community service, and, most importantly, excellence and effectiveness in teaching. As a minimum standard, candidates should be evaluated as satisfactory or above in all categories. So far as possible, evidence of performance in these areas is to be objective and documented, with evaluations conducted by the candidates' peers and appropriate administrators. Each department's ranking of each of the following categories of evaluation will be used.

#### **5-11.B.1 Scholarship and Professional Growth**

All faculty are expected to engage in forms of scholarship appropriate to their discipline, their continuing professional growth, and the mission of the university. Scholarship is a valuable component in the makeup of a good teacher. Evaluation of scholarship and creative activity considers the contributions to the field or discipline, the quality of the work, and its significance or impact, with particular emphasis on accomplishments since the last appointment or promotion. It also includes consideration of the continuity, range, focus and aggregation of productive work in the field.

Reflection on scholarship in the evaluation process ideally moves it beyond a simple listing of accomplishments or compilation of documents. Evidence of scholarship includes activities, artifacts documenting those activities and a narrative containing reflective discussion from the candidate. The reflective narrative should demonstrate the pattern of scholarly activity and link it to the mission of the university that emphasizes excellence in research in a balanced manner with teaching and service.

Faculty members are encouraged to continue to pursue opportunities for growth and development throughout their professional lives. Faculty members should engage in appropriate activities that will enhance their teaching effectiveness, keep them abreast of developments in their academic fields, and/or add new areas of expertise to the existing programs of the university.

**5-11.B.2 University Service**

As a criterion for tenure and promotion, the concept of service includes but goes beyond routine duties such as advising students, committee work, and teaching classes.

Community Service -- Candidates should show evidence of participation and leadership in projects on and off the campus which contribute to advancing the mission of the university, of service to one's discipline, and of community involvement.

**5-11.B.3 Teaching**

Though teaching is, in many ways, a highly individualized profession and though there are continuing debates over the most effective techniques, there is little disagreement over the importance of exceptional teaching as the major criterion for tenure and/or promotion. Clearly, exceptional teachers will show command of their subject, be creative and imaginative, be enthusiastic, promote critical thinking, stimulate their students to improved performance, engage in and use research, and be outstanding communicators.

**5-11.B.4 Plans for Professional Activities and Future Development**

Each faculty member will engage in activities that contribute to professional growth and development, and refinement of his/her expertise.

**5-11.C Promotion Standards****5-11.C.1 Assistant Professor**

It is generally recognized that promotion to the rank of Assistant Professor is based on potential.

1. Unless there are extenuating circumstances, a terminal degree in the appropriate field;
2. Evidence of effectiveness in teaching;
3. Evidence of scholarship and professional growth;
4. Evidence of university and community service;
5. Essentially positive evaluations;
6. A minimum of three years experience in higher education, unless cumulative achievement deemed equivalent.

**5-11.C.2 Associate Professor**

It is generally recognized that promotion to the rank of Associate Professor is based upon both demonstrated performance and potential.

1. Unless there are extenuating circumstances, a terminal degree in the appropriate field;
2. Evidence of superior teaching;
3. Evidence of scholarship and professional growth

Each faculty member should pursue an appropriate balance among the different types of scholarship essential to the implementation of the mission of the institution. Faculty are advised that the Faculty Evaluation Model requires that at least 10% of a faculty member's effort be devoted to scholarship during the time period since appointment or promotion to the rank of Assistant Professor. The candidate should provide evidence of quality scholarship from the indicators/categories of scholarship accomplishment identified in Section 5-11.D. Evidence from

peer-reviewed categories is expected for promotion to Associate Professor.

4. Evidence of university and community service;
5. Essentially positive evaluations;
6. A minimum of seven years experience in higher education, unless cumulative achievement deemed equivalent;
7. A minimum of four years in rank of Assistant Professor at The University of North Carolina at Pembroke, unless cumulative achievement deemed equivalent.

### **5-11.C.3 Professor**

It is generally recognized that promotion to the rank of Professor is based upon one's having achieved professional and scholarly distinction.

1. Unless there are extenuating circumstances, a terminal degree in the appropriate field;
2. Evidence of outstanding teaching;
3. Evidence of significant scholarship and professional growth

Each faculty member should pursue an appropriate balance among the different types of scholarship essential to the implementation of the mission of the institution. Evidence of consistent scholarly contributions to the profession should be demonstrated over the course of the candidate's career. The candidate should provide evidence of quality scholarship from the indicators/categories of scholarship accomplishment as identified in Sections 5-11.D. Evidence of peer-reviewed scholarship is required for promotion to full professor.

4. Evidence of university and community service;
5. Positive evaluations;
6. A minimum of ten years experience in higher education, unless cumulative achievement deemed equivalent
7. Five years in rank of Associate Professor at The University of North Carolina at Pembroke, unless cumulative achievement deemed equivalent.
8. Evidence of leadership in fulfilling collegiate responsibilities.

### **5-11.D Indicators/Categories of Scholarship Accomplishment**

While this listing is not meant to include all possible examples of scholarship accomplishment, it does likely cover the great majority of works that could validly be claimed as scholarship. It is recommended that all faculty members use this list, along with guidance from their chairs and peers, to direct them into appropriate projects that will result in acceptable scholarship accomplishments. One should keep in mind that a few minor accomplishments typically will not be sufficient for promotion, especially the promotion to full professor.

**1. Dissemination of Scholarship** (Identify the project as peer-reviewed or not peer-reviewed. More weight will be given to peer-reviewed works published by major professional organizations or presses of acknowledged quality.)

- Publication of a book
- Published monograph
- Book chapters
- Articles in scholarly journals
- Conference proceedings



- Presentations in scholarly forums
- Textbooks
- Translations of scholarly/literary works
- Reviews of scholarly works; abstracts
- Workbooks/Study guides
- Articles published in educational magazines
- Other papers and reports (trade, in-house publications, and encyclopedias)
- Instructor's Manuals

## **2. Creative Activities**

- Composition (with more weight given to departmentally sponsored, outside peer-reviewed performances of compositions or to peer-reviewed compositions published by organizations of acknowledged quality)
- Public Performances exhibits (with more weight given to departmentally sponsored peer reviewed performances in venues of acknowledged quality)
- Exhibits (with more weight given to juried art exhibits in venues of acknowledged quality)
- Demonstrating professional competence through employment by reputable professional companies
- Commissions (with more weight given to commissions from prestigious public or professional institutions)
- Invited presentations, lectures, master classes, workshops, and performances (with more weight given to reputable professional organizations or venues of acknowledged quality or to peer-reviewed activities where appropriate)

## **3. Editing**

- Editor, book of readings (published by a professional organization or nationally recognized publishing house)
- Editorial Board, international, national, regional or state journal

## **4. Grants and Contracts**

- Funded research/program grants
- Grants proposals (not funded)
- Grants for professional development
- Grant reviewer

## **5. Classroom based research projects--Scholarship of Teaching and Learning**

(When defined as scholarship, teaching both educates and entices future scholars. Faculty as scholars are also learners, transforming and extending knowledge as well as transmitting it.)

- Development of software and other course materials (professionally disseminated)
- Articles on pedagogy or curriculum design
- Reports based on program and service grants devoted to innovative pedagogy
- Contracts devoted to developing and disseminating innovative pedagogy

**6. Scholarship related to service or the use of professional expertise—Scholarship of Engagement or Application** (To be considered scholarship, service activities must be directly tied to one's special field of knowledge and relate to and flow directly out of professional activity related to one's special field of knowledge.)

- Commissioned research reports
- Articles in the popular or regional press
- Editorial, curatorial, or community education projects
- Accreditation reports (In exceptional cases, the individual responsible for compiling the accreditation report can make a case for the scholarship component of the document being submitted for consideration.)
- Course materials designed for professional development seminars

**7. Other**

- Honors/awards for research and artistic efforts
- Significant citations of work in professional literature
- Membership in professional societies
- Attendance at professional meetings
- Supervision of graduate or undergraduate theses or extensive projects that involve research or artistic efforts
- Special research or artistic efforts
- Special initiatives in on-campus scholarly or professional development
- Continuing education, workshops, symposia, or other specialized training programs attended or completed
- Professional consultancies resulting in professional development

**5-12 Policy On Appointment, Reappointment, Promotion, And Tenure Of Professional Librarians**

(Approved by the Faculty Senate on February 6, 1991)

**5-12.A General Introduction**

Professional librarians at The University of North Carolina at Pembroke hold faculty status and receive benefits equal to other EPA academic personnel on twelve-month contracts with equivalent credentials. Although they hold rank similar to that of instructional personnel, librarians are considered administrative faculty since they do not hold an appointment in an academic department. And, because their duties differ considerably from those of the teaching faculty, a separate but parallel system of library ranks has been established.

Professional librarians appointed to positions at The University of North Carolina at Pembroke must possess as a minimum qualification a Master's Degree in the field of Library Science, hereafter referred to as an M.L.S. This degree is considered an appropriate terminal degree for initial appointment. Professional librarians must also exhibit potential for job performance in a specific library field, service, scholarship, and professional development.

Professional librarians are normally appointed at the rank of Instructor Librarian. When considered for promotion and/or tenure, they are evaluated according to the procedures and criteria, the latter modified slightly to reflect the nature of a librarian's work, established for the faculty by the Faculty Senate and by the Tenure and Promotion Committee. Librarians not

holding doctoral degrees are subject to the policies for non-doctoral faculty established by The University of North Carolina at Pembroke. Instructor librarians in their third year should normally be reviewed for consideration for promotion to assistant librarian.

## **5-12.B Appointment/Promotion Standards**

### **5-12.B.1 Instructor Librarian**

Professional Librarians without previous professional experience are appointed at the rank of Instructor Librarian for a probationary period; this appointment is based on the expectation of successful overall performance and the potential for a promising career in librarianship. Appointment at this rank requires meeting the standards listed below.

1. An M.L.S. as a minimum qualification.
2. Potential for effectiveness in teaching and/or job performance.
3. Potential for scholarship and professional growth.
4. Potential for University and community service.
5. Essentially positive recommendations.

### **5-12.B.2 Assistant Librarian**

Appointment at or promotion to the rank of Assistant Librarian is based upon demonstrated evidence of significant professional contributions to the library and the institution and the potential for further professional growth. Appointment at or promotion to Assistant Librarian requires meeting the standards listed below.

1. An M.L.S. as a minimum qualification and evidence of continued educational development;
2. Evidence of satisfactory teaching and/or job performance;
3. Evidence of scholarship and professional growth;
4. Evidence of community and University service;
5. Essentially positive evaluations;
6. A minimum of two years' professional experience after graduation.

### **5-12.B.3 Associate Librarian**

Appointment or promotion to the rank of Associate Librarian is based upon evidence of substantial professional contributions to the library and the institution as well as significant achievements, for example in research, scholarship, or other appropriate professional endeavors, in addition to assigned duties in the library. Appointment at or promotion to Associate Librarian requires meeting the standards listed below.

1. An M.L.S. as a minimum qualification and evidence of continued educational development; such evidence may include earning an M.A. in an academic field and active participation in institutes, workshops, and conferences.
2. Evidence of superior teaching and/or job performance.
3. Evidence of scholarship and professional growth.
4. Evidence of community and University service.
5. Essentially positive evaluations.
6. A minimum of seven years' professional experience after graduation.
7. A minimum of four years in rank of Assistant Librarian at The University of North Carolina at Pembroke, unless cumulative achievement deemed equivalent.

**5-12.B.4 Senior Librarian**

Appointment or promotion to the rank of Senior Librarian is based upon outstanding achievements and evidence of significant professional contributions to the library and the institution as well as superior achievements, for example in research, scholarship, or other appropriate professional endeavors, in addition to assigned duties in the library. Appointment to or promotion to this rank requires meeting the standards listed below.

1. An M.L.S. as a minimum qualification and evidence of continued educational development; such evidence may include earning an M.A. in an academic field and participation in a leadership capacity in institutes, workshops, and conferences.
2. Evidence of outstanding teaching and/or job performance.
3. Evidence of significant scholarship and professional growth.
4. Evidence of community and University service.
5. Positive evaluations.
6. A minimum of ten years' professional experience after graduation.
7. A minimum of five years in rank of Associate Librarian at The University of North Carolina at Pembroke, unless cumulative achievement deemed equivalent.
8. Evidence of leadership in fulfilling collegiate responsibilities.

**5-12.C Criteria For Promotion**

Professional librarians being considered for promotion to Assistant, Associate, or Senior must meet the standards outlined above for each rank. They will be evaluated using the following criteria; special emphasis may be placed on the criteria that are most directly related to the candidate's assigned duties and responsibilities.

1. Documented evidence of continued professional growth and development; such evidence may include additional academic training and the earning of an academic master's degree; it may also include a record of attendance at and participation in workshops, institutes, seminars, and other informational meetings designed to further professional abilities and skills.
2. Documented evidence of communication, cooperation, and rapport with students, faculty, University staff, library staff, and the public in the providing of library services.
3. Documented evidence of the ability to instruct patrons in the interpretation and use of library resources.
4. Documented evidence of research or scholarly activities.
5. Documented evidence of exceptional performance and leadership in relating professional duties and responsibilities to the overall goals and objectives of the library.
6. Documented evidence of constructive contributions and innovations that have improved the library's services, such as the development of bibliographic pamphlets and user guides or upgrading the usability of the online catalog.
7. Documented evidence of effectiveness in supervisory, managerial, and administrative duties as applicable, with special emphasis on the training and development of supportive staff. [This criterion applies primarily to individuals who have served, or who are serving, in a supervisory capacity.]
8. Documented evidence of significant contributions in the area of collection development and collection analysis in one or more areas of the library's holdings.

9. Documented evidence of commendable service related to temporary assignments of additional responsibility, such as service on library standing and ad hoc committees or the analysis and continuing study of library policies and services.
10. Documented evidence of service to the University, such as membership on University and Senate committees and subcommittees.
11. Documented evidence of professional service to the community.

It is strongly recommended that a candidate not receiving promotion should not be considered the following academic year.

#### **5-12.D Tenure**

Professional librarians will be eligible for tenure. The relationship between tenure and rank shall be the same for librarians as for other faculty at The University of North Carolina at Pembroke. These general criteria include: 1) effectiveness of performance as a librarian; 2) quality of scholarship; and 3) effectiveness of professional service to the University and the community. A librarian awarded tenure is granted tenure as a member of the library professional staff, not tenure in a specific working assignment or in an academic department.

A librarian who is a candidate for tenure shall be reviewed according to procedures set forth in established institutional regulations as applied to other faculty at The University of North Carolina at Pembroke. These procedures shall be similar to those mandated for promotion in academic rank.

#### **5-12.E Criteria for tenure recommendations**

1. Documented evidence of general knowledge of the goals, standards, and conventions of the library profession, especially as applicable to the role of the academic librarian.
2. Documented evidence of superior abilities and professional knowledge in the particular area or areas of assigned responsibility; in addition, documented evidence of positive job-related characteristics, such as accuracy, initiative, judgment, dependability, and ability to organize and plan work effectively.
3. Documented evidence of research or scholarly activities.
4. Documented evidence that professional knowledge and abilities have contributed to the improvement of library services.
5. Documented evidence of the ability to interact successfully with all users of the library, faculty, staff, students, and the public, and with members of the library staff.
6. Documented evidence of the ability to instruct patrons in the interpretation and use of library resources.
7. Documented evidence of efforts for continuing professional growth and development; i.e., the enhancement of existing skills and the motivation for acquiring additional skills and training related to the effective performance of professional duties.
8. Documented evidence of a superior level of performance in the areas of service to and instruction of users, such as, bibliographic organization and collection development.

9. Documented evidence of the willingness to assume (and quality of performance in such tasks) temporary assignments of additional responsibility as requested; i.e., service on library standing and ad hoc committees and the analysis and continuing study of library policies and services.
10. Documented effectiveness in supervisory, managerial, and administrative duties, when applicable.
11. Documented evidence of service to the University; i.e., service on University and Senate committees.
12. Documented evidence of professional service to the community.

Appropriate forms will be utilized by the library director, library staff, and students to evaluate performance of librarians.

### **5-13 Periodic Promotion And Tenure Review Process**

The Chancellor and/or the Faculty Senate, at intervals of not more than five years beginning in 2003, will initiate a review of the University Promotion and Tenure policies. At this time an ad hoc Promotion and Tenure Review Committee will be formed to carry out the review. The composition of the committee will be as follows: the chair of the Faculty Senate will serve as an ex-officio member of the committee and will appoint as its members five full-time tenured or tenure-track faculty, one from each of the University's Divisions. If possible, at least one of these committee members should have served one term on the University Promotion and Tenure Committee. Upon completion of the review the committee will submit a report to the Senate chair and to the Chancellor. The Chancellor will forward the report to the President.

## 6 FACULTY RESPONSIBILITIES

### 6-1 Course and teaching responsibilities

#### 6-1.A Class schedules

##### 6-1.A.1 University calendar

The University publishes an annual calendar in the University Catalog and in the Schedule of Classes printed for each registration cycle. The calendar included dates for the beginning and ending of classes, for final exams, for drop-add and withdrawal from courses, for holidays, and for other significant events during the academic year. The calendar is also available on the University website (<http://www.uncp.edu/catalog/pdf/calendar.pdf>).

In addition, the University Relations Office maintains a master events calendar that lists campus events across the year. Other offices also provide specialized calendars. For example, the Student Activities Office lists student events, as does the Counseling and Testing Center. A search of the University website will show other listings of interest to particular faculty members.

##### 6-1.A.2 Course scheduling

###### 6-1.A.2(a) Class schedules

Time/Class Schedule. Monday, Wednesday, and Friday class periods are 50 minutes long, with the exception of the 10:00 Monday and Friday, and Monday and Wednesday class periods which continue for 75 minutes, and are scheduled as follows:

Monday	Wednesday	Friday
8:00- 8:50	8:00- 8:50	8:00- 8:50
9:00- 9:50	9:00- 9:50	9:00- 9:50
10:00-11:15	(10-11:15 Student Activity Period)	10:00-11:15
11:30-12:20	11:30-12:20	11:30-12:20
12:30- 1:20	12:30- 1:20	12:30- 1:20
1:30- 2:20	1:30- 2:20	1:30- 2:20
2:30- 3:20	2:30- 3:20	2:30- 3:20
3:30- 4:20	3:30- 4:20	3:30- 4:20

NOTE: Wednesdays from 10:00 until 11:15 are designated Student Activity Period. Faculty members should refrain from scheduling other activities during this time.

The class periods on Tuesday and Thursday run for 75 minutes and are scheduled as follows:

8:00- 9:15	12:30- 1:45
9:30-10:45	2:00- 3:15
11:00-12:15	3:30- 4:45

Evening Classes offer educational opportunities for students who are unable to enroll in the day program. Courses are offered on the undergraduate and graduate levels. Evening classes typically meet from 6:30 to 9:30 pm. Some classes are scheduled at other hours to accommodate special needs of students. Faculty members should notify their Department and the Registrar's Office in the event such changes are made.

Because students and other faculty members plan their activities around standard class meeting times, and because classrooms are generally scheduled before the semester begins, it is important that faculty members maintain the class meeting times in accord with the standard University class schedule.

#### **6-1.A.2(b) Emergency University Closing Policy**

**Emergency Weather Information Hotline  
910-521-6888**

Any decision to close the University will be made by the Chancellor or, in his absence, the Provost and Vice Chancellor for Academic Affairs.

The University will remain open for classes unless there is a clear and present danger to the safety and welfare of students, faculty or staff. Reports of the closing of local public schools or community colleges must not be interpreted as implying that The University of North Carolina at Pembroke is to be closed. Neither should forecasts of major storms. The overriding concern of the University is to provide a quality, uninterrupted program of studies for our students without placing them or the staff in an unreasonably hazardous situation.

On days when the University is to be closed, that decision will be made if practicable by 6:00 a.m. Such a decision will be communicated to local radio and television by that time. This information will also be available from the UNCP emergency weather information hotline **910-521-6888**, the University switchboard or University police. [Obviously, the chance of flooding the latter source makes radio and television a more practical source of information.]

University closings will be communicated to major radio and television stations in this vicinity. No such report means that classes are to be held as scheduled. In other words, when classes are to be held as usual, no announcements will be made.

Emergency University closings may take one of two forms:

1. Classes are suspended, but offices will remain open. (Adverse weather policy may apply to 12-month employees. Time lost will be charged to vacation leave or leave without pay. However, every reasonable effort will be made to arrange schedules so employees will have the opportunity to make up time not worked rather than charging it to leave.)
2. Classes are suspended and all University offices are closed.

The University Police Office, the Infirmary and the Cafeteria are to remain open under all circumstances. Physical plant, as necessary, will assign a skeleton work crew.

(The full Emergency Procedures and Safety Plan is available in the following offices: University Police, Chancellor, Provost and Vice Chancellor for Academic Affairs, Vice Chancellor for Student Affairs, Vice Chancellor for Business Affairs, and the University Relations office.)



## **6-1.B Faculty attendance**

### **6-1.B.1 Expectations about meeting classes**

Effective coordination of instruction across the campus necessitates that both students and faculty understand and adhere to established class schedules. The standard hours of instruction are listed above. Faculty are expected to meet every scheduled class (or arrange some appropriate alternative activity). Any deviation from the standard schedule is to be discussed with and approved by the department chair and the dean of the relevant school or college.

All faculty are reminded that it is a matter of personal and professional courtesy to begin and end each class period at the scheduled time. Holding classes beyond the scheduled time, in particular, often means that students are late for their subsequent classes and that students disrupt those classes by arriving late for them, as well as possibly missing important information due to their tardiness.

### **6-1.B.2 Absences from classes**

#### **6-1.B.2(a) Faculty emergency absences from class**

Faculty members who, because of sudden illness or other emergency, cannot meet a scheduled class or laboratory period must notify the Chair of the Department prior to the beginning of the class. The Chair should then arrange for satisfactory coverage of the class.

#### **6-1.B.2(b) Class absences for professional reasons**

All teaching faculty who attend professional meetings must make satisfactory provisions for their classes through the department chair. Provisions for covering a class should include a meaningful class experience, preferably one conducted by a departmental colleague.

#### **6-1.B.2(c) Teaching responsibility during absences**

To the degree feasible, faculty members who will be absent from any of their classes should (a) notify their Department of their absence and (b) insure that students have some meaningful educational experience during the absence. Only when other arrangements cannot be made should any class be cancelled.

## **6-2 Course loads**

### **6-2.A Teaching load and service responsibilities**

The normal teaching load is twelve semester hours or the equivalent per semester. Faculty teaching both undergraduate and graduate courses will have a teaching load of 21 semester hours for the academic year in which the graduate course occurs. Faculty teaching only graduate courses will have a teaching load of 18 semester hours for the academic year. Faculty involvement in service responsibilities, including advisement, sponsorship of organizations, and University committee work, is important and is encouraged. However, faculty are encouraged to serve on no more than three major committees for the academic year in addition to their teaching and departmental responsibilities. It is further suggested that faculty choose those committees and other responsibilities in which they have a strong interest and to which they can make the most meaningful contributions.

Summer session teaching does not count as part of a faculty member's normal teaching load.

**6-2.B Summer teaching and other forms of instruction (continuing and distance education)****6-2.B.1 Office Of Continuing Education And Distance Education**

The University of North Carolina at Pembroke (UNCP) is committed to providing a variety of continuing education opportunities and special activities which contribute to the mission of the University. Two of the overall purposes of the University are to meet the educational needs of students and serve the community and society at large by providing cultural and educational leadership. The programs offered through the Office of Continuing Education and Distance Education help carry out the purposes of the University. At UNCP, programs involving continuing education, outreach and service are coordinated through the Office of Continuing Education and Distance Education. Faculty are encouraged to actively support the mission of the university through active participation in Continuing and Distance Education programs.

**6-2.B.1(a) Degree Credit Extension off-campus instruction**

Degree credit extension instruction leads to earned credit toward a degree offered by Pembroke, but is offered outside the regular-session, on-campus program and outside the summer session. Degree credit extension instruction is considered a part of the "teaching" activity of the University, but is distinguished from regular-term instruction and summer-term instruction and is financed in a different manner. UNC Pembroke has off-campus programs at Richmond, Sandhills and Fayetteville Technical Community Colleges, and stand alone courses at South Piedmont, Montgomery, Bladen, and Southeastern Community Colleges.

**6-2.B.1(b) Distance education**

On-line instruction is growing at UNC Pembroke and is considered an integral part of the instructional program. Faculty are encouraged to participate in technology-based teaching and on-line courses as part of their professional activities at the University. New to UNCP for this academic year are programs delivered via the World Wide Web. Internet based programs include the B.S. in Business Administration with a concentration in Management for graduates of accredited two-year institutions or those with 60 hours of undergraduate credit. The Masters in Public Management (MPM) is also available in an online format. Both programs can be completed entirely through the Internet, and additional programs are planned for the future. A number of courses are offered as well through the School of Education, and the College of Arts and Sciences.

**6-2.B.1(c) Evening instruction**

Evening instruction is an integral part of the total instructional program at Pembroke. Teaching assignments and schedules are coordinated with other offices in an effort to fully utilize available resources. Faculty are expected to participate in at least one evening course each year.

**6-2.B.1(d) Summer Session teaching**

The University offers summer instructions in several formats (e.g., two five-week sessions, a three week May-mester, and a three-week intra-session). Credits earned during the summer are equivalent to those earned during regular semesters. Regulations governing registration, class attendance, examinations, etc. which apply to the regular session also apply to summer sessions.

Under current arrangements, Summer Session courses are self-supporting. Therefore, enrollment and the availability of funds govern summer employment. Guaranteed teaching

assignments for the summer are not made under the present funding arrangement. Typically, a call for Summer Session course proposals is circulated in the Fall term. Course offerings are negotiated among faculty members, department chairs, and the Office for Academic Affairs. Courses which have too few registrants may be cancelled. Generally, faculty members cannot be guaranteed the opportunity to teach in the summer sessions.

### **6-3 Course syllabi**

Each faculty member is expected to have a formal syllabus for each course he or she teaches. It is the responsibility of each department chair to have syllabi for all courses taught in his or her department and to make certain that the syllabi are current. The department chair should make sure that new faculty members are aware of the availability of the syllabi. Syllabi for general education courses should contain a statement of rationale as to how the particular course assists in meeting the objectives of general education at the University. Each term, faculty members should provide a copy of the course syllabus to students in their classes. Faculty members should also explain their expectations for the course and the attendance policy for that class.

Dual-listing of undergraduate (appropriate 400 level) courses with graduate courses should occur rarely. When such dual listing does occur, the syllabus for such courses enrolling students from both levels must clearly reflect expectations of graduate students substantially beyond expectations of undergraduate students. Such differences should include, but not be limited to, more rigorous assignments requiring a greater depth of understanding, analysis and synthesis of knowledge and skills.

It is the responsibility of the department chair to ensure that each departmental syllabus conforms to the syllabus checklist in Section 0 Miscellaneous Forms. A copy of this checklist, completed and signed by the professor, should be attached to each syllabus. The department chair should provide a signed statement verifying that all departmental syllabi conform to the guidelines listed in the checklist.

Information about accommodations for students who have registered with the Disabilities Support Services (DSS) office should be included in each syllabus. Specific model language can be obtained from DSS. In addition, the UNCP Emergency Information Hotline number is a useful addition to each syllabus.

### **6-4 Course materials**

The University operates a Bookstore from which students may purchase textbooks and school supplies. Before the opening of each semester, the Textbook Manager will request from each Department Chair information concerning anticipated needs. This information is used in ordering necessary textbooks for purchase by students. Careful and accurate estimates should be furnished to the Textbook Manager in order that he or she may avoid an overstock of books and supplies which become obsolete and result in financial loss to the University.

#### **6-4.A Textbook Policy**

Each professor will have the right to select textbooks for each course he or she teaches, subject to departmental policy and the following:

1. Reminders for textbook orders for the fall semester will be mailed and passwords emailed to each department by to March 28. Online adoptions should be completed in full and submitted to the textbook manager no later than April 18. Reminders for spring Semester will be both mailed and emailed by September 28. Adoptions are to be submitted to the

textbook manager no later than October 18. Summer reminders will be mailed out and passwords emailed by February 28. Adoptions are to be submitted to the textbook manager no later than March 18.

2. Textbooks selected will be retained for a minimum of one regular-term semester.
3. It is permissible to use different textbooks where multiple sections of the same course are taught.
4. Course materials are to be designated as either required or optional. Required course materials are those that are required for class instruction and considered essential to the student's success. Optional course materials are those that are recommended as extras but not required to successfully pass the class.
5. Orders will be placed by the bookstore 4-6 weeks prior to the semester beginning, subject to inventory and anticipated used texts purchased from students and wholesalers.
6. If a publisher notifies the Textbook Manager that a book is out of print, out of stock, or back-ordered, the faculty member will be notified immediately.
7. Unsold textbooks will be returned to the publisher for credit four (4) weeks after the first day of classes.
8. Changes to textbook orders will not be allowed once the order has been placed with a publisher or textbook wholesaler. If a textbook was ordered by mistake and it is not suitable for the class, all freight charges incurred by the Bookstore will be charged to the ordering academic department. **ALL CHANGES MUST BE APPROVED BY THE DEPARTMENTAL CHAIR**
9. In the event a class in which a text is used is cancelled, the Department Chair will notify the Textbook Manager immediately.
10. All textbook needs must be adopted through the Bookstore.
11. Textbooks no longer needed by students will be purchased at the end of each term during a buy-back period. The Bookstore will offer daily wholesale buyback throughout the semester.
12. The University will allow the operation of a non-funded student-run book exchange.
13. The Textbook Manager and Department Chair are encouraged to keep each other mutually informed concerning lead times and deadlines relating to book orders.
14. Regular semester operating hours are:

Monday - Thursday	7:45 a.m. - 8:00 p.m.
Friday	7:45 a.m. - 4:00 p.m.

(Summer school hours are posted)

To accommodate students, the Bookstore will offer extended hours at the beginning of each summer session.

**6-4.B Faculty Publications Policy**

The following policy, approved by the Chancellor, covers the sale of course packs written by faculty:

1. The use of faculty-written course packs or copyrighted course packs as required or recommended reading for students must be approved by the Departmental Chair. There is no prohibition against the use of a faculty member's published material in that faculty member's classes (with the collection of related royalties), provided that the textbook, CD, or other material- (1) has been produced and copyrighted by a recognized and independent academic or trade publisher (2) has been made available for open sale.
2. All course packs will be submitted to the UNCP Bookstore along with the appropriate paperwork. The forms filled out are dependent upon whether there are copyrighted materials within the course packs, or if it is solely the work of the instructor. The Textbook Manager will forward the materials to UNC Chapel Hill Course Pack Department. The materials are accurately checked for copyright clearance before printing. This process will protect the University from violating any copyright laws. Orders submitted for printed manuals are to be for the current or upcoming term only.
3. The Bookstore will print the quantity requested by the department. Any copies needed after classes begin will be printed on a rush basis, with the approval of the department chair.
4. Only course packs published by the UNC-CH Custom Publishing Department will be sold by the UNCP Bookstore. Professors requesting a royalty from course packs will receive a 20% commission on the number sold at the end of the term. Faculty course packs must consist entirely of their own composition in order to receive a royalty.
5. All unsold course packs not to be used again will be billed back to the appropriate department at Bookstore cost, unless other arrangements are previously agreed upon by both the departmental chair and the bookstore.

**6-4.C Desk Copy Policy**

The University Bookstore does not furnish desk copies of books to faculty. It is the responsibility of the faculty member to obtain his or her own desk copy from the publisher.

The University Bookstore will assist faculty members who have not yet received a desk copy by charging it to their academic department. (This charge requires a requisition signed by the Department Chair.)

The Bookstore will accept for credit or refund identical replacement copies under the following conditions:

THE REPLACEMENT COPY MUST BE TOTALLY SALABLE AND/OR RETURNABLE TO THE PUBLISHER. THIS STATEMENT MEANS THE BOOK MUST BE NEW, UNMARKED WITH CLEAN AND UNDAMAGED COVER, WITH NO STICKERS OR INDICATIONS THAT IT IS A DESK COPY.

#### 6-4.D Other materials

The Campus Bookstore can also arrange to offer other non-text materials that may be needed for a given course. Faculty members whose courses may call for such materials should consult the Bookstore about those needs.

#### 6-5 Course management

##### 6-5.A Class attendance (undergraduate)

Regular class attendance is important to the educational experience of each student and to the academic integrity of the university curriculum. Students are expected to attend every class beginning with the first session. Regular class attendance is a student responsibility. A student is responsible for all the work, including tests and written work, of all class meetings. No right or privilege exists that permits a student to be absent from any given number of class meetings.

For all general education classes, instructors will keep attendance records. If a student misses three consecutive class meetings, or misses more classes than the instructor deems advisable, the instructor will notify the Office of Advisement and Retention (administrator of the Early Alert program) for appropriate follow-up. Departments may also develop and distribute attendance policies and procedures to be followed for students who miss an excessive number of classes.

For all classes, instructors have the discretion to determine how the attendance policy will be implemented in their class, the circumstances under which make-up work may be allowed, and whether attendance will be used as a criterion in determining the final grade. Excessive absences may result in failure. Faculty will distribute a written statement of their attendance policy as a part of the course syllabus.

Students should be advised not to enroll in a course if participation in University-sponsored activities will cause them to miss an excessive number of classes, as determined by the instructor.

The following statement was adopted by the UNCP Faculty Senate, February 2003:  
**When the University is officially closed, no student can be counted absent even if the instructor holds class. Any course related material will be made available in some form by the instructor.**

##### 6-5.B Orientation to courses

At the opening of each semester, faculty members should attempt to cover the following points in the syllabus during the initial class meetings:

1. State clearly the prerequisites of the course, if any, as well as the course's class standing (freshman, sophomore, etc.).
2. Discuss the objectives and values to be derived from the course.
3. State the complete requirements of the course, such as course name; textbook and other materials required; number and nature of reports to be recorded; outside reading; notebook requirements; and the types of tests to be used.

4. Discuss how the various requirements of the course are counted in determining the final grade.
5. Make sure that students are aware of and understand the Academic Honor Code and that they know where the Code is published (e.g., the Student Handbook).
6. The first meeting of each class should consume the full time allotted by the schedule. This meeting should not be devoted to the assignment of the textbook followed by an immediate dismissal of the class.

### **6-5.C Exams, grading, and student records**

#### **6-5.C.1 Privacy of student academic information (FERPA)**

The University of North Carolina at Pembroke complies with all provisions of the Family Educational Rights and Privacy Act of 1974. The full statement of the University's policy is available in the Office of the Registrar located in Lumbee Hall. With some exceptions, students have the right to inspect and to challenge the contents of their education records. Access to academic records is coordinated through the Registrar's Office. Students wishing to inspect their records should contact the Registrar in Lumbee Hall between the hours of 8:00 a.m. and 5:00 p.m. Monday - Friday, while the University is in session.

The University routinely releases to the public so-called Directory Information, as follows: the student's name, address, telephone listing, major field of study, participation in officially recognized activities and sports, weight and height of athletic teams, dates of attendance, degrees and awards received, and previous educational agency or institution attended by the student. Any student who wishes to have the above Directory Information withheld must complete and sign a request in the Registrar's Office. This request must be renewed at the beginning of each semester.

#### **FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

Certain personally identifiable information about students ("education records") may be maintained at The University of North Carolina General Administration, which serves the Board of Governors of the University system. This student information may be the same as, or derivative of, information maintained by a constituent institution of the University; or it may be additional information.

Whatever their origins, education records maintained at General Administration are subject to the Federal Family Educational Rights and Privacy Act of 1974 (FERPA). FERPA provides that a student may inspect his or her education records. If the student finds the records to be inaccurate, misleading, or otherwise in violation of the student's privacy rights, the student may request amendment to the record. FERPA also provides that a student's personally identifiable information may not be released to someone else unless (1) the student has given a proper consent for disclosure or (2) provisions of FERPA or federal regulations issued pursuant to FERPA permit the information to be released without the student's consent. A student may file with the U.S. Department of Education a complaint concerning failure of General Administration or an institution to comply with FERPA.

Faculty members who have any questions about records, documents, or procedures that may be covered under FERPA should contact the University Registrar or the Legal Assistant to the Chancellor for clarification.

### **6-5.C.2 Reporting Grades**

Midterm and final grades are officially reported using Braveweb for Faculty. The Office of the Registrar issues Braveweb accounts to each faculty member in person. Faculty is expected to protect their personal access codes and to follow all UCIS regulations concerning passwords and computer use.

Faculty members that lose or forget their personal access code will need to report in person to the Office of the Registrar to have their codes reset.

Grading using Braveweb for Faculty is allowed at designated times as instructed by the Registrar. Faculty may enter grades and change grades during the allotted time. Once the deadline has been reached, all changes to any grades are done in person in the Office of the Registrar.

For incomplete (I) grades, the professor is required to complete the change of grade form. For all other grade changes, the professor is required to complete the change of grade form and obtain signatures from the Department chairperson and Dean. The Registrar, Dean and Department Chair must approve any exceptions to this policy.

### **6-5.C.3 Midterm grades**

Faculty members submit advisory midterm grades for each undergraduate course on a schedule established by the Registrar. Midterm grades are not assigned for graduate courses. Grades are reported to students and appear for the use of academic advisors on the Student Information System. Midterm grades are not counted as half the final grade; they are interim reports intended to inform students about their progress in undergraduate courses to date.

### **6-5.C.4 Tests, Examinations, And Posting Of Grades**

Generally courses at the University include some number of tests across the semester and a terminal final examination. The content and format of tests is entirely the prerogative of the individual faculty member. However, in general, tests and examinations should be a fair representation of material from the course (typically, both lecture and textbook reading). Tests should be of sufficient length to insure that they are reasonably reliable indicators of students' knowledge and understanding of the material, while not so long that they cannot be completed by an average student within the time limits of the testing period.

Final examinations are to be given in all courses at the time designated on the final examination schedule. Any deviation from this policy must be presented in writing, including rationale, to the Department Chair and appropriate Dean at least three weeks prior to the final examination period. It is encouraged that where appropriate final examinations be comprehensive in nature and weighted accordingly.

Because the final exam week is counted as instructional time, as a matter of policy within the University of North Carolina system, faculty members are required to meet their classes during the scheduled final examination period (i.e., exam week). It is the responsibility of each department chair to insure compliance with this policy.



Generally, five days are devoted to the examination period during the regular semesters and one day during the summer session terms. Although tests are not required at specific times during the semester, some measure of a student's progress should be made before the middle of the semester.

#### **6-5.C.5 End of term grades**

Courses grades follow the categories described in the University Catalog. Note especially the policies affecting grades of I (incomplete). Faculty members are responsible for establishing and maintaining an equitable grading scheme for each of their classes. Faculty members should describe clearly in the course syllabus how grades are to be determined, including what tests, examinations, and other assignments will count toward the final course grade and how each component of the final course grade will be weighted.

Grades for each class are reported to the Registrar's Office, following procedures and deadlines established by the Registrar. Faculty members are responsible for reporting grades in a timely fashion. Typically, the deadline for turning in grades is noon of the Monday following the winter or spring commencement. Faculty are responsible for entering course grades courses on-line, via Web for Faculty, and for meeting all deadlines for grade submission. Access to the Web for Faculty is arranged through the Registrar's Office.

Faculty members who wish to post grades should respect and maintain student confidentiality by using a randomly arranged, rather than an alphabetical, listing with students identified only by a number or a code.

#### **6-5.C.6 Grade Changes**

With the exception of an incomplete, no grade may be changed after it has been officially reported to the Registrar's Office except upon the recommendation of the Department Chair and approval of the appropriate Dean. Satisfactory proof of error in calculation or recording must be submitted by the instructor to the Department Chair. Normally, no grade may be changed after one semester has elapsed.

The Grade Change Form may be obtained from the Registrar's Office. The change must be made in person by the instructor in the office of the Registrar.

#### **6-5.D Undergraduate Grade Appeal Process**

Undergraduate students may appeal a final course grade. The appeal process must be initiated by the student within thirty (30) calendar days after the first day of class of the regular semester following the award of the grade. The appeal process is summarized in Section 13-5.

In general, it would be wise to retain any student papers not returned to students for at least one semester following the end of a course, in the event that a grade is appealed.

#### **6-5.E Student Grievance Process**

Students may utilize a grievance process established to resolve issues they believe somehow violate their rights. This Grievance Process for Students applies to all problems arising in interactions between a student and a member of the University community that are not governed by other specific grievance proceedings. The full policy and procedures for such grievances are published in Section 13-6 of this Handbook.

## **6-6 Teaching Support Services**

### **6-6.A Teaching and Learning Center**

The Teaching and Learning Center, in Old Main building, fulfills the 1993 mandate of the UNC General Administration designed to stimulate teaching excellence at system schools. The office sponsors faculty development workshops facilitated by both on- and off-campus experts; co-ordinates the annual Faculty Development Day, which offers faculty development in teaching and related areas; disseminates a newsletter to reach the faculty with information designed to help faculty with teaching (including providing information on web sites); distributes faculty development funds to faculty traveling to teaching conferences; houses a library of resources on teaching-related topics such as syllabus and test construction, student motivation, and teaching technology; oversees an orientation program for new faculty members; and writes grants to stimulate instructional improvement.

### **6-6.B Center for Adult Learners**

The Center for Adult Learners was created to respond to the unique and specific needs of nontraditional students who are attending, or are considering attending, the University of North Carolina at Pembroke. The Center provides a central location where such students can easily access information on a wide variety of campus resources. Both currently enrolled and prospective students are encouraged to take advantage of the Center's services. Assistance is available with issues such as pre-admission counseling, academic advising, course registration, university procedures and systems, financial aid, academic support services, and more.

### **6-6.C Writing Center**

The Writing Center, staffed by a faculty supervisor and several student assistants, is available to any student who desires assistance with a writing assignment. The Writing Center is located in the Dial Humanities Building and operates on a regular schedule, including some evening hours, to accommodate student needs. No appointment is needed.

### **6-6.D Counseling and Testing Center**

The counseling and testing center has many existing resources for faculty. Counselors are available to assist faculty who encounter a student in crisis or that notice a potential problem developing as well as to provide support with a difficult student. C & T is available to present workshops or guest lectures, as it may be beneficial to the academic environment. The center can also aid faculty in accessing personal mental health resources. Our department will work to best serve our university community in any way possible.

#### **CONSULTATION**

Counseling & Testing offers consultation to faculty, staff and students regarding student development concerns as well as a wide range of mental health issues impacting the campus community. This service may be used to discuss particular student issues, or as a one time referral source for personal concerns. Counseling Center clinicians offer initial consultation for faculty or staff seeking help for psychological issues. Counseling staff will provide referrals to appropriate community professionals.

#### **HOW TO REFER**

We encourage the UNCP community to make referrals to the Center. If you have concerns about a particular student and want assistance in making a referral, call the Center at 521-6202 during regular working hours and ask to speak to a counselor. If the situation is an emergency, every attempt will be made to provide you with assistance immediately.

## OUTREACH PROGRAMMING

The Counseling Center staff provides programming on topics related to emotional health, sexual assault, diversity, personal growth, relationships, substance abuse and other issues relevant to student life. Our staff is especially interested in addressing intact groups, such as classes, faculty, staff departments, residence life units, student and community groups.

### **6-6.E Media Center**

The Media Center provides University-wide audiovisual and other related media services and has an integral role in the total instructional and University services program. Located in Old Main, it provides (a) departmental services, which include the scheduling of media facilities and equipment for use by various department members; (b) individual services, which include the provision of facilities and equipment for university students; and (c) community services, which include both counseling services for media center development and instructional services to public school administrative units through in-service education in the teaching of media.

## **6-7 Advisement And Responsibilities With Students**

### **6-7.A Office Hours**

In addition to teaching, each member of the faculty must maintain a minimum of five office hours a week in order to be available for academic advisement and to meet students for consultation. It is strongly recommended that the advisor be in the office at least one hour each day. The office hour schedule is to be posted on the faculty member's office door so that students may make arrangements for conferences. Each Department Chair is to have a complete class and office hour schedule for each faculty member of the department. Faculty members must be in their offices and available to students during advisement week, registration (except when assigned to registration duties elsewhere), and the drop-add period.

### **6-7.B Advisement, And Use Of Student Information System (SIS)**

#### **6-7.B.1 Academic Advisement**

Academic advisement is a campus-wide responsibility shared by both faculty and staff. It is concerned mainly with helping students interpret the academic regulations of the University in order to meet the academic requirements which are applicable to them. The Office of Advisement and Retention is responsible for the general organization and functioning of the program.

Academic advisement at The University of North Carolina at Pembroke is also a continuing process which, it is hoped, accomplishes five goals:

1. Exploration of the student's life goals;
2. Exploration of student's educational/career goals;
3. Selection of an educational program;
4. Selection of academic courses;
5. Assessment of the student's academic progress.

Freshmen are advised by their Freshman Seminar Instructor during their freshman year or until a major is declared officially. Some special populations of freshman i.e., Teaching Fellows, Honors College students, and students in the College Opportunity Program are advised differently. To declare a major each freshman is asked to complete a Declaration of Major form, take it to the department in which his/her major lies for appropriate signatures and return the form

to his/her previous adviser. The previous adviser will submit the completed form to the Registration Office and forward the student's advisement folder to the new adviser in the appropriate department. The chair of that department is responsible for the student's academic advisement so long as the student continues to pursue a major in that department.

Transfer students are assigned to their major department chair at the time of transfer to UNCP. Department chairs should ask them to complete Declaration of Major forms at the first advisement session. The chair of the department may delegate the responsibility of advising individual students to any member of the department, but the basic responsibility for an effective advisement program remains with the chair.

Academic advisers will make every attempt to give effective guidance to students in academic matters and to refer students to those qualified to help them in other matters; but the final responsibility for meeting all academic requirements for a selected program rests with the student.

### **6-7.B.2 Online Academic Advising**

On Course is a flexible, easy-to-use degree audit and advisement tool for faculty advisers. Faculty members will be able to determine at a glance which degree requirements have been met and which are remaining. The Office of the Registrar conducts several training sessions each semester. New faculty members must attend a workshop before access to the Student Information System is granted. Upon completion, a USER ID and a temporary password will be assigned by University Computing and Information Systems (UCIS).

### **6-7.C Registration Procedures And Policies**

Each student must complete registration online. No student is considered to be officially registered until the student has completed registration as outlined below. Students who fail to complete registration as prescribed will have their names dropped from all class rolls. If these students subsequently request to register, they must follow registration procedures just as if they had not started registration before.

The University has a two-phase registration system: the early registration phase and the regular registration phase. Students currently enrolled at the University of North Carolina at Pembroke may complete their registration by: (1) consulting with their advisor during the designated early registration period, (2) obtaining the registration material (Permit to Register Card) from the advisor and preparing their class schedule for the next semester, (3) registering for the approved course work online, and (4) paying tuition and fees to the Cashier's Office.

Students entering UNCP for the first time or returning after an absence of one semester or more may complete their registration by: (1) consulting with their advisor during the designated registration period, (2) obtaining a Permit to Register Card and preparing their class schedule for the semester, (3) registering for the approved course work online, and (4) paying tuition and fees at the Cashier's Office.

The advisor's role is to assist the student in planning a suitable academic program. Advisors will use Web for Faculty to lift registration flags enabling advisees to register on-line. Log in to Web for Faculty using Username and Personal Access Code (PAC). New faculty may obtain a PAC from the Office of the Registrar. Select current term (student must be enrolled in current semester to pre-register for upcoming semester). Under General Services, select Registration Flags. Check the box under permit registration to allow student to register. When

finished, click submit. Questions about using the Web based registration system should be directed to the Registrar's Office.

The student is responsible for following all applicable academic regulations. This includes general education requirements, prerequisites, and major/minor requirements. Students are individually responsible for all course registrations and for completing the requirements for graduation. The Office of the Registrar will drop students who register for courses without following departmental or University regulations. Each student must register online prior to the first day of class. After classes begin, each student must register in person in the Office of the Registrar.

## **6-7.D Adding, Dropping, and Withdrawing from Courses**

### **6-7.D.1 Undergraduate Procedures**

After a student has completed registration the only way the student's schedule can be changed is through the drop-add procedure. To add a course a student must obtain a Drop-Add Form from an academic department, complete the form, have it approved by his or her advisor, obtain the signature of the gaining professor, and present the form Registrar. To drop a course a student must obtain a Drop-Add Form from an academic department, complete the form, have it approved by his or her advisor, and present the form to the Cashier's Office and the Office of the Registrar.

A student may withdraw from a course after the drop-add period but prior to and including the last day of the first week of classes after midterm grades are reported, with a grade of W, if the student obtains the signature of her or his advisor.

Withdrawal without penalty from a course or courses after the deadline for withdrawal but before the last two weeks of classes in the semester, may be approved only for appropriate cause such as serious illness. Appropriate documentation is required. Unsatisfactory academic performance does not by itself constitute sufficient reason to grant a late withdrawal.

The student should secure a course withdrawal form from the Registrar's office, obtain the instructor's signature and the advisor's signature, and return the form to the Academic Affairs Office for review. Approved requests receive W in the course. A copy of the completed form and any required documentation must be on file with the Academic Affairs Office before a late course withdrawal will be considered. A second copy of the completed withdrawal form will be forwarded to the Registrar's Office for entry of the assigned grade.

### **6-7.D.2 Graduate Withdrawals**

Graduate students who wish to withdraw from a graduate course follow similar procedures, but with different deadlines. A graduate student may withdraw from a course up to two weeks before the final class meeting of the course. Forms for such withdrawals are available in the Graduate Studies Office, must be signed by the course instructor, and are to be returned to the Graduate Studies Office. Consult the UNCP Catalog for details of the procedure.

## **6-7.E Accommodations for students with disabilities**

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination against individuals with disabilities.

The Disability Support Services (DSS) office provides, arranges, and coordinates accommodations for students in courses, programs, services, activities, and facilities. Disability Support Services is the designated office that obtains and files disability related documents, certifies eligibility for services, determines reasonable accommodations, and develops plans for the provision of such accommodations for students with disabilities.

The DSS mission is to create an accessible community where people are judged on their ability, not their disability. Disability Support Services strive to provide individuals with the tools by which they can better accomplish their educational goals.

In post-secondary settings, it is the student's responsibility to request accommodations, if desired. It is important to remember that not every student with a disability needs accommodation. It is equally important to remember that even though two individuals may have the same disability, they may not need the same accommodation.

Complete information about the regulations and guidelines for accommodating students with disabilities; about services, materials, and equipment available; and about access to DSS capabilities is available from the DSS Office in the D. F. Lowry Building and via the DSS web page (<http://www.uncp.edu/dss/>).

#### **6-7.F Classroom emergencies procedure**

In case of an emergency on campus, campus police are to be notified at (910) 521-6235. Campus police will respond to all emergencies on campus.

**CAMPUS POLICE 521-6235**

## **6-8 Improper Supervisory Relationships**

Because of the risk of possible abuse, as a matter of policy, the University of North Carolina system prohibits supervisory relationships between individuals who have a close personal relationship. Such relationships include those between family members or persons in a romantic relationship. Supervision includes both job supervision and student supervision in classroom or other situations. Faculty members should become familiar with this policy. See Appendix O for the complete text of the policy.

The full statement of the policy on Improper Relationships between Students and Employees is in Section 12-6.A.

## **6-9 Student Disciplinary Matters**

### **6-9.A Academic Honor Code**

The Academic Honor Code serves to maintain academic honesty and integrity within the University. Regulations at this institution are in effect as soon as the student arrives at UNCP and continue while he/she is on campus. Every student should be familiar with the rules and regulations of this University found in the Student Handbook. Personal honor is the basis of the Academic Honor Code, and it is up to each student to realize and accept this premise if it is to work. Every student who is aware of a violation of the Academic Honor Code should report it to the Vice Chancellor for Student Affairs. See Article IV of the Student Government Association Constitution for further information concerning the Academic Honor Code.

Examples of violations of the Academic Honor Code are as follows:

- A. Cheating: Intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices in any academic exercise. This definition includes unauthorized communication of information (oral and/or written) or receipt of such information during an academic exercise.
- B. Plagiarism: Intentionally or knowingly presenting the work of another as one's own (i.e., without proper acknowledgment of the source).
- C. Fabrication and Falsification: Intentional and unauthorized alteration or invention of any information or citation in an academic exercise. Falsification is a matter of altering information, while fabrication is a matter of inventing or counterfeiting information for use in any academic exercise.
- D. Abuse of Academic Materials: Intentionally or knowingly destroying, stealing, or making inaccessible library or other academic material.
- E. Complicity in Academic Dishonesty: Intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.

(See Section 12-4 of this Handbook for the full Academic Honor Code.)

### **6-9.B Student Discipline**

All faculty members should feel a sense of responsibility to report any type of behavior, whenever it may occur, which may reflect unfavorably upon the university community.

Whenever possible, names of students involved and a descriptive account of the behavior in question should be reported. Typical examples of such behavior might be obscenity, vulgarity, and vandalism. Such reports should be made to the Associate Vice Chancellor for Student Affairs.

### **6-9.B.1 Student Conduct in Class**

At times it may be appropriate for an instructor to refer problems of personal conduct in his/her class to other agencies. Such conduct as, for example, cheating, stealing, and unusual boisterousness may appropriately be referred to the Vice Chancellor for Student Affairs for study and action.

Addressing disruptive behavior in the classroom is left to the discretion of the individual faculty member. However, it is suggested that the faculty member make clear to the class in the syllabus or at an early class meeting that any behaviors that disrupt the teaching and/or educational process will not be tolerated. If a student displays such behavior, the faculty member should deal with it early and directly by speaking to the student. If it continues to be a problem the faculty member may ask the student to leave the classroom and should report the student to the Vice Chancellor for Student Affairs.

Written documentation should be kept for each instance, including how it was addressed. At the faculty member's request and with appropriate documentation, the Office for Academic Affairs will administratively withdraw the student from class(es) as a result of repeated disruptions to the academic process.

### **6-9.B.2 Smoking in Classrooms**

Smoking in classrooms is not permitted. The members of the faculty and staff are expected to assist in the enforcement of this regulation. The University of North Carolina at Pembroke Smoking Policy appears in Section 12-3.C of this Handbook.

### **6-9.C Student Disciplinary Procedures**

Student disciplinary actions are the responsibility of the Office for Student Affairs. The UNCP Student Handbook, available on request from the Office for Student Affairs, contains a complete description of the student judicial system and its procedures; faculty members should become familiar with those procedures. Very briefly, student misconduct can be adjudicated administratively by the Dean of Students or in a hearing before the Campus Judicial Board. Students whose cases are heard by the Campus Judicial Board have the right to appeal that Board's decision to the Campus Appeals Board, and ultimately to the Chancellor. See Section 12-5 for the UNCP Code of Conduct.

### **6-9.D Code of Conduct**

Any student whose **conduct on or off campus** becomes unsatisfactory and is determined to have a detrimental impact on the mission of the University will be subject to appropriate judicial action. No student will be permitted to graduate or officially withdraw from the University while disciplinary action is pending against him or her.

According to the By-Laws of the Board of Trustees of The University of North Carolina at Pembroke, ratified in March of 1968, the administration of the University is responsible for all phases of student discipline. The administration holds that a student enrolling in the University assumes an obligation to conduct himself/herself in a manner compatible with the University's function as an educational institution. Further, the Board of Trustees has directed the



administration to take appropriate disciplinary action against students and student organizations who are found to be in violation of the University's Code of Conduct. A UNCP student shall refrain from the following prohibited behaviors which reflect conduct unbecoming of a student at The University of North Carolina at Pembroke:

1. Violating the Academic Honor Code;
2. Furnishing false information to the University with intent to deceive;
3. Withholding, with knowledge, information from the University;
4. Refusing to comply with any lawful order of a clearly identifiable University official acting in the performance of his/her duties in the enforcement of University policies (residence staff members are considered University officials when acting in an official capacity);
5. Failing to present his/her ID when requested to do so by a University official;
6. Forging, altering, defrauding, or misusing documents, charge cards or money, checks, records, and ID cards of an individual or the University;
7. Violating the UNCP appropriate use policy for computers, networks and federal copyright law;
8. Neglecting to discharge all obligations to the University prior to the close of each semester;
9. Loitering around the residence halls after visitation hours have expired;
10. Disruptive and disorderly conduct;
11. Operating cell phones, pagers, beepers, etc., in classrooms, libraries, and labs;
12. By means other than the use or threatened use of physical force, harassing or threatening another in a manner or through such behavior that a reasonable person would find threatening;
13. Harassing another student by using objectively offensive speech or behavior of a biased or prejudiced nature related to one's race, color, creed, national origin, sex, religion, handicap, age, or sexual orientation, if such speech and/or behavior is so severe and pervasive as to effectively prevent the other student from obtaining an education or to create an objectively hostile educational environment;
14. Unauthorized entry or presence in or upon or use of any University premises or leave the classroom and should report the student to the Vice Chancellor for Student Affairs. Written documentation should be kept for each instance including how it was handled. At the faculty member's request and with appropriate documentation, the Office for Academic Affairs will administratively withdraw the student from class(es) as a result of repeated disruptions to the academic process.
15. Violating policies governing residence life; property (including but not limited to roofs, storage facilities, crawl spaces, mechanical rooms and out buildings) or student property (i.e., automobiles, lockers, or residences) or unauthorized possession, duplication, loan, or use of keys to any university premises or property;
16. Engaging in objectively offensive or disruptive speech or conduct directed toward a member of or visitor to the University community; if such language or conduct is obscene or so severe and pervasive as to constitute legally prohibited harassment in that it effectively prevents an individual from obtaining an education or creates an objectively hostile educational or work environment;
17. Obstructing justice by hindering or impeding a duly authorized function of any judicial hearing;
18. Obstructing or disrupting teaching, research or other University activities on University premises; the handling of disruptive behavior in the classroom is left to the discretion of the individual faculty member. However, it is suggested that the faculty member make clear to the class in the syllabus or at an early class meeting that any behaviors that disrupt the teaching and/or educational process will not be tolerated. If a student displays such behavior, the faculty member should deal with it early and directly by speaking to the student. If it continues to be a problem the faculty member may ask the student to
19. Rollerskating/blading, skateboarding, scooter riding and the riding of bicycles is prohibited in University buildings. Rollerskating/blading, scooter and bicycle riding as a means of

transportation is only permitted on walkways and ramps when the operator does not create a hazard to themselves or others. Performing jumps or other stunts (“hot-dogging”) is strictly prohibited on campus. Rollerskating/blading and skateboarding by visitors is prohibited. Skateboarders and rollerskaters/bladers may not be towed by bicycles or other vehicles.

20. Endangering, injuring, or threatening to injure the person or property of another;
21. Vandalizing, destroying maliciously, damaging or misusing public or private properties, including library materials;
22. Stealing or attempting to steal, aiding or abetting, receiving stolen property, selling stolen property, or embezzling the property of another person or the University (Book Selling – When a student resells a book to an individual or to the bookstore, that student is held responsible if the book which is being resold is stolen property. If, and when, a student buys a book from another student, it is the purchaser’s or seller’s responsibility to be able to identify the student involved. If the student buying the book will not or cannot identify the seller, the student buying the book will be held responsible. The student who sells a book to another student should always have his/her ID number in the book);
23. Being intoxicated in public, displaying, driving under the influence, illegally possessing or using alcoholic beverages or liquors, or providing alcohol to students under legal age;
24. Illegally manufacturing, selling, using, or possessing narcotics, barbiturates, amphetamines, marijuana, sedatives, tranquilizers, hallucinogens, and/or other known drugs and/or chemicals;
25. Buying, selling, possessing, or using any kind of drug paraphernalia or counterfeit drugs;
26. Participating in hazing or illegal harassment of UNCP students;
27. Possessing or using firearms, fireworks, explosives, or illegal weapons on University property;
28. Sexual harassment of any member of the University community;
29. Misusing, tampering with, or disturbing without proper cause any fire prevention and control equipment;
30. Gambling on University property;
31. Knowingly acting as an accessory to any of the charges contained herein by:
  - a. Being present while the offense is committed and advises, instigates, or encourages the act, or
  - b. Facilitating in the committing of an offense in any way.

### **6-9.E University Judicial System**

Subject to any policies or regulations of the Board of Governors or of the Board of Trustees, it shall be the duty of the Chancellor to exercise full authority in the regulation of student affairs and in matters of student discipline in the institution. In the discharge of this duty, delegation of such authority may be made by the Chancellor to faculty committees and to administrative or other officers of the institution, or to agencies of student government, in such a manner and to such extent as may by the Chancellor be deemed necessary and expedient. In the discharge of the Chancellor’s duty with respect to the matters of student discipline, it shall be the duty of the Chancellor to secure to every student the right of due process and fair hearing, the presumption of innocence until found guilty, the right to know the evidence and to face witnesses testifying against the student, and the right to such advice and assistance in the individual’s defense as may be allowable under the regulations of the University approved by the Chancellor. In those instances where the denial of any of these rights is alleged, it shall be the duty of the President of the University of North Carolina to review the proceedings.

Every student shall be bound by the Honor Code, the laws of the Student Body enacted in accordance with the Student Government Association Constitution, and the University Code of Conduct. The Honor Code shall prohibit academic dishonesty. Offenses against the Student Body

are stealing, passing bad checks (Student Check Cashing Service), and such other offenses as may be defined by the Student Senate law. The University Code of Conduct is found in the Student Handbook and is located on the Internet at the following address: [www.uncp.edu/handbook](http://www.uncp.edu/handbook) as well as in the University Catalog. All adjudicatory power of the Student Body shall be vested in a system of hearing boards with recognition that ultimate responsibility must conform with the By-Laws of the University as established by the Board of Trustees.

### **Official Disciplinary Sanctions**

The aim of all discipline is two-fold: first, to develop self-control in the individual, and second, to protect the welfare of society. The emphasis is on rehabilitation and re-education.

**WARNING**—Technically, this is not considered a discipline, per se; however, it may be used in cases where no actual disciplinary action seems called for. The warning may be verbal or written. If verbal, a notation of the incident is made on the student's or organization's record in the office of the vice chancellor who gave or approved the warning. If written, an official letter is sent to the student or organization, outlining the actions which brought him/her to the attention of the University, cautioning him/her about the possible consequences of such actions, and warning him/her about the possible consequences of any continuation of such actions.

**ADMONITION**—The student is given a corrective interview. In addition, a notation of the incident is made on the student's record in the office of the vice chancellor who gave or approved the admonition.

**REPRIMAND**—An official letter is sent to the student indicating his/her misdeed, stating that such conduct is unacceptable, that further misconduct will probably result in more severe disciplinary action, and concluding with the hope that his/her conduct in the future will be above reproach.

**CENSURE**—Censure is the same as a reprimand except that it is used for organizations, organization leaders, et cetera, as distinguished from individuals. A copy is sent to that organization's sponsor to apprise him/her of the unsatisfactory situation.

**RESTITUTION**—Appropriate monetary reimbursement for a wrongful act which resulted in loss, damage, or actual expenses incurred by the University or individuals.

**AREA RESTRICTIONS**—Occur when a student may be excluded for a specific time period from a facility, such as the gym, the University Center, the residence halls, or other areas on campus.

**LOW ON-CAMPUS HOUSING PRIORITY**—Defined as removing a student from his/her place in the housing assignment process and placing him/her at the very end of the waiting list for on-campus housing for the upcoming year. If a student has already received an assignment, the student will not be allowed to retain that assignment.

**EXCLUSION FROM ON-CAMPUS RESIDENCY**—Defined as removing the student's privilege to apply for and/or live in a residential facility for a specified period of time. This sanction should be imposed if the offense(s) for which the student was found responsible merits the student's exclusion from on-campus residency. This decision would be based on evidence that the student's continued presence would interfere with the living/learning atmosphere within the residential community.

**RESIDENCE FACILITY RELOCATION**—Removal of a student from his/her present room or from that residence facility and assigning that student to another room or another residence facility. This would include considerations relative to housing options.

**EVICION FROM AN ON-CAMPUS RESIDENTIAL FACILITY**—Removal of a resident from an on-campus residence for a specified period of time. Students who are evicted from an on-campus residential facility are prohibited from returning to or visiting in any on-campus residential facility. Students evicted will not be eligible for refund of unused room or board.

**CONDUCT PROBATION**—The student continues in attendance; however, (s)he is in danger of suspension for any breach of good conduct during the period of conduct probation. Further (s)he may not hold any general elective office while on conduct probation. A copy of the probation letter is placed in his/her file in the office of the Vice Chancellor for Student Affairs.

**SOCIAL PROBATION**—The student continues in attendance; however, (s)he is restricted from all social functions and is in danger of suspension for any breach of good conduct during the period of social

probation. Further, (s)he may not hold any general elective office while on social probation. A copy of the probation letter is placed in his/her file in the Student Affairs Office.

**COMMUNITY WORK/SERVICE**—Community work/service assigned to a student shall commence within one week and shall be completed within 40 days of the penalty. The maximum number of voluntary work hours that may be assigned is 75. The community work/service must be supervised by a UNCP employee and it should be case or offense related.

**SUSPENSION**—The student is excluded from the University, both academically and socially, for a stated period. The student may request to be readmitted at the end of this period of suspension; however, readmission is never automatic. A copy of the suspension letter is placed in his/her file in the Student Affairs Office.

**INTERIM SUSPENSION**—Whenever there is evidence to suspect that a student's behavior on or off campus is a clear and present threat to the health, safety and welfare of the faculty, staff, students or guests, or himself/herself, the student may be suspended on an interim basis until a campus hearing can be arranged. A student on an interim suspension may be restricted from the campus in its entirety or from a particular program, activity or building.

**SUMMARY SUSPENSION**—Refer to Article IV, Adjudicatory Boards, Section E. Committee on Extraordinary Disciplinary Emergencies, number 4., Summary Suspension, of the UNCP Constitution located in the Student Government section of the Student Handbook for a detailed description of this disciplinary sanction.

**DISMISSAL**—The student is excluded from the University, both academically and socially, for an indefinite period. The student may petition the University for readmission; however, readmission is never automatic. No petition will be considered for readmission prior to the end of a year's time. A copy of the dismissal letter is placed in his/her file in the Office of the Vice Chancellor for Student Affairs.

**EXPULSION**—A recommendation is made to the Chancellor of the University to permanently separate the student from the University. The Chancellor must review and make the final decision on any expulsion penalty for disciplinary reasons. A student who is expelled will be unable to graduate from The University of North Carolina at Pembroke.

#### **6-9.F Appeals and Student Discipline Records**

Any disciplinary action may be appealed. Further information may be found in Article IV of The University of North Carolina at Pembroke Student Constitution located in the Student Government section in the Student Handbook.

##### **Student Discipline Records**

The University maintains for every student who has received any discipline sanctions a written discipline record. The file shall include the nature of the offense, the penalty assessed, and any other pertinent information.

Student Conduct discipline files are housed in the Office of Student Affairs for eight years and are then forwarded to the Registrar's Office unless the sanction is suspension or expulsion. Suspension and expulsion files are kept in the Student Affairs Office indefinitely. Students suspended or expelled for disciplinary infractions will be entered into the Suspension/Expulsion database at UNC General Administration and will be available to all UNC campuses.

Academic Honor Code violations resulting in conviction will be kept in the Student Affairs Office for ten years. Pertinent information involving these cases will be transferred to the Registrar's Office immediately after verdict. Student discipline records are confidential in accordance with federal and state laws. The contents of the student's discipline record may not be revealed to anyone not associated with campus discipline except upon written request of the student or a court-ordered subpoena.

**6-9.G Student Rights and Responsibilities**

Students who apply for admission to the University of North Carolina at Pembroke and are subsequently admitted are not enrolled as a legal or constitutional right. Authority to determine academic admission standards is delegated to the Board of Trustees and the Chancellor. When a student is admitted to UNCP, he or she accepts the rules, regulations, and procedures that apply to the campus.

Students attend UNCP as a voluntary act and accept substantial benefits which the State of North Carolina provides. In taking such action, and accepting the benefits which accrue, students must accept the rules and regulations that have been developed pursuant to law.

Upon enrollment, a student receives no sanctuary from obedience to law. A student is not entitled to greater immunities or privileges before the law than those enjoyed by other citizens generally. In addition to the federal, state, and local laws that pertain to all citizens, a student must accept the institutional rules and regulations necessary to accomplish the purposes for which the institution was established. The student does not, however, lose constitutional or legal rights by an act of voluntary enrollment. The Code of the University of North Carolina specifically refers to the important right of a fair hearing and due process. Federal and state statutes and court cases have established certain student rights which are not to be infringed upon, except in situations which are themselves outlined in law and court procedures.

Among these are:

1. No student may be denied access to university facilities or programs on the basis of sex, race, religion, or national origin.
2. No student may be denied the protection of the First Amendment of the Constitution of the United States and Article I of the Constitution of the State of North Carolina, which refer to freedom of speech, freedom of religion, freedom of the press, and freedom to assemble peacefully.
3. No student may be denied the continuance of his/her education for disciplinary reasons without being afforded the right to due process.

**Additional rights recognized by UNCP are:**

4. The right to read and study free from undue interference in one's room. (Unreasonable noise and other distractions inhibit the exercise of this right.)
5. The right to sleep, the right to one's personal belongings, the right to free access to one's room and suite facilities during the period that the residence halls are open, the right to a clean environment in which to live. (Optimum physical conditions are essential, as they support, reinforce, and provide positive conditions in which to learn and live.)
6. The right to redress of grievances. If the academic and residence hall communities are to function in the most educationally profitable manner, the right to initiate actions and referrals for impartial and fair adjudication of grievances is held paramount. In exercising this right, the student further holds the right to be free from fear or intimidation, physical and/or emotional harm, and without imposition of sanctions apart from the due process.
7. The right to personal privacy. All persons should have freedom from interference with their personal activities and should be able to maintain privacy for other than academic reasons.
8. The right to host guests. All students should have the opportunity to maintain personal contacts and friendships with other persons to fulfill their needs for socialization. Guests are to respect the above stated rights of the host's roommates and of other residents.

## 6-10 Academic Policy And Curriculum Matters

### 6-10.A Faculty Involvement In Academic Policy Decisions

Section 502 D (2) of The Code of the University of North Carolina mandates that the Chancellor of each of the constituent institutions in the UNC system "shall insure the establishment of appropriate procedures within the institution to provide members of the faculty the means to give advice with respect to questions of academic policy and institutional governance, with particular emphasis upon matters of curriculum, degree requirements, instructional standards, and grading criteria." At UNCP, the faculty advises the Chancellor in such matters via the procedures of the Faculty Senate and its committee structure.

### 6-10.B Curriculum Changes

#### 6-10.B.1 Curriculum Development And Revision Process

The University of North Carolina at Pembroke has a clearly defined process for the development of curriculum, including degree programs, tracks, concentrations, minors, and individual courses. Proposals for new degree programs, prepared according to specified guidelines of the UNC Academic Program Development Procedures, must be approved by the UNC Board of Governors. Proposals for new tracks must be approved by UNC Office of the President. Ph. D. programs must be submitted to the UNC Graduate Council for review and approval and to the UNC Board of Governors for approval. Masters programs are submitted to the Office of the President and then to the Board of Governors. Curriculum development and revisions proposals are initiated by the faculty of the academic departments by completing a standardized Curriculum Proposal/Change Form **Section Error! Reference source not found.** If the proposed changes are minor, neither substantially altering the content or format of the affected course nor having significant impact on any degree program, the "Minor Course or Program Change Proposal Form" may be used. This form is completed and reviewed by the department originating the proposal; submitted to the General Education Subcommittee for review if the proposal involves any aspect of the General Education Program (see Section 6-10.B.2); and finally submitted to the Curriculum Subcommittee for review. A representative from the department submitting the proposals must be present at the subcommittee meetings to address any questions that may arise. Minor proposals passed by the Curriculum Subcommittee require no further action prior to implementation. Copies of passed minor proposal forms are submitted to the offices and individuals noted on the form.

More substantial curriculum proposals are submitted using the "Course or Program Proposal Form" and require a more thorough review and approval process. The department is the point of origin for all curriculum proposals, both those that can be handled at the campus level and those that must have Board of Governors' action. Curriculum proposals are reviewed by the department and signed by the department chair; reviewed and signed by the chair of any other department affected by the curriculum development or revision; reviewed, if the development or change affects Teacher Education; by the Teacher Education Committee and signed by the Chair of that committee; reviewed, if the development or revision impacts on General Education, by the General Education Subcommittee and signed by the chair of that committee; signed by the Registrar, the appropriate Dean, and the Provost and Vice Chancellor for Academic Affairs for the purpose not of approval, but of acknowledgment of having read the proposal. Graduate curriculum proposals must first be approved by the Graduate Council, before submission to the General Education Subcommittee.

When the required signatures are affixed, the proposal is passed to the Subcommittee on Curriculum; the parent committee of this subcommittee is the Academic Affairs Committee, a standing committee of the Faculty Senate. This subcommittee is composed primarily of faculty. The proposal is reviewed extensively and a vote is taken. The chair of the Subcommittee on Curriculum takes the curriculum matters acted on by the Subcommittee to the Academic Affairs Committee, which reviews and votes to accept or reject the curriculum matter.

Following action by the Academic Affairs Committee, the Chair takes curriculum as well as other committee actions to the full Faculty Senate, where the proposal is reviewed and voted on by the full Senate. All Senate actions, including curriculum matters, must go to the Chancellor for final action. A representative of the department whose proposal is being considered must be present at all committee meetings to clarify rationales, answer questions, and address concerns regarding their proposal.

The curriculum and the process for its development and revision are assessed by this multilevel approval process. In addition, the curriculum and the process are evaluated as part of the institutional assessment made by the Southern Association of Colleges and Schools Commission on Colleges. Curricula of the various departments and the process used to develop curriculum are assessed by those agencies who accredit particular programs, e.g., at UNC Pembroke, the National Council for Assessment of Teacher Education, the State Department of Public Instruction, the National Association of Schools of Music, and the Council on Social Work Education.

For those academic programs not subject to such specific program review, UNC Pembroke periodically conducts a substantial departmental self-study which is prepared by the academic department under review and may involve an external reviewer. Curriculum review is an integral component of this process. The review is submitted to the Dean and to the Office for Academic Affairs.

### **6-10.B.2 General Education Program Changes**

Revisions to the General Education Program may include policy changes or content alterations. Policy changes may be suggested by anyone to the General Education Subcommittee, or may be referred to it from some other faculty governance body. Recommendations for General Education Program policy changes are forwarded from the General Education Subcommittee to the Academic Affairs Committee.

Curricular content (course) changes typically emerge from an individual academic department, as a curriculum revision proposal. Because changes in the General Education Program may affect all students, in all departments, and because changes in one area of the General Education Program may impact other areas, any proposed General Education curricular proposals are first reviewed by the General Education Subcommittee. The General Education Subcommittee in turn sends its recommendations to the Subcommittee on Curriculum. Both these subcommittees report through the standing Academic Affairs Committee of the Faculty Senate. Before they can be implemented, curricular revisions in the General Education Program require approval by the General Education Subcommittee, the Subcommittee on Curriculum, the Academic Affairs Committee, and the Faculty Senate.

The composition and charge to the General Education Subcommittee appear in the Bylaws of the Faculty Senate in Section 11-2 of this Handbook.

**6-10.C Teacher Education Committee**

The Teacher Education Committee is the University-wide committee responsible for all teacher education programs at The University of North Carolina at Pembroke. Its specific functions include establishing teacher education policies, reviewing all proposed changes to teacher education curricula, reviewing proposed teacher education programs, reviewing the professional studies component of the program, approving applicants to the teacher education program, approving applicants for the professional semester, assuring compliance with state and national accreditation standards, and considering other matters related to teacher education. See Section 10-5.C in this Handbook for a complete description of the Teacher Education Committee.

**6-11 Campus Citizenship****6-11.A Faculty Meetings**

Faculty members are expected to be in attendance at all regular faculty meetings and other announced university programs. A member who finds it necessary to be absent from a faculty meeting should so indicate to the Provost and Vice Chancellor for Academic Affairs prior to the time of the meeting (see Article I, Section 3 of the Faculty Constitution).

Typically, the General Faculty convenes at the beginning of each academic year and at the end of each regular semester of the year. At those latter times, the candidates for degrees are presented for approval by the faculty. These meetings are also an opportunity to hear reports on issues and events of interest to the faculty.

**6-11.B Meetings Of Faculty Governance Bodies**

All meetings of all faculty governance bodies (e.g., subcommittees, committees, and the Faculty Senate) are open to any interested faculty member. As a rule, agendas of such bodies are published to the faculty (typically, by e-mail or on the relevant website). Faculty members who may have views about agenda items for a given governance body are encouraged to attend and express those views.

**6-11.C Commencement Exercises**

Commencement exercises are held twice a year, at the close of the fall and spring semesters. Faculty are expected to participate in the Commencement Program in academic regalia. Written requests to be absent should be submitted to the Chancellor.

**6-11.D University Convocations**

As a rule, the University schedules an Opening Convocation near the beginning of the Fall term each year. Faculty members are expected to attend, in academic regalia.



## **7 SERVICES AND FACILITIES FOR FACULTY**

### **7-1 Services**

#### **7-1.A Parking: Campus Parking Permit**

It is the responsibility of each faculty member to register his/her motor vehicle with the Cashier's Office. Permits are valid for one year, expiring August 15. Permits sold after January 1 are half price. Costs vary by employment category and are subject to change. Review the Traffic Rules and Regulations, available at the time you register your vehicle, to determine which lots are available for faculty/staff parking. The parking permit cost may automatically be deducted from your August paycheck on a pre-taxed basis. The annual enrollment is during May of each year for the following academic year. Parking and traffic control regulations can be found at <http://www.uncp.edu/police/parking/index.htm>

**PARKING FINES.** Parking fines will be levied when violations occur. They are payable to the Cashiers Office in Lumbee Hall. Moving violations will be processed through the court system as prescribed by North Carolina General Statutes. Convictions are recorded on the individual's driver's license record maintained by the North Carolina Department of Motor Vehicles.

**APPEAL PROCESS.** If a person feels that his or her vehicle has been unjustly ticketed, he or she may file an appeal by completing the appeal form on the reverse side of the citation, or a blank appeal form may be obtained from the University Police/ Traffic Office. If no appeal is filed within sixteen (16) days of issuance of the citation, it is conclusively presumed that the assessment is in order. The Traffic Appeals Board will not consider appeals based upon: lack of space, ignorance of regulations or inclement weather. The decision by the Board is final.

#### **7-1.B Telephone and FAX service**

Telephone services are managed by the University Computing and Information Services (UCIS) office. Consult that office to obtain initial telephone service, set up voicemail, and call for any repairs that might be needed.

Instructions for using the campus telephone are listed in the campus telephone directory. Directory information is updated each academic year.

Fax service is offered to all faculty, students, and staff. The fax number is 910-521-6688. A publicly available FAX machine is located in the campus Post Office; other machines are located in various departments across campus (see the campus Phone & E-mail Directory for locations and numbers). Most departments now have their own FAX machines.

Faculty and departments may use the service free of charge if the material faxed is UNCP business. An authorization form is available in the Post Office. With authorization faculty/departments may send or receive material via this fax number. Users receiving a document should instruct the sender to note the name, department, and phone number of the receiver. The fax may be used for personal use for a small fee. The charges are \$.50 per page for outgoing faxes within the continental US and \$1.00 per document for incoming faxes.

## **7-1.C Mail Service**

### **7-1.C.1 General Procedures**

The UNCP Post Office is located at the front of the Central Warehouse. The office offers stamps, envelopes, USPS, UPS, Federal Express, and Airborne mailing services.

Mail is picked up daily from the Pembroke Post Office, sorted and delivered to all campus boxes and departments.

Intra-department mail is picked up and delivered twice a day. Outgoing mail boxes are available in the following buildings: University Center, Lumbee Hall, Business Administration, Oxendine Science, Dial Humanities, Educational Center, and Old Main. Anyone may post outgoing mail (providing it has appropriate postage) in these boxes. The outgoing boxes can be used for campus mail, courier mail and outgoing mail.

The Campus Mail Center is located at the front of the Business Services building; however, student post office boxes are located on the first level of the James B. Chavis University Center. Operating hours are from 8:00 am-5:00 pm., Monday-Friday. Package pick-up and other postal services are provided at the mail center. Stamps can be purchased there and at the Information Booth in the University Center. Outgoing mail boxes are located in most academic and administrative buildings. There are also outdoor mail drops located outside the Campus Mail Center and North Hall.

In addition to regular postal service, the Campus Mail Center provides other services to students, staff, and faculty for a nominal fee. These additional services include: certified mail; insured mail; registered mail; express mail; and a FAX service.

CERTIFIED MAIL must be first-class mail for which the sender wants written evidence of mailing. The envelope/package must be marked "Certified Mail." If the sender wants written evidence of delivery, the piece of mail must also be marked "Return Receipt Requested." Certified mail does not provide insurance. Foreign mail cannot be certified; it must be sent by registered mail.

INSURED MAIL is used when the sender wants to insure a letter/package for a certain amount of insurance, which can range from \$1 to \$500. The parcel must be marked "Insured" with the value of the contents marked on the outside. A return receipt may be requested to show written evidence of delivery. It is possible to insure third- and fourth-class mail for an additional charge.

REGISTERED MAIL is basically like certified mail, but it is guarded more closely and provides a certain amount of insurance.

EXPRESS MAIL is when the sender wants to rush an item anywhere in the United States for next-day delivery. There are certain times the post office needs to receive this mail in order to ensure next-day delivery. Please call the Campus Mail Center for additional information.

### **7-1.C.2 State Courier Service**

UNCP is served by the State Courier service for all state agencies located in Raleigh and other agencies throughout the State. Contact the Post Office for more information or for courier addresses.

### **7-1.D Package Services**

UPS/FEDERAL EXPRESS/AIRBORNE These are additional express-type services offered through the Campus Mail Center. Ask for details.

### **7-1.E Computer resources and services**

The Office of University Computing and Information Services (UCIS) reports to the Vice Chancellor for Information Resources & Chief Information Officer. The primary function of the office is to handle all aspects of computing and telecommunications for the University and provide the technical infrastructure and support needed to meet the mission of the University. The main office for UCIS is located in Room 1300 of the Oxendine Science Building Annex. The Interactive Video Facility is located in Room 125 of the Business Administration Building and the Client Services Training Lab is located in Room 2202 of Oxendine Science Building.

The Office of UCIS is responsible for administrative and academic computing, the campus data and video network, telecommunications, computer and software training, the campus Interactive Video facility, University web site support, installation, service and repair of microcomputers, printers and peripherals, campus computer systems, and production processing of installed software and programs. UCIS also assists in the development and implementation of individual, group and institutional research projects. Test scoring capabilities, scanning, desktop publishing, word processing, presentation software, laptop and projector checkout and other capabilities are available to the faculty to facilitate their classroom instruction and professional development activities. The Office gathers, compiles, verifies and communicates institutional data to the University.

UCIS is currently structured into four organizational units: Network & System Administration, Application Development, Client Service, and Interactive Video Facility.

**Application Development** is responsible for systems analysis, design, and programming for the administrative application systems. Among these are Financial Records, Purchasing, Human Resources, Student Records, Financial Aid, Admissions, Fixed Assets and Alumni Development. It is also responsible for University web site support.

**Client Services** provides technical support for academic instruction, faculty computing support, student computing support, helpdesk and student lab management. Client Services supports the use of technology in teaching and learning and provides training for faculty, staff and students in the use of computers and production software such as MS Office, presentation software, spreadsheets, databases, etc. Client Services is responsible for installation, service and repair of microcomputers, printers, and peripherals.

**Network and Systems Administration** is responsible for the campus data, video, and telecommunications networks. Network and Systems Administration builds, maintains, engineers, and manages a complex physical and technical network infrastructure for the purpose of providing consistent and high quality network connectivity for all campus network devices. Universal high-speed access is provided for campus and remote campus users, allowing university faculty, staff, and student access to resources on campus as well as the Internet. The campus network is connected to the North Carolina and Education Network (NC-REN) providing data and video connections to the outside world. Centralized computing service is provided through Compaq AlphaServer 2000, 2100A, and dual DS 20's as well as Sun e2450, e450, 280R, and 490 servers. UCIS also operates a number of Novel NetWare 5.1, Linux, and Windows 2000 servers providing file and printer services to the campus. Phone service is provided by dual Cisco

VoIP Call Managers and an OCTEL voice messaging system. All full-time faculty have Pentium IV or Macintosh G5 computers with local printers in their office.

**The NC-REN Interactive Video Facility** contains a teleclassroom and a teleconferencing room that support academic instruction and conferencing with other UNC institutions, community colleges, public schools, and other organizations.

### **7-1.E.1 Statement On Potential Disclosure Of Faculty Documents And Communications**

The North Carolina Public Records Act, N.C.G.S. Sec. 132-1, et seq. (the "Act,") provides, "The public records and public information compiled by agencies of the [North Carolina] Government . . . are the property of the people. It is the policy of this State that the people may obtain copies of their public records and public information . . . unless otherwise specifically provided by law." This statute applies to UNCP and includes documents (whether email, voice mail, or paper documents, or in any other recorded format) made or received by faculty members within the scope of their duties. There are exceptions to this Act, but the Act is only one of the legal avenues that may be used to require disclosure of faculty documents and electronic communications. Other such legal avenues include, but are not limited to, search warrants that may be secured by law enforcement, subpoenas that may be issued by litigants' counsel, the courts, or certain State and federal agencies, and other court orders.

UNCP is currently working on development of a computer and communication equipment use policy that addresses the extent, if any, to which University systems may be used incidentally by employees, including faculty, for private emails or voice mails. However, such a policy will primarily address the extent, if any, to which the University will recognize a student's, faculty member's or other employee's expectation of privacy in such documents and communications when it is necessary to determine whether the University will, without an external legal mandate, access faculty documents, email, or voicemail. When adopted, that policy will not (and cannot) protect such documents, email and voicemail from disclosure pursuant to search warrants, subpoenas, other court orders, or any other legally enforceable discovery procedures, including the North Carolina Public Records Act if no exception to that Act applies.

### **7-1.F The Sampson-Livermore Library**

The library is a cultural, educational and informational resource for The University of North Carolina at Pembroke and the surrounding region, and serves to support the University's teaching, learning and research needs. The library staff is at all times ready to assist students and faculty in finding course-related or research materials. The Library provides a number of services for students, staff, faculty and other library users. Services include providing a collection of print and nonprint reference and circulating materials including online data bases and electronic full-text journals; acquiring new materials; offering a collection of selected state and federal documents; meeting interlibrary loan requests; providing reference assistance, information and research consultation, library use instruction, orientation tours, circulation services; and meeting other service requests as needed. All library services available onsite are available to distance education students. Assistance is provided to disabled persons as needed.

The library staff encourages all faculty members to visit its Website at <http://www.uncp.edu/library>. The Website is updated regularly to reflect the variety of print and nonprint materials available at the Sampson-Livermore Library as well as other library use information.

### **7-1.F.1 Library Hours**

Library hours are as follows: Monday through Thursday, 8:00 a.m.-12 midnight; Friday, 8:00 a.m.-5:00 p.m.; Saturday, 9:00 a.m.-6:00 p.m.; Sunday, 2:00-11:00 p.m. Between academic sessions the Library is closed on weekends and operates 8:00 a.m. - 5:00 p.m. Monday through Friday. Summer hours are Monday through Thursday, 8:00 a.m. - 10:00 p.m.; Friday, 8:00 a.m. - 5:00 p.m.; Saturday, 10:00 a.m. - 5:00 p.m., Sunday, 2:00-10:00 p.m. Exceptions to the above schedule, including during fall and spring break and holidays, will be listed on the Web and in printed postings.

### **7-1.F.2 Acquisitions**

A system of library-faculty liaison exists, through which professional librarians work closely with academic departments and/or individual faculty members to assist in ordering materials, in research, or in meeting other library-related needs. Suggestions for additions to the library's collections are requested and encouraged. Materials ordered are charged against departmental allocations as part of the process of building a balanced collection. Such allocations are determined each fiscal year. Requests for new materials can be made to the departmental chair, departmental library liaison, or members of the library staff. The library's primary mission is to support the University curriculum. While few materials are purchased solely for faculty research, users have access to many via interlibrary loan or cooperative borrowing agreements. The Library also acquires some materials for recreational reading. Current textbooks used by students are not acquired for the library collection, but requests for textbooks which supplement or update the library's collections are considered. Periodical subscriptions are reviewed for addition or deletion each spring.

### **7-1.F.3 Government Documents**

The Sampson-Livermore Library is a selective depository for the State of North Carolina and U.S. government publications/documents. Faculty members may request relevant documents from lists retained by the Government Documents/ Special Collections Librarian.

### **7-1.F.4 Interlibrary Loan Services (ILL)**

ILL is a service offered to UNCP students, faculty and staff. Materials not owned by the Library may be obtained from other lending libraries. Types of material available through interlibrary loan services include monographs, photocopies of journal articles, government documents and some microfilm and theses. In most cases, items can be borrowed or photocopies can be obtained within a two to three week period. Eligible users can submit an ILL request form in person or electronically. Urgent requests for copies of single pages of information or articles can be faxed, within a reasonable time frame. A fee may be associated with photocopies, fax equipment use, or any borrowing fees assessed by the lending library.

### **7-1.F.5 Reference Consultation and Assistance**

Reference personnel assist patrons in finding information in print and electronic formats; schedule and perform research consultations; assist in the compilation of bibliographic resources; and provide basic instruction on how to use online and electronic resources, including the online catalog and various research databases. Faculty members are urged to discuss library assignments and instruction needs with the reference personnel, to notify the staff of such assignments, and to request assistance from them, if needed. Such assistance may include preparing bibliographies, scheduling library instruction sessions, or preliminary searching to assure that there are enough materials for students to complete the assignment. Advance information prior to assignments will be appreciated and helpful for students and the library staff.

### **7-1.F.6 Library Instructional Services**

Students are introduced to the Library during their orientation classes. However, Instructional Services personnel offer students, faculty and staff a structured approach toward learning how to use the Library and how to make information-seeking efforts more efficient. They are shown where some fundamental sources of information are located, and they are given a chance to get acquainted with how to use these resources. Through library instruction classes and hands-on exercises, the library user gains a better understanding of the sources and services available and the information that may be obtained. The Library encourages faculty teaching courses in all subjects areas to arrange for a librarian to show the students the location and sources of information in the faculty member's field. Library instruction may be scheduled in advance by faculty for their classes. It is recommended that faculty members be present during library instruction classes for purposes of interacting with students and the library instructor.

### **7-1.F.7 Circulation Services**

Faculty members are eligible for library services upon the beginning date of their employment. (Note: Faculty members are eligible for circulation privileges at other UNC system institutions upon presentation of their Braves One Card or other identification material which links them to the Sampson-Livermore Library.) Faculty borrowing privileges generally cease when a faculty member leaves the University's employment, but are continued for Emeritus and retired faculty. Books may be borrowed by students and staff for three weeks, with renewals available for an additional three weeks or any part of this period to the end of a semester or session if no other requests are made on the item(s). Faculty may borrow books for an entire semester, with the understanding that these books are to be returned at the end of that semester, or within no more than three weeks following notification of a request to borrow by another patron. If a recall is necessary, the faculty member will be given the minimum of three weeks to use the item. All library users are responsible for any damages to items and costs to repair/replace library materials while checked out to them. Serials, including both newspapers and current and bound journals, and those preserved on microforms, do not generally circulate outside the Library, nor do Reference materials or Government Documents. Media items are available and circulate outside the library for three days, with a maximum of two items allowable.

Books may be renewed in the Library or electronically through the library's Website. It is recommended that at the end of each spring semester, faculty members return all items checked out to their library record. This allows Circulation Services the opportunity to ascertain the availability of the items.

Overdue notices will be sent for items not returned in a timely manner at the end of each semester. Six months after the items are due and have not been renewed or returned, the faculty member will be invoiced for them. The cost of the book plus a processing fee will be charged. Should the overdue material not be returned to the Library or paid for by the beginning of their next teaching semester, suspension of borrowing privileges and other administrative actions will be taken. Before such actions are taken, the faculty member will be notified in writing by the University Librarian.

(The above-stated policies regarding library lending were approved by the Faculty Senate December 2, 1992.)

### **7-1.F.8 Reserve Materials**

The library maintains a Reserve Reading Collection in order to provide maximum access to class-assigned materials for all students. All materials are shelved behind the Circulation Desk

and many are available electronically also. Items on reserve may be searched in the library's online catalog, BraveCat. Professors should place course-related items on reserve at least 48 hours before assignments are given which involve the reserve materials. Professors will designate the desired loan period: library use only, overnight, three-day, one week, or other as specified with the understanding that reference materials cannot be used outside the Library or placed on reserve for an entire semester. Reserve forms for reserve items may be obtained from the Circulation Desk. At the end of each semester all reserve items are removed from reserve unless requests have been made to keep the items on reserve. The library maintains strict compliance with the U.S. Copyright Law. Faculty members are reminded that they must secure copyright clearance for articles they wish to place on reserve for more than one semester. All faculty members wishing to place items on reserve are encouraged to read the library's Reserve Reading Collection Policy.

### **7-1.F.9 Archival Materials and Special Collections**

The library collects materials relevant to the history of The University of North Carolina at Pembroke, Robeson County, and the Lumbee Indians. These materials are limited to library use only. Records of faculty governance are also housed in the library, as well as the papers of Charlie Rose, former United States House of Representatives Congressman from the Seventh District of North Carolina.

### **7-1.F.10 Computers and Connectivity**

The library is equipped with eight public-access computer terminals distributed throughout the library and 10 additional computers available in the Electronic Resources Center behind the Reference Desk. The second floor computer classroom is available for library instruction. It can be scheduled by contacting the Instructional Services/Reference Librarian. Study rooms and carrels equipped with data lines are available on the second floor, as well as an individual faculty research room available on a short term basis.

### **7-1.G Campus Security**

**CAMPUS POLICE 521-6235**

#### **7-1.G.1 Policy Statement**

It is the policy of The University of North Carolina at Pembroke, to provide a safe and healthful environment; free from recognized hazards, which may cause serious injury to students, employees, and visitors. This is accomplished by maintaining a comprehensive safety, health, and environmental program, which involves all university employees.

The primary purpose of the Campus Safety Officer is to conduct safety inspections; identify and correct unsafe conditions; conduct safety training; provide consultative services to management on safety issues; prepare reports as required by state and federal agencies; investigate accidents to determine cause and take corrective action (risk management); and maintain a safe working and living environment for employees, students and visitors.

The University of North Carolina at Pembroke will conduct all of its activities in compliance with applicable standards, codes, regulations, and laws. Each and every person at the

institution understands that safety and health is not an additional job responsibility, but that it is an integral part of every task. If any function is not being performed safely, then it must be stopped, and then altered so that it can be performed safely.

The University of North Carolina at Pembroke believes that its most valuable resource is the people who teach, learn, and work at this institution, and will do all that is reasonable to protect them. The safety and security of students, faculty, and staff is a primary concern at The University of North Carolina at Pembroke. All departments at the University engage in a continuing effort to keep our campus safe and secure. A truly safe campus can only be achieved through the cooperation of all members of the campus community.

### **7-1.G.2 University Police**

The University of North Carolina at Pembroke Police provide 24-hour-a-day patrol protection to the campus. UNCP police officers are vested with full law enforcement powers and responsibilities, identical to the local police or sheriff in your home community. Officers are responsible for a full range of public safety services, including all crime reports, investigations, medical emergencies, fire emergencies, traffic accidents, enforcement of laws regulating underage drinking, the use of controlled substances, weapons, and all other incidents requiring police assistance.

Additionally, officers routinely share information with appropriate University officials concerning incidents and conditions on campus so that appropriate action can be taken. When a criminal violation is charged, the matter is sent to the criminal courts just as if a crime had been committed in your community. Violations of University rules, regulations and policies that are not criminal violations are routinely reported to the appropriate University officials.

Violations of University regulations which are also violations of criminal law may result in a charge against the violator in the criminal courts and also action on the part of the University. In such cases the action on the part of the University and the action by the criminal courts are independent and neither depends on the outcome of the other.

### **7-1.G.3 Motorist Assistance**

Students, faculty, staff, and/or visitors on campus who find themselves in need of emergency vehicle service should call the University Police Department (521-6235) for assistance. Emergency supplies such as an air tank, jump cables, gas can, a device for unlocking automobile doors, and assorted tools are available.

### **7-1.G.4 Campus Escort Service**

The University Police provide an escort service aimed at pedestrian safety on campus. The hours of operations are primarily from dusk until 12 midnight, but escorts are available upon request from midnight until dawn. To obtain an escort, a student should dial 521-6235.

### **7-1.G.5 Emergency Telephone Service**

The University Police Office has a modern communications system which allows the campus population the ability to contact officers directly 24 hours a day (521-6235). A telephone for emergency use only is located in the lobby of the Police Office on Faculty Row. There are twelve (12) additional Emergency Call Box telephones located at various sites on campus. These telephones are easily identifiable by the "Emergency" marking and blue strobe light mounted on top. To use these telephones, a caller must depress the call button and the telephone rings directly to the University Police.



## **7-1.H Physical Plant**

Many issues related to facilities, maintenance, and housekeeping services can be found on the Physical Plant website <http://www.uncp.edu/physicalplant>.

### **7-1.H.1 Housekeeping Services**

Housekeeping workers typically clean each campus building each weekday night. If problems with this routine maintenance of buildings and classrooms is encountered, contact the Housekeeping Supervisor for assistance.

### **7-1.H.2 Faculty Responsibility for Classroom Maintenance**

As a matter of professional courtesy to their colleagues, individual faculty members should take responsibility to leave the rooms in which they teach in good order at the end of each class period. Student desks should be put back in order, AV equipment should be returned to storage areas, projection screens should be raised, and boards erased. Lights should be turned off when the classroom is not in use. Doors normally should remain unlocked.

### **7-1.H.3 Work Orders and Work Requests (Maintenance of Buildings)**

The maintenance of buildings falls under the immediate supervision of the Director of Physical Plant. A Work Order should be submitted ([workrequest@papa](mailto:workrequest@papa) by email) to Physical Plant to request routine repairs to buildings. For emergency service and janitorial service, call extension 6233.

### **7-1.H.4 Keys And Locks**

To obtain keys to campus facilities, fill out a Key Request Form, with appropriate signatures, and return it to Physical Plant. Key Request Forms can be obtained from Physical Plant.

### **7-1.H.5 Emergency Services**

In case of emergency after business hours, the Director of Physical Plant may be reached through the campus police (ext. 6235).

### **7-1.H.6 Renovations**

Requests or reports concerning major alterations or renovations should be directed, in writing, to the Vice Chancellor for Business Affairs, who is responsible for the general supervision of the maintenance and operation of the Physical Plant.

## **7-1.I Student Health Services Center**

The Student Health Services (SHS), located adjacent to the Nursing Building and across from the Sampson-Livermore Library, offers outpatient health care to students. The facility is supervised by a nurse director, contracted physician, extenders, contracted pharmacist, nurses and support staff. Students enrolled for nine or more hours pay a Student Health Fee as part of their tuition each semester. This fee pays for most of the services provided by SHS.

The Student Health Services Center is operated totally out of student fees. Any faculty or staff member desiring routine medical services from Student Health Services may pay the \$57.50 per semester fee to the cashier and take his/her receipt to the Director of Health Services. This will entitle him/her to out-patient service only and does not cover family members.

All registered students taking nine (9) or more credit hours are required to purchase the student injury and sickness insurance plan except students who submit evidence of equivalent coverage satisfactory to the policyholder may waive coverage.

Medical excuses for students may be obtained from Student Health Services only when the student sees the doctor or nurse BEFORE class is missed. This includes resident students and commuting students.

Available medical services include primary medicine, routine gynecologic examinations and contraceptive health education, immunizations, confidential HIV testing, allergy injections, laboratory services, nursing services, minor injury treatment, and health education programs. The Contraceptive Health Education Clinic and routine gynecologic examinations are by appointment only (910-521-6219). The waiting times for these services vary depending upon the number of patients using the clinic.

During the academic year (fall/spring semesters), a nurse is on duty around the clock beginning at 5:00 pm on Sunday through 4:00 pm Friday to treat and evaluate students' health needs and answer any questions about health problems and other concerns. Note: Physician hours for routine treatment are posted.

The doors to the SHS are locked after 9:00 pm for security reasons. Ring the doorbell for admittance. In an emergency at a residence hall or on campus, notify the campus police and/or a RA who will contact SHS at 521-6219.

The student's medical record is available only to the professional staff of SHS and is considered confidential and privileged and may only be released with written permission by the student. Records are retained in SHS seven years after the student leaves the University and subsequently are destroyed.

### **7-1.I.1 The University of North Carolina at Pembroke Immunization Policy**

Beginning with the Fall Semester, 1994, North Carolina Immunization Law G.S. 130A-152 through 130A-157 requires that every student enrolled at The University of North Carolina at Pembroke shall furnish on the Health Form proof of the immunizations described below. Students who do not have a complete immunization record on file when beginning classes will have 30 days to obtain the required immunizations. Students who are not in compliance within 30 days of the first day of class will be administratively withdrawn from classes.

## **7-1.J Business Services**

### **7-1.J.1 Travel Procedures And Policies**

#### **7-1.J.1(a) General Procedures**

In general, when a faculty member anticipates traveling for purposes related to his or her duties, he or she should submit a Travel Request Form (available from department administrative assistants or from the Office for Business Affairs). On that form, the faculty member states the purpose of the travel and estimates costs associated with it. The form is to be approved by the department chair and other administrators. On returning from the trip, the faculty member should immediately submit a Travel Reimbursement Form, with receipts as required, stating the actual costs of the travel. Again, relevant signatures are required. Note that some costs may be prepaid

(for example, airline tickets may be billed directly to the University under some circumstances). The Office for Business Affairs will issue a check for the reimbursement.

### **7-1.J.1(b) Travel Reimbursement Regulations**

UNC Pembroke reimburses travel expenses in accordance with the regulations of the State of North Carolina Office of State Budget and Management. University travel policies are on the web at <http://www.uncp.edu/business/contents.htm> under the heading CONTROLLER.

- Policy CO 01 92 explains policy and procedures regarding travel advances and/or prepayments for official University travel.
- Policy CO 02 92 explains the Travel Request/Authorization form, where forms may be obtained and what to do with the form once it has been completed.
- Policy CO 02 92A is the travel rate table for business miles, lodging, and meals.
- Policy CO 03 93 identifies the University's travel agent.
- Policy CO 05 94 explains the travel regulations of the State of North Carolina for reimbursement business travel.
- Policy CO 05 94A explains the State of North Carolina's policy concerning rental vehicles for business purposes.
- Policy CO 10 98 explains the State's policy for use of cellular telephones and handset telephones when conducting State business.
- Policy PC 03 96 explains the University's Hotel/Motel Direct Billing policy.

### **7-1.J.1(c) Travel Reimbursement Coding**

Travel reimbursement coding is available on the web at [http://www.uncp.edu/co/fin\\_accounting/coa\\_num.htm#current](http://www.uncp.edu/co/fin_accounting/coa_num.htm#current). Note: UNCP employees have different codes from Board Members and other non-employees.

### **7-1.J.1(d) American Express Charge Card Program**

The University of North Carolina at Pembroke has entered into an agreement with American Express (there is no annual fee) to provide charge cards to employees who travel on University business. The American Express card is used in lieu of cash advances.

An American Express Credit Card application may be obtained in the Human Resources Office, Lumbee Hall.

### **7-1.J.1(e) State Vehicle Use**

#### **7-1.J.1(e)(1) Vehicle Authorization And Use**

If you desire University transportation for approved travel, a vehicle (if available) will be reserved by Motor Pool after your approved Vehicle Request/Invoice has been received. Forms may be requested by calling extension 6233 or picked up at the Work Control Center in the Physical Plant Building. A valid driver's license must be on file in the Motor Pool.

Motor Pool vehicles are owned by the Motor Fleet Management Division in Raleigh and may be driven by University employees only.

#### **7-1.J.1(e)(2) Statutes and Regulations – Vehicle Use**

The following statutes and regulations apply to all University vehicles:

G.S. 14-247. Private Use of Publicly Owned Vehicles.

It shall be unlawful for any officer, agent, or employee of the State of North Carolina, or any county, or of any institution, or agency of the State, to use for any private purpose whatsoever any motor vehicle of any type or description whatsoever belonging to the State, or to any county, or to any institution, or agency of the State.

- (a) Drivers shall observe all local and State ordinances pertaining to the operation of motor vehicles. Any fines imposed for any violation which was under the control of the driver shall be the responsibility of the driver.
- (b) Hitchhikers are not permitted to ride in State-owned vehicles. Spouses and children of State employees may accompany them in State-owned vehicles if ample space is available and all travel is strictly for official State business (G.S. 143-341.8(1)).
- (c) When a State-owned car is used for official travel, parking and storage fees, tolls, and required repairs are legitimate charges to the State, provided necessary receipts are obtained.

### **7-1.J.1(f) Purchasing**

#### **7-1.J.1(f)(1) Purchasing Services**

UNC Pembroke Purchasing Department's mission is to provide support to the educational mission of the University by assisting departments in obtaining products and services of high quality, at the lowest possible cost, and in a timely fashion. Purchasing will process orders in an efficient manner and within the guidelines of state purchasing requirements, UNCP policies, and ethical standards.

UNC Pembroke Purchasing Services provides the following services:

- Acts as legal agent to obligate University funds
- Assists with evaluation of products/services
- Assists in preparation of specifications
- Assists in location of sources
- Solicits and evaluates bids/quotes
- Vendor relations
- Provides information on federal, state and university purchasing regulations
- Maintains descriptive literature, catalogs and current information on materials and equipment
- Disposes of various items of surplus equipment

#### **7-1.J.1(f)(2) Central Stores**

Central Stores maintains an inventory of over 2,000 line items of the most commonly used office, computer, classroom, and maintenance supplies. Departments may visit Central Stores to "shop" or purchase their requirements. A Central Stores requisition is required. The catalog information is available on the Financial Record System (FRS) under the requisition screen 254. Instruction on the catalog search is located on the web at [uncp.edu/bs/cs.htm](http://uncp.edu/bs/cs.htm). The catalog should be referred to prior to requesting an off-campus purchase. Central Stores is located in the Central Warehouse building.

**7-1.J.2 Printing and Duplicating**

Printing and Duplicating, located in the Central Warehouse Building, is open for business from 8 a.m. - 5 p.m., Monday through Friday. It will provide printing, copying, the student one-card system, and reproduction services for all academic and administrative departments at a reasonable charge.

**7-1.J.3 Collection Of Money****7-1.J.3(a) Policy statement**

No individual or department of the University may collect any money without issuing a receipt and being authorized to do so by the Bursar's office. Funds collected in the name of The University of North Carolina at Pembroke are subject to all State budgetary regulations, and checks will be made payable to The University of North Carolina at Pembroke. A procedures statement is available in each department, in the Cashier's Office, and on the web at <http://www.uncp.edu/business/co0895.htm>.

**7-1.J.3(b) Fund Raising and Solicitation****7-1.J.3(b)(1) Solicitations**

The University of North Carolina at Pembroke has the duty and responsibility to maintain a safe and healthy work environment conducive to its principal mission of education, while respecting the constitutional protection of free speech, as well as the individual's right to privacy. Accordingly, the University has adopted a solicitation policy for the purposes of: (a) preserving the University's right to permit or prohibit sales and solicitations activities on university property, and (b) protecting the campus community from sales and solicitations activities that are intrusive, unrelated to our educational purpose, or incompatible with normal operations. This policy is not intended to constrain solicitation of the University, which may be directed to appropriate employees solely in their capacities as employees or agents of the University in the normal operation of University purchasing or contracting. As a means to achieve these ends, University Policy HR 65 02 limits access to the campus community by any entity engaging in a solicitation. The complete policy is included in Section 12-8, Policy Documents of this Handbook.

**7-1.J.3(b)(2) Fund Raising By Student Organizations***On campus activities*

Any student organization desiring to sponsor an on-campus fund-raising activity must first seek the approval of the Director of Student Activities. The reasoning for this is twofold: (1) conflicts will be avoided through efficient scheduling and (2) compliance with State and University statutes and regulations must be monitored.

*Off campus activities*

Off-campus functions by student organizations will not be approved and/or supervised by the University. Student organizations are encouraged to schedule their functions, be they parties or any other form of fund-raiser, on campus. However, students and student organizations are reminded that they are subject to appropriate disciplinary action, including possible suspension or expulsion from the University, for breach of federal, state and local laws or University regulations. This principle extends to conduct off campus which is likely to have adverse effect on the educational process or which stamps the offender as an unfit associate for the other students. Students and student organizations are not entitled to greater immunities or privileges before the law than those enjoyed by other citizens generally.

**7-1.K Notary services**

A number of individuals on campus are notaries public and are willing to provide limited notary services to members of the campus community. Note that they do not have the capability to provide legal advice or to handle complicated transactions. For information on individuals who can provide notary services, contact Ms. Sylvia Edwards, in the Chancellor's Office.

**7-1.L Lost And Found Articles**

Found articles should be turned in to the Office for Student Affairs with any possible information that may help to identify the owners. Notice should be given this same office in regard to lost articles.

**7-1.M Career Services Center**

The Career Services Center is located in the Chavis University Center, Room 210. The Center's purpose is to assist students and alumni with career planning and the job search. Career counselors are available to assist students in deciding their major, assessing their skills and interests, exploring job information, critiquing resumes, developing interviewing skills, and determining job-hunting strategies.

The Career Library maintains resources related to college majors, careers, employers, graduate schools, internships/co-ops, and the job market. Web services are available for students to post resumes and references, view job listings, and network with employers.

Workshops are offered throughout the year on a wide range of career planning topics. The following events are scheduled annually: Freshman Seminar tours, Senior Orientation, Graduate and Professional School Day, Career Fair, Teacher Education Fair, and the Volunteer Fair.

Representatives from business, industry, government, health, and public schools come to the Career Center during fall and spring semesters to interview seniors and alumni for job

vacancies. The UNCP Alumni Career Connection is a network for graduates willing to contribute information and/or time to students exploring careers, graduate schools, internships, etc.

For more information, view the website at [www.uncp.edu/cs](http://www.uncp.edu/cs) or make an appointment. Office hours are 8:00 am - 5:00 pm, Monday - Friday.

## **7-2 Facilities**

### **7-2.A Campus facilities for general use**

#### **7-2.A.1 Use of University Property**

Faculty members and other employees are not permitted to hold classes, workshops, or other such projects in University buildings, or to use University equipment for private gain. All classes or instructional projects involving any collection of money are to be handled through the Controller's Office.

Faculty members as well as physical plant staff, should be concerned about the physical appearance of their classrooms. If classrooms are not meeting expectations, please contact the Director of the Physical Plant. Lights should be turned off when one leaves classrooms.

Anyone who enters a building by unlocking doors should lock the doors behind them or upon leaving the building. A faculty member who unlocks a door is responsible for the students who enter the building through that door while it remains unlocked.

#### **7-2.A.2 Moore Hall Auditorium**

Scheduling of Moore Hall is done in the Office of the Vice Chancellor for Student Affairs. A Request for Use form must be filled out at least one week prior to the planned activity. Groups are expected to leave Moore Hall in the condition in which they found it. Use of the facility will be denied those who abuse it. The Auditorium seats approximately 150.

#### **7-2.A.3 Jones Health, Physical Education, and Recreation Building Use**

Recreation and wellness facilities are available in the Jones HPER Building. Contact the building manager for information on use of those facilities by individuals or groups.

#### **7-2.A.4 Chavis University Center**

Scheduling of the Chavis University Center is done in the Director of the University Center's office. Room reservation requests must be completed and filed with the Director of the University Center at least four (4) days prior to the event. All reservations are considered tentative and subject to cancellation until the Facility Request form has been approved by the Center's Director.

#### **7-2.A.5 Givens Performing Arts Center**

Use of the Givens Performing Arts Center is approved through the Office of the Vice Chancellor for Students Affairs. Request For Use forms are available from the Director of the Givens Performing Arts Center and should be completed and returned at least one month prior to the planned activity. The auditorium seats approximately 1650.

No food, drinks, or smoking are allowed in the auditorium of the Givens Performing Arts Center.

### **7-2.A.6 Other Campus Meeting Spaces: Availability And Reservations**

Several other larger rooms are available on campus. These include: The Dial Theater Classroom (capacity, 70); the Andre Nadeau classroom in the E.E. Jones Health and Physical Education building (capacity, 120); Oxendine Science Building rooms 207 and 324 (capacity, 60 and 75, respectively); Education Center, rooms 222-223 (capacity, 145 with divider withdrawn); and Thomas Assembly Room, Old Main (capacity, 55). Contact Physical Plant to ascertain who reserves space in these or other campus facilities.

### **7-2.B University Bookstore**

The University operates a Bookstore from which students may purchase textbooks and school supplies. Before the opening of each semester, the Textbook Manager will request from each Department Chair information concerning anticipated needs. This information is used in ordering necessary textbooks for purchase by students. Careful and accurate estimates should be furnished to the Textbook Manager in order that he or she may avoid an overstock of books and supplies which become obsolete and result in financial loss to the University.

#### **7-2.B.1 Check Cashing Service**

Personal checks can be cashed at the University Bookstore. The following policy will apply:

1. Checks for amounts \$50 and under will be cashed.
2. Two-party checks are not acceptable.
3. Identification (University I.D. or driver's license) is required for cashing checks.
4. A \$25 service charge is levied for returned checks.
5. After the first returned check, a warning will be issued; and the check must be paid immediately.
6. After the second returned check, you will be ineligible to cash checks for the remainder of the school year.

### **7-2.C Food Services And Catering**

#### **7-2.C.1 University Cafeteria**

Excellent meals are available from the University cafeteria to faculty and staff at nominal rates. Breakfast, lunch, and dinner are served daily.

A debit-card system, designed for your convenience, is part of your UNCP I.D. card, the BravesOne card. This system allows you to design your own meal plan. You may either put "Munch Money" on your card (\$25 minimum) or purchase Block Meals. Block Meals (16 meals minimum) may be purchased at a reduced rate. See the Cashier's Office for Details.

Additional information about "Munch Money" and Block Meals can be obtained at the cafeteria or the Controller's Office.

#### **7-2.C.2 Bert's**

Bert's is an informal snack bar, located in the Chavis University Center, providing light meals, coffee, and franchised fast food alternatives to the University Cafeteria. Bert's was named for the late Ms. Bertine Prine, who served for nearly five decades as the administrative assistant to the first six chancellors of the University and was herself an institution on the campus.



### **7-2.C.3 Food (Catering) Services**

A Request for Dining Services form is available from the Director of Dining Services. A catering brochure, available from the Dining Services Director, details approximate costs for various types of functions and events. For more information, refer to the Request for Dining Services policy available in your department or with the Director of Dining Services. Food services is contracted by an outside provider.

## **7-2.D Campus Information Sources And Services**

### **7-2.D.1 Office Of University Relations**

The Office of University Relations is a link between the University and its constituencies. It is responsible for selected internal and external communications and promotional campaigns. The Director is the official University spokesperson.

The office coordinates media coverage and disseminates news to the media. In order to accomplish these tasks, the cooperation of all administrators, faculty and staff is requested.

Those knowledgeable of newsworthy events and programs are asked to contact the Office of University Relations (521-6249).

University-related trips, appointments, publication of articles, participation in programs, honors received, or any other newsworthy event should be reported for dissemination to the news media.

The Office of University Relations sends news releases and media advisories to media throughout North Carolina, professional journals, and to out-of-state hometown media.

A feature of the office is its photographic service which provides photos to accompany the printed news releases. To schedule photographic support, contact the University Photographer at 521-6253.

The Office for University Relations provides web page design and programming assistance to other units of the University on request.

The Office also has the responsibility for screening all publications for external audiences for design and content consistency across units of the University.

### **7-2.D.2 Campus Publications**

[NEW MATERIAL ADDED] Various units of the University publish a wide range of materials providing information about the University, and its programs and activities.

#### **7-2.D.2(a) University Catalog**

The University Catalog is published in a new edition each academic year. The Catalog contains the academic policies followed in the University, as well as the requirements for degrees in each of the programs offered at UNCP. Course descriptions for each of the courses in each of the academic departments are listed, as well. A separate section of the Catalog describes the graduate programs, graduate admissions requirements and procedures, degree requirements, and specialized policies applicable to graduate education. Annual revisions add any changes in policies, procedures, requirements, program structures, and courses. The Catalog also lists current administrative staff, and retired current faculty.

**7-2.D.2(b) Faculty Handbook**

The Faculty Handbook is published by the Office for Academic Affairs each academic year. Every faculty member is entitled to a current copy of the Faculty Handbook. The current Handbook is also published on the UNCP website, along with editions from the recent past. Any needed changes are incorporated into the Handbook in the summer preceding each academic year. Such changes are the joint responsibility of the Office for Academic Affairs and the Executive Committee of the Faculty Senate.

The Handbook also contains policies (of UNCP and of the University of North Carolina as a whole) that faculty members should be aware of and should adhere to.

Of particular importance to faculty members, the Faculty Handbook details the evaluation procedures used for renewal of contracts, annual merit salary increase recommendations, tenure and promotion in rank. The Faculty Evaluation Plan is reviewed and revised as needed by subsidiary bodies of the Faculty Senate.

**7-2.D.2(c) Student Handbook**

The Office for Student Affairs publishes an updated Student Handbook each academic year. Copies are available to faculty on request. Reasonable familiarity with the contents of the Student Handbook is generally beneficial to faculty members in their interactions with students, both in class and in other venues.

**7-2.D.2(d) Graduate Handbook**

The Office of Graduate Studies publishes a Graduate Student Handbook and a Graduate Faculty Handbook. Faculty members who may be teaching in graduate programs should request these documents and familiarize themselves with the content. Individual graduate programs may also publish handbooks or similar materials for their particular needs; check with the program director of the graduate program in question.

Note that individual graduate programs may also publish handbooks for their faculty and students. Faculty who are associated with a particular graduate program should contact the respective program coordinator for copies of such materials.

**7-2.D.2(e) Brave Bulletin**

The University Relations Office publishes the Brave Bulletin, a newsletter for the campus community, twice each month (monthly in the summer). An electronic version of the Brave Bulletin is available via the University Relations website. Items of general interest to faculty and staff are appropriate for submission to the Brave Bulletin.

**7-2.D.2(f) This Week**

All official notices will be published in This Week, a publication from the Vice Chancellor for Student Affairs Office, which is distributed on Monday of each week during fall and spring semesters.

This Week is a sheet published during the academic year by the Office for Student Affairs listing campus activities in the upcoming week. It is usually circulated via campus mailboxes and other distribution points in the preceding week. Cultural, athletic, music, and other entertainment vents of interest to any member of the campus community are listed. Of particular

note, campus recruitment visits from business, industry, government, and other organizations are routinely listed.

#### **7-2.D.2(g) The Pine Needle**

The Pine Needle is a biweekly student-published newspaper at UNCP. It records the weekly activities associated with the student body and The University of North Carolina at Pembroke. Through its editorials, sports coverage, etc., the Pine Needle staff keeps the student body well informed of what's happening at UNCP, and also discusses issues of national and international concern. Through the Pine Needle students are afforded the opportunity to voice their opinions thereby providing a vital communications link with the total University.

#### **7-2.D.2(h) The Indianhead**

The Indianhead is the UNCP yearbook. Photographs of faculty members are generally included, as well as pictures of students and a wide variety of campus activities.

#### **7-2.D.2(i) UNCP Today**

UNCP Today is the UNCP alumni magazine, published by the Office for Alumni Affairs. It appears twice a year and is usually mailed to faculty members at their home address.

### **7-2.D.3 Other Information Services**

#### **7-2.D.3(a) E-Mail Services**

##### **7-2.D.3(a)(1) Campus Listservs**

The University Computing and Information Services Office has created campus listservs for faculty ([faculty@papa.uncp.edu](mailto:faculty@papa.uncp.edu)), staff ([staff@papa.uncp.edu](mailto:staff@papa.uncp.edu)), and a combined faculty and staff list ([faculty\\_staff@papa.uncp.edu](mailto:faculty_staff@papa.uncp.edu)). Announcements of general interest are circulated by means of these lists. Faculty are routinely subscribed to the appropriate lists when they establish their e-mail accounts on the UNCP system. As subscribers, faculty can submit messages to the list which will be circulated to all the subscribers to the list.

A separate listserv has been established for students. Faculty may request to subscribe to that listserv, too, but such subscriptions are not routine. To avoid potential abuses, messages are routed through a central coordinator who then sends the messages to the list.

##### **7-2.D.3(a)(2) UC Today**

The Director of the Chavis University Center routinely sends a list of activities occurring each day in the University Center, for the information of the campus community.

##### **7-2.D.3(b) WNCP Campus TV Station**

WNCP-TV is the university's public broadcast facility staffed by UNCP students. The station telecasts news, public affairs and entertainment programs over cable networks in counties surrounding this area, including Time Warner Cable, and via over-the-air broadcast on WFPX-TV channel 62 in Fayetteville. WNCP-TV serves 330,000 homes a day and 650,000 a week. For more information about WNCP-TV, contact the Mass Communications Department at the University of North Carolina at Pembroke, Pembroke, NC 28372. Telephone (910) 521-6378.

## **8 RESEARCH –RELATED MATTERS**

### **8-1 Support For Faculty Research**

The University of North Carolina at Pembroke encourages its faculty in the pursuit of research and other scholarly activity for the development of original and applied research and scholarly activity. The University will support these efforts as much as possible through reassigned time and through direct and indirect financial support. Since state funding for research at a comprehensive University is somewhat limited, we will actively seek and we strongly encourage faculty to pursue external sources of funding for research. The institution will provide support and assistance through the Office of Sponsored Research and Programs in the preparation of grants, through the Faculty Research and Development Committee in providing "seed money" and reassigned time, and through the academic departments for travel funds and reassigned time.

#### **8-1.A Faculty Research And Development Committee**

This committee is designed to encourage and support faculty to pursue activities relating to professional development, research, instructional improvement, and other scholarly activity. It serves as an advisory committee to the Provost and Vice Chancellor for Academic Affairs, and administers the internal Faculty Research and Development Grants Program.

#### **8-1.B Other Funding**

From time to time, additional funds may be made available through other offices or units of the University. The Teaching and Learning Center makes travel grants to faculty, as well as providing support for publication costs and other expenses. Those awards are contingent on the availability of funds from year to year.

### **8-2 Sponsored Research And Programs: Faculty Grants, Contracts And Cooperative Agreements**

#### **8-2.A Procedures For Grant Processing Through The Office Of Grants**

The Office of Grants is responsible for assisting faculty and professional staff members in securing external support for programs that are consistent with the mission of the University. It develops strategies for optimizing sponsored research and programs. The office provides a wide range of supportive services in proposal development, including grant writing workshops on and off campus. Partnerships and collaborative arrangements for faculty ideas are provided. Faculty members are encouraged to access the Grants Office web page ([www.uncp.edu/grants/](http://www.uncp.edu/grants/)).

All external sponsored program activity must be coordinated through the Office of Grants. The Grants Office is required to sign-off on grant, contract, and cooperative agreement proposals before submission.

#### **8-2.B Criteria for Grant Proposal Development**

The following criteria are critical in the development of proposals for sponsored programs:

1. Adequate budgetary support, both direct and indirect, must be provided by the funding agency and other appropriate sponsors whether collaborative or partnerships. Indirect cost must be charged to all budgets for external funding unless otherwise approved by the Grants Office, or is disallowed by the funding agency (see Grants Office for instructions).

2. No unauthorized financial obligations are to be assumed by the University. If matching support requires currency, then it must be approved by the appropriate Department Chair and confirmed by the Controller's Office. The Grants Office can provide examples of in-kind support.
3. All sponsored research and programs must be consistent with the mission of the University, and pertinent to its policies and regulations.
4. Principal Investigators are required to forward copies of all awards, budgetary modifications, change in scope of work, and change in key personnel to the Grants Office.
5. Expenditures of grant, contract, and cooperative agreement funds are according to federal, state, and local regulations governing such disbursements. No expenditures will be authorized until the "notice of award" has been received and appropriate accounts established by the Controller's office. The Grants Office can assist in this effort.

The University complies with the Code of Federal Regulations (Title 45, Part 46) regarding Protection of Human Subjects in Research. The University's Human Subjects Review Committee reviews all proposals relative to research of human subjects, whether scientific or social (basic and applied).

Patents, copyrights, licenses, and technology transfers are coordinated through the Grants Office. The Grants Office provides assistance on property rights, inventions to private corporations or businesses, and disclosure.

### **8-3 Institutional Review Board For Research With Human Subjects (IRB)**

#### **8-3.A Purpose and Scope of IRB Approval**

The Institutional Review Board is required by federal law to review and approve ALL research proposals that involve human subjects; that is, any research involving people including adults, children and infants. Special protections are accorded to children, minorities of color, and prisoners.

Research means a systematic investigation, including testing and evaluation, designed to develop or contribute to generalized knowledge. A human subject is a living individual about whom an investigator conducting research obtains personal data through intervention or interaction with the individual or identifiable private information. Protection of identifiable private information is critical to the protection of human subjects and has implications for informed consent, data collection, storage, retrieval and destruction.

Federal law requires that all protocols involving human subjects must be reviewed and approved, even if the proposal is not externally funded. This includes all research conducted at UNC Pembroke or by UNC Pembroke faculty, staff and or students at any location including research conducted as part of classroom exercises or course requirements. Research conducted as part of classroom exercise or a course assignment MAY be exempt from IRB review. However, the IRB chair or designate must make that decision based upon a protocol review.

UNC Pembroke is concerned that no research is undertaken that exposes participants to unreasonable risks to their health, general well-being or privacy. Specifically, the University is concerned that all research and related activities involving the use of human subjects:

- Protect the rights and welfare of persons participating as subjects
- Use as subjects only persons who have freely given informed consent, and
- Provide benefits to the subject of advance knowledge to the extent that any risk incurred is judged acceptable.

Review and approval is the responsibility of the Institutional Review Board (IRB), a panel of UNC Pembroke faculty, administrators and a community representative. The IRB is responsible for protection of the rights, welfare and privacy of research subjects through an initial review and subsequent oversight of all human subjects research.

Under both federal and university policy, the IRB has the authority to approve proposed research, to require revisions in proposed research to ensure it includes safeguards to protect subjects, or to refuse to approve proposed research if the applicant can not or will not revise the protocol to prevent identified risks to the subjects. Once the research is approved the IRB has the authority to monitor the research to ensure that research is conducted as approved. Additionally, multi-year research projects are required to be reviewed and re-authorized annually.

All IRB reviews begin with an application (see application procedures below). Following an initial review of the application describing the nature of the research, a proposal may be:

- *Exempt* from IRB review
- Appropriate for an *expedited review* by the chairperson of the IRB or a subcommittee of the IRB
- Subject to *full review* by the *full IRB*

Only the IRB Chairperson, or his or her designee, can determine which type of review is applicable. Researchers should not assume their proposal is exempt from review. Regardless of level of review, a written record must be kept by the IRB of all research involving human subjects at UNC Pembroke.

Policy and procedure information, forms to be used for proposals, and links to other useful sites are available on the IRB web site at <http://www.uncp.edu/irb>. Email the IRB via [irb@uncp.edu](mailto:irb@uncp.edu).

### **8-3.B UNC Pembroke Institutional Review Board (IRB)**

#### **8-3.B.1 IRB Membership**

The Provost and Vice Chancellor appoints IRB members for Academic Affairs for three-year terms. The Institutional Review Board includes the Director of Sponsored Research (or delegate) and five faculty members. The members should reflect the diversity of the institution and the community. Two members should be experienced in human subjects research. There must be one non-scientist member and one member who is not affiliated with UNC Pembroke. A chair is elected at the first meeting. Names of IRB members are located on the IRB website (<http://www.uncp.edu/irb>). No IRB member may participate in the review of a proposal in which the member has a conflict of interest. Specialists may be invited by the IRB to provide technical assistance.

#### **8-3.B.2 Departmental IRB's**

Individual departments may establish IRB's to review department faculty and student research that is not externally funded. Each departmental IRB must submit its policies and procedures to the university IRB for review and approval. These policies and procedures must

conform to those established by the university IRB. Each departmental IRB must be registered with the US Department of Health and Human Services within the UNC Pembroke registration. Each departmental IRB also must comply with US Department of Health and Human Services Federalwide Assurance for Protection of Human Subjects for Domestic Institutions.

### **8-3.C IRB Policies**

The university IRB will review all research involving human subjects carried out at UNC Pembroke or by UNC Pembroke faculty, staff or students. The IRB is responsible for approving research protocols, requiring modifications, or disapproving research. Every proposal must be reviewed on an annual basis. The IRB is responsible for the development of all forms requesting review and guidelines for informed consent that reflect federal regulations. The IRB will notify researchers of their decisions in writing.

The IRB will meet during the first week of the month if a full board meeting be needed. Announcement of a full Review Board meeting will be placed on the IRB website at least 5 working days in advance of the meeting. A majority of the membership must be present to consider any proposal and a majority vote is required for any Board action. The principal investigator (or delegate) should attend a Board meeting to present a review of the research and answer any relevant questions posed by the committee.

The IRB will keep adequate records of all protocols and requests for continuing review, including decisions made. The minutes of each IRB meeting will include the names of members who attended, actions taken by the Board, the outcome of voting on research protocols including numbers of votes for and against, the rationale for requiring modifications to a protocol or informed consent process, and a summary of discussion of controversial issues and their resolution.

### **8-3.D IRB Proposal Submission and Review Procedures**

Application for IRB review includes a coversheet and protocol that can be submitted electronically. Additionally, one signed copy should be sent to the Chairperson of the IRB. See Section 14-5 for forms to be used.

IRB review requests will be acknowledged by electronic mail as soon as they are received. The Chairperson or a designate will evaluate the protocol and determine the required level of review. Based upon the Code of Federal Regulations, Title 45 Part 46, the UNC Pembroke IRB will utilize the following categories of review:

#### **8-3.D.1 Exempt Review**

Projects exempt from IRB review include normal educational practices, educational tests, surveys, instruments, or observation of public behavior when subjects cannot be identified and the information gathered will not put the subjects at risk, research using existing data, documents, and records if publicly available and the subjects cannot be identified, and the evaluation of public benefit service programs. Applications that are exempt from review will be notified by electronic mail as soon as that decision is made. The documentation form will be signed and returned to the researcher as soon as possible.

Protocols that are developed for either instructional purposes or teaching research methodology and are not designed to contribute to generalized knowledge may be exempt from review. Under these circumstances the instructor assumes ethical and professional responsibility to monitor the progress of all research in the classroom. Research on vulnerable populations,

including minors, pregnant women, fetuses, prisoners, seriously ill and mentally incapacitated individuals may not be exempt from review. Waiver of IRB review does not imply that students are exempt from human subjects protections.

### **8-3.D.2 Expedited Review**

Expedited review covers research that poses no more than minimal risk to human subjects. "Minimal risk" is the risk encountered in everyday life. Expedited review may be employed for minor changes in previously approved research, collection of small blood samples, collection of data through non invasive procedures routinely employed in clinical practice, collection of data from voice, video, digital or image recordings, the use of materials that have been collected solely for non research purposes, research on individual or group characteristics or behavior, or research employing survey, interview or oral history methodologies. Expedited review may be used for these types of research regardless of the age of the subjects.

Expedited reviews are completed by a subcommittee of the IRB and are generally completed within two weeks. A research proposal may be approved by the expedited review process. Minor modifications to the protocol may be requested. The applicant will be notified by electronic mail.

### **8-3.D.3 Full Review**

Full IRB review includes research where the subjects can be identified and the data collected poses risks to the subjects, in terms of their financial or social standing, employment or criminal or civil liability. It also includes research that involves more than moderate exercise, research on individual or group characteristics or behavior that employs deception of the subjects or where they are placed under psychological or emotional stress, and research that poses potential physical, psychological, social, legal or other risks to the subjects.

Research on vulnerable populations, including minors, pregnant women, fetuses, prisoners, seriously ill, and mentally incapacitated individuals, will receive a full review to insure the presence of adequate protections.

A full board review will be scheduled within one month. The research protocol will be distributed electronically to all board members. A majority of board members must be present at the review meeting. The principle investigator will be invited to present the research protocol and answer questions at this meeting. The protocol must be approved by a majority of the members present. Members of the IRB who vote to disapprove a protocol shall submit their reasons in writing to the IRB chairperson.

### **8-3.E Application Process**

Please follow the procedure described below. Alterations of this process may result in delay of review and approval.

Please complete the IRB coversheet and the IRB protocol. It is important to answer all questions and not to delete or alter any of the questions. If you are unsure about how to respond to a question, please contact the IRB Chairperson. A proposed informed consent document must be included.

Be sure you have all requisite signatures on the required hard copy. A proposal from student researcher requires a supervising faculty member's signature.



Submit the coversheet and the protocol to the IRB chairperson. You may submit the forms by electronic mail. Additionally, the chair must receive a signed copy of the protocol before the review process can begin.

Allow two to three weeks to be notified of the status of your application for review. If you have concerns about the process, please contact the IRB Chairperson.

### **8-3.F Time Limits On IRB Approvals**

Approvals are valid for one year. At the completion of the year, you may request an extension of the approval for an additional year IF there have been no changes to the original protocol.

If you plan to change the protocol at anytime during the research process, you must notify the IRB. Changes must be approved by the IRB before they can be implemented.

See Section 14-5 for the IRB Coversheet and IRB Protocol (also available on the IRB web site at <http://www.uncp.edu/irb>).

### **8-3.G Informed Consent**

Informed consent is the culmination of a process wherein the researcher explains the research activity and the implications of participation. The informed consent document should be written in language that is understood by the subject. Of primary concern is that the subject fully understands the nature of the research and how his/her rights will be protected. A significant component of individual rights is the protection of the subject's privacy. The federal government and UNC Pembroke require these minimum components in any informed consent document. This is a very important part of the IRB process at UNC Pembroke.

#### **8-3.G.1 Required Elements Of Consent (21 CFR 50. 25)**

The following elements of consent must be included in all proposals:

- A statement that the study involves research, an explanation of the purposes of the research, and the expected duration of the subject's participation, a description of the procedures to be followed, and identification of any procedures which are experimental.
- A description of any reasonably foreseeable risks or discomforts to the subject.
- A description of any benefits to the subject or to others, which may reasonably be expected from the research.
- A disclosure of appropriate alternative procedures or courses of treatment, if any that might be advantageous to the subject.
- A statement describing the extent, if any, to which confidentiality of records identifying the subject will be maintained.
- For research involving more than minimal risk, an explanation as to whether any compensation and an explanation as to whether any medical treatment are available if injury occurs and, if so, what they consist of, or where further information may be obtained.

- An explanation of whom to contact for answers to pertinent questions about the research and research subject's rights and whom to contact in the event of a research-related injury to the subject.
- A statement that the subject can contact the IRB chair if answers to pertinent questions or concerns about injury remain unanswered.
- A statement that participation is voluntary, that refusal to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled, and that the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled.

See Section 14-5 for a sample Informed Consent form (also on the IRB web site at <http://www.uncp.edu/irb>).

### **8-3.H Appeal Process**

It is the goal of the IRB to support the development of protocols that protect human subjects and support research. Researchers with protocols that lack protection for human subjects will be offered guidance to make necessary modifications to augment approval. No proposal will be rejected without recommendations for modification and resubmission. The resubmitted protocol will be reviewed using the customary process.

Departmental protocols that are not approved may be submitted to the university IRB with documentation from the department regarding the review process. Protocols that are rejected by the university IRB may not be submitted to a departmental IRB for review.

The only authority to override the approval process by the university IRB is held by the Provost and Vice Chancellor for Academic Affairs.

### **8-3.I Training and Background Information**

To provide investigators with up-to-date information about the regulatory requirements for conducting research, the IRB recommends that each researcher review core concepts for the responsible conduct of research with human or animal subjects. A variety of training resources is listed below with website locations. These tutorials guide investigators through the major principles for conducting research in a way that is consistent with federal and University requirements and with accepted scientific standards.

Links to online training resources are available via the IRB web site at <http://www.uncp.edu/irb>

### **8-3.J Additional Resources For IRB Applicants**

The IRB web site at <http://www.uncp.edu/irb> includes links to other sites that provide additional information on government regulations and resources for the protection of human subjects in research. Faculty members contemplating research proposals involving human subjects should examine those applicable to their projects.

## **8-4 Misconduct Related To Research**

It is a fundamental tenet of academic research that all such activities are to be conducted ethically, honestly, and responsibly. Any allegation of misconduct in research is therefore taken most seriously by the academic community at large and by the UNCP faculty and administration.

Misconduct may include fabrication of information, plagiarism, breaches of ethical standards, violation of applicable laws or regulations, or other behaviors. Instances of research misconduct may lead to disciplinary action by the University. See Section 13-4 of this Handbook for a complete description of policies and procedures related to allegations of misconduct in research.

## **9 FACULTY AWARDS AND RECOGNITION**

### **9-1 Categories Of Awards And Recognition**

#### **9-1.A Awards Granted by the Faculty Awards Committee**

The committee will vote to give the following awards, using criteria, guidelines and procedures defined in Sections 9-1.D and 9-1.E.

1. University of North Carolina Board of Governors' Award for Excellence in Teaching: This committee will select finalists and a nominee for the statewide award.
2. University of North Carolina at Pembroke Teaching Awards: The committee will make up to five such awards each year.
3. Adolph L. Dial Endowed Faculty Awards: The committee will make up to two awards each year:
  - The Dial Award for Scholarship/Creative Work
  - The Dial Award for Community Service
4. Faculty Emeritus: The committee will recommend candidates to the Board of Trustees.

#### **9-1.B Teaching Awards**

##### **9-1.B.1 General Information**

Outstanding teaching is recognized by two kinds of award. The first is the UNC Board of Governors Award for Excellence in Teaching. It is authorized by the Board of Governors and one recipient is selected each year. The second is the UNCP Teaching Awards, given to up to five faculty members each year.

##### **9-1.B.2 Criteria for Teaching Awards at The University of North Carolina at Pembroke**

Outstanding teaching faculty stand out in all areas associated with teaching excellence. Outstanding teachers demonstrate enthusiasm and commitment to professional growth. Outstanding teachers are effective through clear course materials and presentations, varied instructional strategies, and suitable measures of student learning. Outstanding teachers are successful at engaging student interest, challenging students, and eliciting high levels of student achievement.

The Board of Governors' Award recognizes long-term teaching excellence, while the UNCP Teaching Awards recognize teaching excellence in the two years preceding the granting of the award.

##### **9-1.C The Board of Governors' Award for Excellence in Teaching**

To underscore the importance of teaching and to encourage, identify, recognize, reward and support good teaching in the university, the Board of Governors created system-wide teaching awards designated "Board of Governors' Awards for Excellence in Teaching." One recipient is selected annually from each of the 16 constituent institutions of the University of North Carolina to receive a stipend and a citation.

**9-1.C.1 Eligibility**

Those eligible are full-time faculty members with tenure who have taught at least seven years at The University of North Carolina at Pembroke. The recipient must have demonstrated exceptional teaching ability over a sustained period of time. Nominees must be teaching during the academic year in which they are nominated. The Board of Governors' Award can be granted only once to a faculty member. Nominees for the Board of Governors' Award who do not receive that award are automatically nominated for the UNCP Teaching Awards in the same year.

**9-1.C.2 Nominations**

Faculty, students, administrators and alumni are invited to submit nominations each fall (by mail or electronically) to the Office for Academic Affairs. Individuals cannot nominate themselves. Letters of nomination must include a complete rationale for the nomination. The basis for nomination must be demonstrated excellence in teaching and a record of accomplishments and contributions in teaching over a sustained period of time. Members of the Faculty Awards Committee are restricted from submitting nominations.

**9-1.C.3 Procedures**

The Office of Academic Affairs administers the call for nominations and corresponds with nominees according to the suggested timeline (see table below) and forwards portfolios to the Faculty Awards Committee (FAC).

Upon nomination for the Board of Governors award, the candidate will submit a portfolio in a three-ring binder with dividers for each of the following areas:

1. a current resume or curriculum vitae
2. copies of self-evaluations for the two years preceding the nomination
3. copies of syllabi and relevant course materials from three different regularly taught courses
4. Four letters of recommendation from two colleagues and two former students in support of the nomination.
5. BOG candidates should have those providing letters of recommendation send letters directly to the Chair of the Faculty Awards Committee
6. documentation of any professional activities which exhibit a commitment to teaching beyond the classroom, such as publications, presentations, and grant writing
7. the summary statistics and the comments from the five most recent sets of student evaluations. (A set is defined as all of the courses taught in a given academic year, as described under "Schedule of Student Evaluations" in Section 4-6.B.3 of the Faculty Handbook.)
8. a written statement (approximately 4 pages, double-spaced) which articulates the nominee's teaching philosophy and methods used to achieve educational goals
9. After naming at least two finalists, the committee will conduct classroom observations. Committee members who are unable to attend all BOG classroom observations are not eligible to vote.

**9-1.C.4 Suggested Schedule: Board of Governors' Award**

September 5	Call for nominations
October 1	Nominations due
November 1	Teaching portfolios due
December 15	Finalists selected
January 25	Nominee selected
January 30	Nominee and other finalists notified by Faculty Awards Committee
February 1	Names of nominee and portfolio sent by the Chancellor to the President of the University

**9-1.C.5 Responsibilities of Award Recipients**

The recipient of the Board of Governors' Award for Excellence in Teaching serves as Grand Marshal at Commencement in the year of the award. For the next two years, each recipient's teaching portfolio, including the statement of teaching philosophy, will be made available for the campus community to see. The chair of the Faculty Awards Committee will be responsible for delivering the recipient's portfolio to the Teaching and Learning Center, who will then make two copies of the complete portfolio, with one copy placed in the Library and a second copy going in the Teaching and Learning Center. The recipient is available to faculty and students for presentations and workshops on teaching.

**9-1.D The University of North Carolina at Pembroke Teaching Awards****9-1.D.1 Eligibility**

Full-time faculty who have taught at UNCP for at least two years prior to the year of nomination. Nominees must hold full-time faculty appointments in the current year. Nominees must have received no teaching awards at UNCP in the previous four years.

**9-1.D.2 Nominations**

Faculty, students, administrators, staff members and alumni will be invited to submit nominations. Individuals cannot nominate themselves. Letters of nomination must include a rationale for the nomination. Nominees for the Board of Governors' Award who do not receive that award are automatically nominated for the UNCP Teaching Awards in the same year. The portfolio submitted for the Board of Governors' Award is sufficient for the UNCP Teaching Award nomination.

Nominees submit a portfolio with the following materials:

1. copies of self-evaluations for the two years preceding the nomination
2. a statement of teaching philosophy (approximately four pages, double-spaced), including comments about how the philosophy is carried out in practice and how other professional activities relate to teaching
3. copies of syllabi and relevant course materials (e.g. handouts, tests, student papers/projects) from three regularly taught courses
4. the summary statistics and comments from the two most recent sets of student evaluations (a "set" is all of the courses taught in a given semester)

**9-1.D.3 Suggested Schedule: UNCP Teaching Awards**

- December 1 Announcement of awards and request for nominations by FAC
- February 1 Deadline for receipt of nominations by the chair of the FAC
- March 1 Deadline for receipt of portfolios by the chair of FAC
- April 15 Faculty Awards Committee selects five award recipients
- April 20 Award recipients and other nominees are notified by the chair of the FAC

**9-1.D.4 Responsibilities of Award Recipients**

For the next two years, the recipient's teaching portfolio, including the statement of teaching philosophy, will be made available for the campus community to see. The chair of the Faculty Awards Committee will be responsible for delivering the recipient's portfolio to the Teaching and Learning Center, who will then make two copies of the complete portfolio, with one copy placed in the Library and a second copy going in the Teaching and Learning Center

**9-1.D.5 Nominees submit a portfolio with the following material**

1. copies of self-evaluations for the two years preceding the nomination
2. a statement of teaching philosophy (approximately four pages, double-spaced), including comments about how the philosophy is carried out in practice and how other professional activities relate to teaching
3. copies of syllabi and relevant course materials (e.g. handouts, tests, student papers/projects) from three regularly taught courses
4. the summary statistics and comments from the two most recent sets of student evaluations (a "set" is all of the courses taught in a given semester)
5. a current resume or curriculum vitae

**9-1.E Adolph L. Dial Endowed Awards**

These awards have been established to recognize and honor outstanding University of North Carolina at Pembroke faculty members who have distinguished themselves in one of the following areas: Scholarship/Creative Work and Community Service. One award in each area may be presented at fall convocation each year. Each taxable award (see 4-2.1) will be in the amount of \$1,000.00.

**9-1.E.1 Dial Awards Criteria**

1. The recipients must be members of the full-time teaching faculty of The University of North Carolina at Pembroke.
2. The recipients must be in current service at the University, and the award must be presented for work performed while in service at the University.

3. The work for which the recipient receives the Scholarship/Creative Work Award must be in the faculty member's discipline.
4. An award recipient shall be eligible to receive the same award a second time after a period of seven years.

#### **9-1.E.2 Dial Awards Procedure**

1. The Faculty Awards Committee will publicize the awards and the nomination procedure throughout the University community. Individuals cannot nominate themselves. Nominations must be received by the committee by the indicated time in order to be considered.
2. A letter of nomination must include a complete rationale for the nomination for that specific award. Letters may be delivered electronically.
3. Nominees will be informed of their nomination by letter and will be asked to submit specific materials in support of their nomination. Such supporting materials include:
  - a. A current resume/curriculum vitae;
  - b. Documentation indicating the quality of the venue (journals, professional meetings, conferences, galleries, etc) in which the work(s) appear(s).
  - c. A letter of support from a qualified peer in the nominee's discipline. The letter must address
    - I. The writer's connection with the nominee and the nominee's field of study
    - II. An assessment of the quality of the nominee's work and/or the quality of the venue in which it appears
  - d. A completed self-evaluation (from the most recent academic year) as used in the standard UNCP Faculty Evaluation Model;
  - e. Other accomplishments relevant to the specific award for no longer than the past seven years;
4. The committee will consider only the materials requested and received by the indicated deadlines.
5. The committee will deliberate, make its selection by secret ballot and inform the Provost and Vice Chancellor for Academic Affairs of its selection for each award. Information for publicity will accompany the selections sent to the Vice Chancellor.
7. The Dial Awards will be given at Convocation by a member of the Dial family or by the Chair of the Faculty. Recipients will have their names engraved on a plaque placed in a public area of campus.
8. Materials requested of each nominee will be returned to the nominee.



**9-1.F Professor Emeritus**

Professor Emeritus shall be an honorary designation for those faculty members and administrative personnel who have retired after at least ten years of distinguished service to The University of North Carolina at Pembroke. This candidate shall be nominated by Department Chair and/or peers in the academic community. This designation requires the recommendation of the Faculty Awards Committee and the Chancellor of the University; it must be approved by the Board of Trustees. Professor Emeritus status can also be conferred by direct action by the Board of Trustees.

**9-1.F.1 Faculty Emeritus Policy****9-1.F.1(a) Criteria for consideration as Professor Emeritus**

Faculty Emeritus status shall be conferred only upon those persons whose contributions and service to the University, in the judgment of the University Awards Committee, have been distinguished.

Those retirees eligible for consideration include full-time faculty with rank, professional administrative personnel who have earned academic rank, and administrative personnel who have been awarded rank in honor of their contributions to the University. The minimum length of service for the nominees eligible to be considered is ten years at The University of North Carolina at Pembroke.

Faculty members who are participating in the phased-retirement program are eligible for consideration for Professor Emeritus status.

**9-1.F.1(b) Criteria for awarding emeritus status**

In reviewing the records of nominees, the University Awards Committee will consider such criteria as:

1. Outstanding performance as a teacher.
2. Significant contribution to the University.
3. Significant professional contributions (research, creative works, etc.).
4. Significant contribution to the community.

**9-1.F.1(c) Procedure**

At the beginning of the fall semester of each academic year, the Chair of the University Awards Committee will ask for nominations of eligible candidates for the honor of Professor Emeritus. Individuals cannot nominate themselves. A letter of nomination must include a complete rationale for the nomination for that specific award. Letters may be delivered electronically. The Committee will solicit the following:

1. A vita from the candidate.
2. Self-Evaluations from the last five years of employment prior to phased or full retirement.
3. A one to two page summary from the candidate of salient contributions during tenure at UNCP.

4. A letter of recommendation (in addition to the letter of nomination), preferably from the department chair or a long standing colleague, that offers a specific assessment of the nominee's teaching, scholarship and service.

The Committee will forward this information along with its recommendations for emeritus status to the Chancellor. The Chancellor shall announce the names of those persons approved by the Board of Trustees and awarded emeritus status.

## **9-2 Faculty Awards Committee**

### **9-2.A Membership of the Faculty Awards Committee:**

1. The Faculty Awards Committee has eight members: seven elected faculty members and a representative of the Student Government Association.
2. Faculty representatives on the committee are elected for staggered two-year terms. Two members are elected to represent faculty-at-large. The two at-large members are to be elected from two departments not represented among the divisional members. Five members are elected, one from each division. All are elected by the general faculty. Faculty Awards Committee members will be elected according to the procedures outlined in Article V, Sect. 2 A.1 and 2 of the Faculty Senate Bylaws.
3. Membership on the committee will be restricted to full-time faculty and those participating in phased retirement who have been teaching at The University of North Carolina at Pembroke for at least two years.

### **9-2.B Election and Operation of the Faculty Awards Committee**

1. The Committee on Committees and Elections of the Faculty Senate will conduct at-large elections of members to this committee on a staggered two-year basis. A person may serve two, but no more than two, consecutive two-year terms.
2. The committee chair will be elected by the committee at the first meeting of each year. Members in their first year of membership are not eligible to serve as chair.
3. Members cannot be considered for any award during their terms of service.
4. The Faculty Awards Committee should regularly review the criteria, guidelines, and procedures for nomination and selection relating to all faculty awards, and it should recommend changes to the Faculty Senate.
5. Members of the Faculty Awards Committee cannot nominate anyone for an award, nor can they write letters of recommendation for anyone considered for an award.
6. The Faculty Awards Committee will publicize the availability of the various awards each year in order to insure an adequate pool of nominees for each award. Requests for nominations should be widely distributed.
7. Names of teaching award recipients will be inscribed each year on a plaque, to be placed in a prominent location. The Chair of the Faculty Awards Committee submits a record of nominees and recipients each year to the Teaching and Learning Center. Teaching and

Learning Center personnel update the plaques in cooperation with the Office for Academic Affairs.

## **10 FACULTY GOVERNANCE**

### **10-1 Overview Of Faculty Governance Responsibilities**

Governance within the University of North Carolina system, and on each of the 16 constituent campus, is defined by the provisions of *The Code of the University of North Carolina*. Under that document, certain responsibilities for governance on the individual campuses is delegated to faculty.

In particular, the Chancellor on each campus must insure that a faculty senate, or other similar body, has been established on each campus. Members of that body are to be elected from the faculty, by the faculty. The faculty are expressly to be involved in advising the Chancellor with respect to matters of academic policy (e.g., curriculum, instructional standards, grading, and degree requirements). The specific organization of the faculty governance structure is otherwise left to the individual campuses.

Consequently, in order to maintain and protect this right of governance, it is a profound responsibility of each faculty member to participate actively in faculty governance at UNCP. The issues deliberated affect all faculty, to greater or lesser degrees, and impact the educational environment here quite generally.

UNCP has a long-standing tradition of collegial and cooperative relationships with University administrators. The Faculty Senate and its committees continue to be an effective mechanism by means of which the faculty can voice its concerns, examine problems that arise, and recommend improvements in policies and procedures. The Chancellor and the Provost have routinely been both supportive of faculty governance and receptive to the recommendations made to them.

### **10-2 State Open Meetings Regulations**

Under the statutes of the State of North Carolina, with limited exceptions, meetings of regularly constituted committees of public bodies such as the University are open to any interested person. In general, conveners have a responsibility to publicize the time and location of meetings in a timely way, so that interested persons have an opportunity to attend. Standing committees (for example, those established by the Bylaws of the UNCP Faculty Senate) meet at times defined in published documents. Deviations from those times should be announced in a public and timely fashion. For details of the open meetings regulations, or for specific questions, please consult the Legal Assistant to the Chancellor.

### **10-3 Faculty Senate Structure And General Organization**

The Faculty Senate is the primary UNCP faculty governance body. The Senate operates through a series of standing and operations committees, as well as a number of subcommittees reporting to the standing committees. The Senate receives reports and recommendations from the standing and operations committees, deliberates appropriate actions, and recommends those as approved to the Chancellor. The Senate, under *The Code of the University of North Carolina*, has an advisory role to the Chancellor, who is the executive officer for the University. Details of the Senate organization, responsibilities, and procedures are described in the Constitution of the Faculty and the By-laws of the Faculty Senate. See Sections 11-1 and 11-2 of this Handbook for those documents.

#### **10-4 UNC Faculty Assembly**

The UNC Faculty Assembly is a system-wide advisory body which meets regularly to discuss issues of concern to faculty and to advise the Office of the President with respect to those issues. The UNCP Faculty sends two representatives (or alternates), elected by the general faculty, to represent its interests and to express its views to the UNC Faculty Assembly. See Section 11-4.A and 11-4.B for the Constitution and By-laws of the Faculty Assembly.

#### **10-5 Faculty Committees And Governance Responsibilities**

##### **10-5.A Academic Council**

The Academic Council is composed of all department chairs and deans; the Provost and Vice Chancellor for Academic Affairs, who serves as its chair; the Associate Provost for Outreach; the Associate Vice Chancellor for International Programs; Assistant Vice Chancellor for Academic Affairs; the University Librarian; the Director of Institutional Research; the Director of the College Opportunity Program; the Director of the Media Center; the Director of the Native American Resource Center; the Registrar; the Associate Vice Chancellor for Information Services and Chief Information Officer; the Director of Sponsored Research and Programs; the Director of Regional Center for Economic, Community, and Professional Development; the Chair of the Faculty Senate; and the heads of the other academic support departments. This Council meets twice a semester and as needed.

##### **10-5.B Graduate Council**

The Graduate Council is the University-wide body responsible for formulating and recommending to the Faculty Senate policies and standards for the graduate program; reviewing, formulating, and recommending curriculum changes, new programs and changes in existing programs to the Faculty Senate's Subcommittee on Curriculum; serving the Faculty Senate and Dean of the School of Graduate Studies in matters initiated by it or referred to it; and approving all teaching personnel for graduate courses. All policy and curriculum matters affecting graduate programs must be approved by the Graduate Council.

The Dean of the School of Graduate Studies shall serve as the Chair of the Graduate Council and shall be responsible for bringing all policy and curriculum matters relative to all graduate programs to the Council for its action.

Members of the Graduate Council are appointed by the Provost and Vice Chancellor for Academic Affairs in consultation with the Dean of the School of Graduate Studies. They include the graduate program directors, the Dean of the School of Education, and three graduate faculty members (at-large).

##### **10-5.C Teacher Education Committee**

The Teacher Education Committee is the University-wide committee responsible for all teacher education programs at The University of North Carolina at Pembroke. Its specific functions include establishing teacher education policies, reviewing all proposed changes to teacher education curricula, reviewing proposed teacher education programs, reviewing the professional studies component of the program, approving applicants to the teacher education program, approving applicants for the professional semester, assuring compliance with state and national accreditation standards, and considering other matters related to teacher education.

**10-5.C.1 Composition of the Teacher Education Committee**

The Teacher Education Committee is comprised of a faculty member from each of the teacher education program areas and components, two (2) undergraduate student representatives, one (1) graduate student representative, and three (3) representatives from the area schools. The Dean of the School of Education serves as the chair of the committee. Committee members are appointed for one-year academic terms by the Provost and Vice Chancellor for Academic Affairs in consultation with the Dean. The Teacher Education Committee meets on the second Wednesday of the month.

**10-5.C.2 Relationship of the Teacher Education Committee to Other Committees**

The Teacher Education Committee is a University-wide committee appointed annually by the Provost and Vice Chancellor for Academic Affairs, in consultation with the Dean of the School of Education. A representative of the committee is provided the opportunity to report committee actions at each meeting of the Faculty Senate.

Proposed changes to the undergraduate teacher education curriculum approved by the Teacher Education Committee are forwarded to the Faculty Senate's Subcommittee on Curriculum for processing through the Senate structure. Proposed changes to the graduate teacher education curriculum approved by the Teacher Education Committee are forwarded to the Graduate Council for its consideration and when approved, to the Faculty Senate's Subcommittee on Curriculum for processing through the Senate structure.

**10-5.C.3 Other campus committees**

Faculty members serve on a wide variety of campus committees, both continuing and ad hoc, instituted to advise with regard to campus issues. Membership on such committees may be by election, or by appointment. Most operate outside the formal faculty governance structure (that is, they do not necessarily report through the Faculty Senate organization). Membership may last from one to three years.

The Faculty Senate's Committee on Committees and Elections polls the faculty each year for committee preferences for those committees on which membership is elective. Appointments to other committees is typically the province of the Chancellor, the Provost, or another administrator. On some occasions, the Faculty Senate Chair will suggest the names of prospective members to the respective administrator.

Faculty members who may wish to serve on a particular committee should make their desires known on the preference poll when it comes out, or should notify the person making the appointments to the body in question.

**10-6 Department Governance (Chair Responsibilities, Terms And Rotation, And Evaluation)****10-6.A Authority And Responsibility Of The Departmental Chair**

The chair heading an academic department at UNCP is the designated leader and faculty administrative officer responsible for the effective and efficient operation of the department within the policies, directions, and plans of the campus as a whole.

The chair is expected to establish and maintain a collegial, productive work climate, which ensures the academic integrity and curricular coherence of his/her department.

The chair is nominated by the department faculty to the college or school dean who forwards the candidate's name to the provost for approval. The chair serves at the pleasure of the dean and provost and is continued at their option.

#### **10-6.A.1 Chair Leadership and General Administrative Responsibilities**

The leadership and general administrative responsibilities of the Department Chair include the following:

1. Engages in Strategic Planning for the department and the university.
2. Determines course scheduling and staffing and coordinates off-campus course offerings.
3. Plans, schedules, and supervises department meetings and events.
4. Supervises and evaluates office and clerical staff.
5. Supervises the use of, maintenance of, and accounting for equipment, facilities, and supplies and to request and oversees the department budgets.
6. Ensures that the department members meet all university requirements.
7. Administers contracts with and coordinates with agencies where practicum agreements exist.
8. Performs other duties as directed by the dean, provost, or chancellor.
9. Assists the university in maintaining good community relations.

#### **10-6.A.2 Chairs Responsibilities Related to Faculty and Instruction**

The Department Chair has responsibility for the following elements relating to faculty and instruction:

1. Shows commitment to productive scholarship, research and the relationship of those with teaching load and service by example, facilitating faculty endeavors and through faculty evaluation.
2. Is active in developing grants and funding for research and activities for students and faculty and acts in professional organizations locally, regionally and /or nationally.
3. Serves as a liaison between the faculty and the dean by monitoring the quality of programs:
  - in the preparation of accreditation and campus data and reports
  - by overseeing departmental brochures, websites, and newsletters and reports
  - by evaluation of and recommending tenure or promotion for faculty and staff
  - by coordinating the hiring of new fulltime and adjunct faculty
  - by processing grievances regarding faculty and staff
  - by providing career counseling, monitor the schedule and assignment of instructors by gathering data and making recommendation for salary or salary changes.
4. Facilitates requests for texts, supplies, and instructional materials, monitors the student internships, senior projects, special exams, and independent studies and evaluates transfer credits and oversees advising of students.

5. Leads the department in the implementation of affirmative action goals, in acquiring faculty and staff development, in encouraging social relations and activities between faculty, staff, and students that contributes to academic goals and diversity.
6. Makes arrangements for lecturers, visiting professors and extra-curricular events with students, alumni, community and professionals.

### **10-6.A.3 Chair Responsibilities Related to Students**

The Department Chair has the following responsibilities related to students:

1. Hears and acts on student grievances, queries, and criticism of faculty, programs, and grades or complaints against students.
2. Assists the campus offices with placement, recruitment, publications, and academic advisement and assessment.
3. Facilitates department organizations and events.
4. Insures letters for students concerning recommendation, referrals, recognition, admittance, credit evaluation, course substitution, transfer, dismissal, financial aid, scholarships, fellowships, and employment opportunities are processed in a timely manner.
5. Encourages undergraduate and graduate research, and establishes procedures which prepare students for state or national exams.

### **10-6.B Chair Stipend and Course Release**

While serving as Chair, the individual will receive a stipend of ten percent of his/her base salary. Additionally, Chairs for departments with 10 or more faculty will receive two courses per semester release time. Chairs for departments with fewer than 10 full-time faculty will be granted one course release per semester and one additional course release during the academic year, i.e., a total of three course releases per academic year.

Chairs do not receive course releases for teaching graduate courses.

At the end of the Chair's tenure and upon his/her return to full-time teaching, he/she will retain twenty-five percent of the stipend for three years service as Chair and fifty percent of the stipend for serving as Chair for six years. A maximum of 50% of the stipend may be retained by a Chair upon returning to full-time instruction.

### **10-6.C Evaluation And Succession Of Chairs**

The following policies and procedures govern the manner in which chairs come into office and the way that a later chair succeeds a former chair:

1. Department chairs at The University of North Carolina at Pembroke are appointed for three-year terms. A Department chair can be reappointed to a second consecutive three-year term with the support of the Department and the recommendation/approval of the



- Provost. The maximum number of terms for any chair, consecutive or otherwise, is two three-year appointments.
2. The normal evaluation process for chairs will take place during the fall semester of the second year of service.
  3. During the fall semester of the third year of service, the chair will choose either to step down or to be considered for renewal. If the chair wishes to be considered for renewal, the chair will be evaluated again by the department members. As part of the evaluation process, all full-time faculty teaching in the department (hereinafter referred to as department members) will be polled as to whether or not they wish the chair to be reconsidered for reappointment. Numerical results of the poll of the department members will be reported to the department chair by the Provost. If a majority opposes reappointment, serious consideration should be given to the appointment of a new chair.
  4. When a chair is to be considered for reappointment or a new chair is to be appointed, the appointment process normally will take place during the spring semester of the third year of service. All department members teaching in the department will be consulted by the Office for Academic Affairs to identify those willing to serve as chair. Department members will be polled confidentially regarding their preference for chair. If an outside search for a new department chair is to be conducted, normal search procedures will be followed.
  5. At any time after the first year of a chair's term, the Provost, at the request or in consultation with department members, may poll the department as to whether or not they wish the chair to continue to serve. The Dean and Provost will review the results and take the matter under consideration. If a department requests such poll, it may not request another such poll within one year of the date of the first poll.
  6. The terms of one third of department chairs will expire each year. The order in which chair's terms will expire initially will be established by ranking chairs by length of service as department chairs.
  7. In the event of the organization of a new department, the term of that chair will start with his or her original appointment and will become a normal part of the rotation beginning with step one.
  8. When the necessity for a leave of absence occurs with a department chair, such as medical or family emergency, the Dean, in consultation with the Provost will, on a case by case basis, make a determination either to grant the leave of absence or to fill the position with a new Department Chair.
  9. In the event a chair permanently leaves his or her post as chair before the end of the term for any reason, the newly appointed chair will enter the rotation at step one.
  10. This plan for renewable terms for department chairs is to be implemented by the Provost in the fall of 2002.

**10-6.D Succession of Deans:** When a new Dean of a college or school is to be appointed, at least one chair selected by the chairs from the affected college will serve on the search

committee. The representative(s) will report on the activities of the search committee to the other department chairs at the regular department chair meetings.

Candidates will make a presentation to and meet with the department chairs in that college. All department chairs in the affected college or school will be polled confidentially by the Office of Academic Affairs regarding their recommendation for the appointment of Dean.

## **10-7 Faculty Evaluation Of Administrators**

### **10-7.A Guiding Principles for Faculty Evaluation of Administrators.**

The faculty and administrators share responsibility for the effective operation of the University in fulfilling its mission. Faculty members regularly interact and cooperate with administrators and are affected by their policies and decisions. Though the primary responsibility for preparing evaluations of administrators rests with their superiors, some of whom may seek input from selected faculty members, the faculty also needs a direct role in evaluation. Evaluations conducted by the faculty itself can provide valuable information to the administrator being evaluated, the administrator's immediate supervisor, and the Chair of the Faculty and the Executive Committee.

The principles underlying evaluation of administrators are similar to those for faculty evaluation. Evaluations should be fair, consistent, and aimed both at improving the performance of individual administrators and the offices under their supervision and at serving the mission of the University.

The Faculty Senate conducts faculty evaluations of administrators. The criteria and procedures described below, along with the attached evaluation forms, are designed to elicit faculty input and to address issues with which the faculty is familiar and concerned. All full time faculty members are invited to complete an evaluation form, with the understanding that each faculty member will undertake evaluation in a responsible and professional manner, responding only to questions about which he or she has personal knowledge.

The Faculty and Institutional Affairs Committee of the Faculty Senate shall have the responsibility of reviewing the process by which evaluations of administrators are conducted. The Faculty Senate Executive Committee may modify or simplify the attached evaluation forms and may recommend changes in procedures or forms to the Faculty and Institutional Affairs Committee.

### **10-7.B Criteria for Faculty Evaluation of Administrators**

The criteria by which faculty evaluate administrators reflect the mission of the office, each administrator's responsibilities and his or her impact on the faculty, students, and the institution.

### **10-7.C Policies and Procedures for Faculty Evaluation of Administrators**

Faculty evaluation of administrators and offices is conducted on a two-year cycle. All such evaluations are the responsibility of the Faculty Senate Executive Committee. (Evaluations of Department Chairs and of Academic Support Services are conducted separately.)

Procedures for conducting evaluations and reporting information are as follows: by way of an email message, all full-time faculty members are directed to the Faculty Evaluation of Administrators web site where they are asked to complete the form and submit it directly to the

Faculty Senate Executive Committee. The Chair of the Faculty Senate will be responsible for compiling the results of the evaluations and submitting a summary report to the Chancellor at the end of the academic year.

#### **10-7.D Schedule of Faculty Evaluations of Administrators by the Faculty Senate**

Spring of odd-numbered calendar years:

- Division of Academic Affairs (including all Deans)
- Division of Business Affairs
- Division of Enrollment Management

Spring of even-numbered calendar years:

- The Chancellor
- The Office of the Chancellor
- Division of Student Affairs
- Division of Advancement
- Division of University Relations

#### **10-7.E Forms for Evaluations of Administrators**

The documents below contain the elements on which the specified administrators and administrative units will be evaluated. In practice, the forms will be formatted appropriately for completion by faculty and the names of the administrators in each functional category will be inserted to identify them. (The forms shown below were adopted by the Faculty Senate, March 2003.)

#### **10-7.F Figure 1 - Faculty Evaluation of Administrators: The Chancellor**

Please evaluate the chancellor by choosing one answer to each question. If you have no basis to judge please mark that answer. If you wish to make specific comments, please do so in the space provided for comments.

##### **AREA I. INTERACTION WITH FACULTY**

- communicates information to faculty effectively, orally and in writing
- asks for and accepts input from faculty in decisions and policies
- cooperates with and respects faculty governance
- implements effectively policies and recommendations on faculty evaluation and pay
- has regular contact with faculty members and is available to the faculty
- encourages and supports teaching excellence
- encourages and supports faculty scholarship, professional activity, and grant activity
- encourages and recognizes faculty service to the institution, their professions, and the community
- encourages faculty to ask questions and speak freely

From my viewpoint, the chancellor interacts well with faculty.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**AREA II. INTERACTION WITH STUDENTS**

- communicates information to students effectively, orally and in writing
- encourages and supports the Student Government Association
- makes effective presentations for student groups and functions
- asks for and accepts input from students in decisions and policies
- has regular contact with students and is available to students
- encourages and recognizes student achievements and activities
- handles student input about faculty responsibly, discreetly, and in accordance with procedures

From my viewpoint, the chancellor interacts well with students.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**AREA III. INTERACTION WITH THE COMMUNITY**

- gives effective presentations for the public
- is an effective leader of outreach activities
- promotes fundraising

From my viewpoint, the chancellor interacts effectively with the community.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**AREA IV. MANAGEMENT OF ADMINISTRATIVE UNITS**

- promotes effective performance by administrative units
- makes sound personnel decisions and assigns responsibilities well

From my viewpoint, the chancellor manages administrative units effectively.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**AREA V. GENERAL LEADERSHIP OF THE UNIVERSITY**

- conceives and articulates a vision for the university and its future
- exhibits imagination and openness to constructive change

- identifies important issues and needs and gives them high priority
- allocates time, energy, and resources to high priority issues and needs
- develops, communicates, and implements long-range plans
- seeks and accepts input from others in developing long-range plans
- develops, communicates, and implements short-range plans effectively
- communicates General Administration policies to faculty and staff
- seeks and accepts input from others for implementing General Administration policies
- implements General Administration policies effectively
- maintains the financial soundness of the institution
- demonstrates concern for faculty and staff welfare
- works to improve facilities
- seeks diversity in students and faculty
- leads the University to obtain accreditation
- seeks an academically stronger and more geographically diverse student body

From my viewpoint, the chancellor provides effective leadership for the University.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### OVERALL EVALUATION

1. I believe that this Chancellor is highly effective in performing the responsibilities of the Chancellor.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

2. I have confidence that the University will continue to grow and improve under this Chancellor's leadership.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### 10-7.G Figure 2: Faculty Evaluation of Administrators: Office of the Chancellor

Please evaluate each office by choosing one answer to the given question. If you have no basis to judge please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

**10-7.G.1 Office of Planning and Institutional Research**

- collect and analyze data
- disseminate information to support institutional decision making and planning
- work with academic departments and support units to help them formulate planning goals and objectives and to assess their effectiveness
- work with the Planning Council to develop University goals and objectives and to assess institutional success in meeting them

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.G.2 Special Assistant to the Chancellor**

- serve as the key administrative facilitator and advisor to the Chancellor
- manage the staff and administrative functions of the Office of the Chancellor
- serve as the assistant secretary to the Board of Trustees
- serve as a member of the Chancellor's executive staff

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.G.3 University Attorney**

- provide legal assistance to the University community

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.G.4 Athletics: Director**

- administer intercollegiate athletic activities
- handle the athletic budget
- maintain athletic facilities
- direct coaches
- work with the chair of the HPER Department
- work with the Director of Development on fundraising

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree  agree  disagree       strongly disagree       no basis to judge

Comments:

### 10-7.H Figure 3 – Faculty Evaluation of Administrators: Division of Academic Affairs

Please evaluate each office by choosing one answer to the given question. If you have no basis to judge please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

#### 10-7.H.1 Provost and Vice Chancellor for Academic Affairs

- support the University's mission for academic excellence in a balanced program of teaching, research and service by providing comprehensive programs and services that will foster the intellectual, social, cultural, physical and emotional development of each individual student
- provide an environment in which community is nurtured and students are encouraged to contribute responsibly to the University and to society in general
- provide to students of all ages and backgrounds an intellectually challenging learning environment created by a faculty dedicated to effective teaching, interaction with students, and scholarship
- lead, inspire, and manage university faculty and staff through continuous positive communication among all members of the University community

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

#### 10-7.H.2 College of Arts and Sciences: Dean

- assure academic program standards
- develop program budgets
- promote programs in the College

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

#### 10-7.H.3 School of Business: Dean

- assure academic program standards
- develop program budgets
- promote programs in the School

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.H.4 School of Education: Dean**

- coordinate, evaluate, and promote all teacher education programs on a university-wide basis
- work with chairs of all departments with teacher education programs to ensure quality in teacher preparation and compliance with state and national education standards
- seek to improve K-12 student achievement and the professional education programs in which UNCP is engaged

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.H.5 School of Graduate Studies: Dean**

- work with the Graduate Council to develop policies in admissions and registration
- keep academic records
- assure academic program standards
- develop program budgets
- coordinate, evaluate, and promote graduate programs

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.H.6 Office of Outreach: Associate Vice Chancellor for Outreach and staff**

- provide leadership for and management of the Division of Continuing Education and Distance Learning and The Regional Center for Economic, Community and Professional Development
- ensure that local, state, national, and international operations are aware of the services and opportunities that UNCP can provide via our various outreach activities
- serve as the university's representative at economic summits
- expand revenue generating activities
- recommend new and innovative ways to reach and serve the external public



- recommend new and creative programs which will engage faculty and students in outreach activities

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

#### **10-7.H.7 Office of International Programs: Associate Vice Chancellor for International Programs**

- provide high quality international programs to students, faculty members, and the whole University community
- develop international grants, projects, and programs that will be offered abroad
- develop new partnerships with universities all over the world
- work with the Outreach office to offer assistance to the local business community with international programs and training
- work with the Continuing Education office to develop and market short term international certificate programs and degree/non-degree programs for foreign students and business communities
- coordinate faculty and student exchange programs
- work with the International Student Life office to obtain various visa documents for foreign faculty and student

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree  agree  disagree       strongly disagree       no basis to judge

Comments:

#### **10-7.H.8 Information Services: Associate Vice Chancellor for Information Services and Chief Information Officer**

- provide a technological infrastructure of resources necessary to support the University's mission of teaching, research and service
- provide hardware to facilitate administrative and academic computing across campus
- provide networking resources to support computing across campus
- provide systems analysis, programming and on-going technical support to administrative departments and administrative functions of academic departments
- provide software, programming and on-going technical support for faculty to support teaching, learning, service and research
- provide training for all aspects of computing
- provide video facilities and support to enable classes to be taught to other public schools, community colleges or universities and to be received from other universities to our University

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.H.9 Office of Sponsored Research and Programs: Director of Sponsored Research and Programs**

- formulate and implements a range of strategies to enhance sponsored research and programs, including enhancement of institutional self-sufficiency and capital improvement projects for the University
- implement and manages the University's grant, contract and cooperative agreement program
- develop grant proposals, maintains sponsor databases, and alerts faculty and staff to potential sponsored program opportunities that are compatible with their interests

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.H.10 Sampson-Livermore Library: University Librarian**

- support the teaching and research programs of the University
- plan for budgeting and manages the available budget
- monitor collection growth and development

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.H.11 College Opportunity Program: Director**

- equip COP students to perform at the University as regularly admitted students
- closely monitor the students' academic progress during the summer in which they are admitted and during the following academic year

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.H.12 Office of the Registrar: Registrar and staff**

- register students
- maintain all student academic records
- check hours and grade point averages for graduation\
- prepare the graduation list
- maintain all grade reports
- schedule all academic facilities
- prepare various forms on individual students as required by federal, state and institutional agencies
- issue transcripts to appropriate individuals and agencies

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree     agree    disagree     strongly disagree     no basis to judge

Comments:

**10-7.H.13 Native American Resource Center: Director/Curator**

- educate the public about the rich diversity of Native America
- provide an environment for the exchange of all kinds of resources - educational, cultural, community and human - for enjoyment and study

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree    agree    disagree     strongly disagree     no basis to judge

Comments:

**10-7.H.14 Media Center: Director**

- provide services to academic departments, to the testing center, to the library, and to other University units
- render community service and service to students and the University as directed by the Associate Vice Chancellor for Academic Affairs

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree     agree    disagree     strongly disagree     no basis to judge

Comments:

**10-7.I Figure 4 – Faculty Evaluation of Administrators: Division of Enrollment Management**

Please evaluate each office by choosing one answer to the given question. If you have no basis to judge please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

**10-7.I.1 Division of Enrollment Management: Vice Chancellor for Enrollment Management**

- provide leadership for the recruitment, admission and retention efforts for students, including branch programs, other regional learning centers, and distance education.
- work closely with academic deans and off-campus coordinators to plan and coordinate enrollment strategies, emphasizing UNCP's strengths, to meet recruitment goals and retention objectives.
- actively participate in strategic planning activities with special attention to admission and retention.
- work closely with University Relations staff to plan, organize and execute marketing plans to articulate UNCP's strengths and mission.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.I.2 Admissions: Director and staff**

- provide high school counselors with information regarding the University, its programs, and its admission requirements and procedures.
- arrange visits to area high schools as appropriate.
- evaluate records of applicants for admission or transfer.
- work with students, faculty, administrators, alumni, trustees and others to promote the University and to encourage qualified students to enroll.
- prepare and distribute Admission reports.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.I.3 Advisement and Retention: Director and staff**

- increase student retention by providing comprehensive and effective activities and programs.
- organize, staff, train, teach and evaluate the Freshman Seminar course.
- develop and conduct student workshops based on need.

- work with students on academic probation, and those identified through the Early Alert Program.
- assist with new and transfer student Orientation Sessions, and advise new students.
- update publications used in Freshman Seminar and for intervention programs.
- work on additional retention focused activities as assigned by the Vice Chancellor for Enrollment Management.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

#### **10-7.I.4 Financial Aid: Director and staff**

- help students meet their financial obligations through various sources of grants, scholarships and loans.
- meet with prospective students to explain available programs and make analyses of student's financial needs.
- screen and process applications to the Office of Education for federal student aid funds, and prepare annual, quarterly and monthly reports to federal, state and institutional funding agencies.
- coordinate the Work-Study program, and assign students to work sites on campus.
- counsel veterans and veteran dependents concerning their educational benefits and certify Veterans Administration enrollment data for students receiving monthly benefit checks.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

#### **10-7.J Figure 5 – Faculty Evaluation of Administrators: Division of Business Affairs**

Please evaluate each office by choosing one answer to the given question. If you have no basis to judge please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

##### **10-7.J.1 Vice Chancellor for Business Affairs**

- provide sound financial management
- supervise expenditures and oversee business aspects of auxiliary services

- advise and assist the Chancellor in preparing the budget and seeing to the University's operation within it
- see to receipt, custody, and disbursement of University funds

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.J.2 Bookstore: Manager**

- manage the acquisition of text books and other course materials
- sell textbooks, school supplies, soft goods, and sundries

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments

### **10-7.J.3 Business Services: Director**

- oversee all purchasing
- see to receiving requisitions, obtaining bids, and placing orders
- sell surplus property

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.J.4 Human Resources: Director**

- process employment matters, including employee orientation and training
- manage fringe benefit programs
- administer Equal Employment Opportunity program

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.5 Grants Accountant**

- administer fiscal aspects of contracts and grants

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.6 Accounts Payable: Director**

- see to timely disbursements consistent with State requirements
- process payment of supplies, equipment, travel, contracts and student-related disbursements

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.7 Printing**

- receive printing requests and determine if they can be completed on campus or outsourced
- complete orders for printing

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.8 Foreign Visitor Accounting**

- assist visitors and assist the University in their appropriate treatment
- maintain related web information resources

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.9      Controller's Office**

- provide quality customer service to the University community in accordance with regulations
- perpetuate the climate for quality education necessary for a successful comprehensive university
- see to cash receipts, cash disbursements, student accounts and loans, payroll, accounting systems, capital improvements budgeting, fixed assets accounting, grants accounting, endowment accounting, UNCP Foundation accounting, fiscal reporting, and maintenance of financial records for the University and Foundation accounts

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:



**10-7.J.10 Facilities Planning and Construction: Director**

- provide professional administration for design and construction of capital improvement projects
- see to construction, renovation and repair in planning, design, and construction phases of projects

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.11 Financial Planning and Budgeting: Director**

- see to coordination of operational plans and budgets to the Strategic Plan

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.12 Physical Plant: Director**

- provide support services to the University community to create an effective academic environment
- maintain an environment of cleanliness, attractiveness, comfort, accessibility, and safety
- provide systematically arranged spaces in regard to administration, carpentry, electrical, grounds, housing, HVAC, locksmith, motor pool, painting, and plumbing
- condition our facilities through inspection and audit programs
- design new and renovate facilities for low cost life-cycle maintenance

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.13 Police and Public Safety: Police Chief and Safety Director**

- protect life and property on the University campus by full service law enforcement
- offer a crime prevention and awareness program contributing to safety and security

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.J.14 Food Service: Director**

- see to cafeteria service, catering services, and Bert's

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K Figure 6 – Faculty Evaluation of Administrators: Division of Student Affairs**

Please evaluate each office by choosing one answer to the given question. If you have no basis to judge please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

**10-7.K.1 Vice Chancellor for Student Affairs and staff**

- provide comprehensive programs and services that will foster the intellectual, social, cultural, physical and emotional development of each individual student
- provide an environment in which community is nurtured
- encourage students to contribute responsibly to the University and to society in general

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.2 Career Services: Director and staff**

- provide a comprehensive program of career development services and activities for all students and alumni
- assist students in clarifying their career choices, defining their job search strategies, and pursuing internship/co-op, employment, and/or graduate school opportunities.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.3 University Center: Director**

- serve as the campus' central point of reference in regard to information, leadership development, student activities, and organizations
- facilitate the educational process by providing a laboratory experience for student growth, and an arena for the development of cultural, social, leadership, and recreational awareness, and an environment of opportunity for student, faculty, staff, and community interaction.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.4 Counseling and Testing Center: Director and staff**

- assist students with defining as well as accomplishing personal and academic goals while achieving balance in their lives.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.5 Givens Performing Arts Center: Director**

- enhance and enrich the cultural development of the University and its constituency in the region by offering a diversified selection of multi-disciplinary arts experiences
- promote cultural awareness as a life-long experience
- promote a continuing appreciation for diverse cultures through the presentation of quality local, national and international artists.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.6                      Student International Programs/UNCP Multi-Cultural Center: Director**

- foster an environment where an exchange of ideas will take place and people of many different cultures, races, and backgrounds can come to interact, learn from another, and just identify with the similarities associated with transcultural ideals
- promote diversity on many different levels

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.7                      Student Activities: Director and staff**

- complement the University's academic program
- enhance the overall educational experiences of students through development of leadership skills
- provide exposure to and encourage participation in social, cultural, recreational and governance programs

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.8                      Student Health Services: Director**

- provide quality, cost effective health care and health educational services that will assist students in maintaining an optimal state of health.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.K.9 University Housing: Dean of Students**

- provide students with opportunities to develop skills necessary for living successfully in a community and a democratic society
- provide a safe, clean environment to develop independence, to assess their values, and to develop a spirit of community building.

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.L Figure 7 – Faculty Evaluation of Administrators: Division of Advancement**

Please evaluate each office by choosing one answer to the given question. If you have no basis to judge please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

**10-7.L.1 Division of Advancement: Vice Chancellor for Advancement**

- involve alumni, students, and friends in the life of the University
- provide quality programs and services to alumni, students, and friends that instill loyalty and pride
- keep constituencies informed about accomplishments, priorities, and challenges
- secure resources which will enhance the academic quality of the University
- be good stewards of its endowments and advance the growth of investment at UNC Pembroke
- promote advocacy of the University

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.L.2 Office of Alumni Relations: Director**

- plan, coordinate and implement a comprehensive program for alumni, faculty, students and friends which continually involves them with the University
- work closely with the Alumni Association and a diverse board of volunteers to develop such programs and to identify more volunteers
- promote a cooperative and enthusiastic partnership between all alumni, the University and its representatives
- oversee direct mail solicitations, phon-a-thons, and volunteer recruitment

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.L.3 Office of Corporate and Foundation Relations: Director**

- develop and implement a program to focus on the corporate and foundation sectors
- develop and implement a program to focus on institutional prospect research
- develop relationships with faculty, corporate and foundation staff and executives
- implement proposal writing and stewardship activities
- contact prospects
- identify, cultivate and solicit corporation and foundations for major gifts

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.L.4 Office of Development: Director**

- develop and manage the resource development program
- cooperate with departments and offices in obtaining financial support for their programs
- identify, research, cultivate, steward and solicit donors
- work closely and effectively with both internal and external constituents in coordinating and implementing University-wide fundraising programs

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

### **10-7.L.5 Office of Donor Relations: Director**

- develop and manage the resource development program which includes, but is not limited to, a program to identify, research, cultivate, solicit and perform stewardship for all donors/prospects, gift administration, membership administration, information systems, and fund stewardship in support of the educational and financial objectives of UNC Pembroke
- work cooperatively with faculty, staff and administrators in developing gift solicitations on behalf of their programs, as well as, with volunteers identifying, cultivating and soliciting gifts
- plan and implement the recruitment of new members of the Chancellor's Club and to work to insure the retention of current members and to maintain an active board
- manage records, files, and recognition programs for all cash, gifts-in-kind, and deferred gifts from private sources (non-governmental) to the University
- oversee the stewardship of scholarships and all other gifts

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree  disagree       strongly disagree       no basis to judge

Comments:

**10-7.M Figure 8 – Faculty Evaluation of Administrators: Division of University and Community Relations:**

Please evaluate this division by choosing one answer to the given question. If you have no basis to judge, please mark that answer. If you wish to make comments, including those applying to any individual administrator within the office, please do so in the space provided for comments. A list of goals taken from the mission statement of the office is provided for you.

**10-7.L.6 Division of University and Community Relations: Vice Chancellor for Relations**

- coordinate major campus events such as commencement
- manage the university calendar
- program the Lowry Bell Tower
- provide accurate news about the University's program activities and accomplishments to both internal and external audiences
- coordinate the University's communications in emergency situations via the Emergency Information Hotline (EIH)
- publish *UNCP Today*, the alumni magazine, and the Brave Bulletin
- maintain the University web site

From my viewpoint, the administrators of this office are accomplishing the mission stated.

strongly agree       agree    disagree       strongly disagree       no basis to judge

Comments:

## 11 FACULTY GOVERNANCE DOCUMENTS

### 11-1 UNCP Faculty Constitution

#### Preamble

We, the members of the Faculty of The University of North Carolina at Pembroke, desiring to:  
 Provide a democratic form of government for the coordination of faculty activities;  
 Provide a forum for the expression of faculty views and interests;  
 Maintain academic freedom, academic responsibility, and faculty rights;  
 Improve cultural, social, and physical welfare;  
 Develop better educational standards, facilities, and teaching methods;  
 Foster the recognition of the rights and responsibilities of the faculty to the school, the community and humanity;  
 do hereby establish this Constitution.

#### ARTICLE I. GENERAL FACULTY

Section 1. The General Faculty of The University of North Carolina at Pembroke shall consist of the Chancellor, all full-time instructional personnel, those faculty participating in phased retirement and all full-time non-instructional personnel who hold academic rank.

#### Section 2. Powers

The General Faculty shall have power (or authority):

- A. To receive reports from--and make recommendations to--the Faculty Senate.
- B. To discuss--and pass resolutions on--matters relating to the life of the University.
- C. To take action on the awarding of regular and honorary degrees.
- D. To review and revoke action of the Faculty Senate.
- E. To review and modify the structure of Faculty Government.
- F. To elect Senators-at-Large, members of the Hearing Committee, and Delegates/Alternates to the UNC Faculty Assembly.

#### Section 3. Meetings

The General Faculty shall meet three times during the academic year, the exact dates of the meeting to be determined by the Chancellor and the Chair of the Faculty Senate. The first meeting will coincide with the fall opening of the University. The second meeting will be held in December. The third meeting will be held in the Spring in time for the approval of graduates.

- A. Special Meetings of the General Faculty may be called by the Chancellor; the Faculty Senate; or, within thirty days after receiving a petition stating specifically the purpose of the meeting and signed by fifty members of the General Faculty, the Chancellor shall be empowered to call a meeting of the General Faculty.
- B. The Agenda for the regular meetings of the General Faculty shall be determined by the Senate Executive Committee consisting of the Chancellor and the Executive Committee of the Faculty Senate. The Agenda shall contain a report on the business conducted by the Senate since the last meeting of the General Faculty.



C. The Chair of the Faculty Senate shall notify members of the General Faculty at least one week in advance of the date of each regular meeting of the General Faculty. If practicable, the agenda and any materials to be voted on shall be distributed to the members of the General Faculty one week in advance of each meeting.

D. A quorum for Meetings of the General Faculty shall consist of a majority of the voting membership as defined above (see Article I, Section 1). A majority vote of members present is sufficient to conduct business, except that when the question of revoking an action of the Faculty Senate is under consideration by the General Faculty, a two-thirds vote of a quorum shall be required to annul.

E. Voting in General Faculty Meetings shall normally be by voice vote. Vote by ballot shall be taken on motion approved by a majority of members present and voting. Results of voting shall be recorded in the minutes. Voting for Senators-at-Large shall come from a list of nominees prepared by the Senate Committee on Committees and Elections and voted on by the General Faculty by secret ballot. Additional nominations may be made from the floor.

F. Meetings of the General Faculty and its deliberative bodies shall follow Robert's Rules of Order (Newly Revised). In particular, proxy voting is not permitted.

Section 4. The minutes and records of the General Faculty shall be kept by the Secretary of the Faculty Senate.

A. Copies of the minutes of General Faculty Meetings shall be sent to each member.

B. Minutes of the General Faculty Meeting shall be placed on file in the Office of the Chancellor, of the Provost and Vice Chancellor for Academic Affairs, and in the UNCP Archives.

## ARTICLE II. FACULTY SENATE

Section 1. The General Faculty delegates the responsibility for the conducting of business to a Faculty Senate.

Section 2. The purpose of the Faculty Senate of The University of North Carolina at Pembroke shall be to serve as the principal academic policy-making body of the University, subject to review and approval by the Chancellor; to serve as an advisory and consultative council to the Chancellor and other Administrators; and to receive from Senate Committees or University Departments recommendations concerning educational policies of The University of North Carolina at Pembroke upon which the Senate may deliberate and act.

Section 3. The Senate shall recognize the province within the University of the traditional academic disciplines and the established departments and divisions in setting and implementing rules and regulations directly affecting these areas, but reserves the right to review such rules and regulations as may affect the University as a whole.

Section 4. Actions of the Senate completed

A. Actions of the Senate shall be in one of three forms:

1. Act. An Act shall have the effect of policy.
2. Resolution. A Resolution shall express the sentiment of the Senate.
3. Recommendation. A Recommendation shall express the advice of the Senate, giving advice only.

- B. No Acts of the Senate shall have the effect of policy unless they have been passed by a majority vote and bear the signature of the Chancellor of the University, indicating his approval.
- C. Upon passage of an Act, the Chair of the Senate shall submit the same in writing to the Chancellor within three school days of its passage.
- D. The Chancellor may veto an Act. In such case the Senate shall be notified of such action at its next meeting.

### ARTICLE III. MEMBERSHIP AND ELECTIONS

Section 1. The Senate shall consist of the following members:

- A. The Chancellor of the University
- B. The Provost and Vice Chancellor for Academic Affairs
- C. Three General Faculty members from each of the five divisions listed below, elected by and from the General Faculty of the division:
  - 1. Division of Arts
  - 2. Division of Education
  - 3. Division of Letters
  - 4. Division of Natural Science and Mathematics
  - 5. Division of Social and Behavioral Sciences
- D. Nine General Faculty members elected at-large by the General Faculty.

Section 2. Those eligible to vote for representatives in a division shall be General Faculty who currently hold academic rank at The University of North Carolina at Pembroke in a discipline associated with the division; those eligible to vote for Senators-at-Large shall be General Faculty members.

Section 3. Eligibility for election to Senate membership is restricted to members of the General Faculty

- A. not holding an administrative position above that of Department Chair, and
- B. having a minimum of two consecutive years as members of the General Faculty at The University of North Carolina at Pembroke and having not broken the current period of employment at UNCP except by virtue of approved leaves of absence.

Section 4. Senators elected by the division shall serve for a term of three years. The Committee on Committees and Elections of the Faculty Senate shall conduct annual elections for division representatives. All votes shall be cast by secret ballot.

Section 5. Senators representing divisions shall normally be elected during the month of February by those holding current academic rank in the division they will represent, to take office at the adjournment of the first General Faculty meeting of the academic year. Faculty members with joint appointments shall be eligible to run and to vote in only one division in the election of Senators representing divisions.

Section 6. Elections for Senators-at-Large shall be conducted immediately following election of division representative, for a term of three years. The election of Senators-at-Large shall be conducted by the Committee on Committees and Elections of the Senate.

Section 7. No elected Senator may serve more than two successive terms; the filling of an unexpired term shall be deemed as one of the two successive terms.

Section 8. The position of an elected Senator whose term is unexpired shall be considered vacant upon:

- A. Notification by the Senator to the Chair of (1) his/her resignation, or (2) a leave-of-absence;
- B. The Senator's becoming ineligible through change in professorial status, either at this University or elsewhere;
- C. The Senator's failure to attend two consecutive regular meetings of the Senate, if unexcused by the Senate.

Such vacancy shall be filled by special mail ballot in accordance with Article V, Section 2, A, 5 of the By-Laws for the Faculty Senate. Senators so elected shall serve the unexpired portion of the term.

Section 9. Senators shall take office at the adjournment of the first General Faculty meeting of the academic year.

#### ARTICLE IV. DUTIES OF SENATORS

Section 1. Senators shall bring to the Senate proposals originating from (or endorsed by) Department Chairs, from academic supportive services, and from other areas of academic concern of the faculty. Proposals shall be in writing and furnished in sufficient copies to facilitate review and action of the Senate.

Section 2. Each elected Senator (except the Chair and Secretary) shall serve on one of the Standing Committees or on the Committee on Committees and Elections.

#### ARTICLE V. OFFICERS

Section 1. The Chancellor of the University shall have the right to preside over the deliberations of any legislative bodies of the Faculties of The University of North Carolina at Pembroke.

Section 2. The Senate shall elect from its voting membership a Chair of the General Faculty who shall also serve as Chair of the Faculty Senate, to serve for one year. The Chair shall serve as Chair of the Executive Committee, and shall preside at meetings of the Faculty Senate and of the General Faculty subject to the right of the Chancellor to preside over such deliberations as provided in Article V, Section 1, above. The Chair shall not serve for more than two successive years; the filling of an unexpired term shall be deemed as one of the two successive years. The Chair of the Faculty Senate is entitled to a course load reduction (six hours per semester) while serving as Chair.

Section 3. The duties of the Faculty Senate Chair shall include:

1. Attend the Board of Trustee Meetings when invited.
2. Meet with Chancellor and Provost once a month.
3. Attend at least one Faculty Assembly meeting.
4. Email the general faculty a Senate Newsletter highlighting noteworthy topics from the Faculty Senate meeting.
5. Serve as the Student Appeals Board Chair

6. Select a designee, from the General Faculty, to serve on special committees formed by the administration.
7. Ensure the Faculty Handbook is revised to reflect changes during the Academic year.
8. And other duties as the Senate may direct.

Section 4. The Senate shall elect from its voting membership a Secretary to serve for a period of one year. The Secretary shall serve as the Secretary of the General Faculty.

#### ARTICLE VI. COMMITTEES

Section 1. The consideration of matters within its jurisdiction may be delegated by the Senate to Committees, which shall be responsible to and report to the Senate.

Section 2. The Senate shall have the following types of committees: Operations Committees, Standing Committees, Subcommittees of the Standing Committees, and Continuing and Special Committees. The terms of the Operations Committees, Standing Committees, and Continuing Committees, shall end with the convening of a new Senate at the first regular meeting of the academic year; members of Subcommittees of Standing Committees will be appointed for two-year staggered terms; and the term of any Special Committee will be ended upon completion of its designated assignment.

Section 3. There shall be four Operations Committees:

A. The Committee on Committees and Elections shall consist of four Senators appointed by the Senate Chair. The Chair of the Committee shall be appointed by the Senate Chair. The Committee shall conduct elections for Divisional and At-Large Senators, members of the Promotion and Tenure Committee, the Faculty Awards Committee, the Faculty Grievance Committee, the Faculty Hearing Committee, and Delegates and Alternates to the UNC Faculty Assembly. The Committee shall nominate all members of Faculty Senate Subcommittees, the Faculty Governance Committee, the three non-Senate faculty members on the Student Affairs and Campus Life Committee, and one member of the Student Publications Board. The Committee shall select four nominees for the position of Faculty Conciliator for Undergraduate Grade Appeals.

B. The Executive Committee shall consist of the Chair of the Senate, who shall serve as its Chair; the Secretary of the Senate; the Chairs of the three major Standing Committees as provided for in Article VI, Section 4 of this Constitution; and the Chair of the Committee on Committees and Elections. This committee shall prepare an Agenda and publish the Agenda to the Senate five days prior to each regular meeting. The Agenda for regular meetings of the General Faculty shall be determined by the Senate Executive Committee consisting of the Chancellor and the Executive Committee of the Faculty Senate. The General Faculty shall be notified of all regular meeting dates of the Senate. The committee shall also assist in the annual publication of the Faculty Handbook. The Senate Executive Committee shall have general supervision of the affairs of the Senate between its regular meetings. This includes the implementation of Senate-approved policies and procedures. None of these implementing actions shall conflict with actions taken by the Senate.

C. The Committee on Faculty Governance shall consist of not more than eleven members, a majority of whom must be Senators or former Senators. They are to be nominated by the Committee on Committees and Elections and confirmed by the Senate.

D. The Health, Safety and Environment Committee shall consist of not more than twelve members. There shall be five faculty members, one from each of the five divisions. They are to be nominated by the Committee on Committees and Elections and confirmed by the Senate. Also,

there shall be a representative from the Staff Council, Physical Plant, Human Resources, Nursing, and the Library. The final member shall be the Assistant Vice Chancellor for Facility Management, Business Affairs.

Section 4. The three major Standing Committees and their Chairs shall be appointed by the Chair of the Senate after consultation with the Chancellor. Standing Committees will consist of members of the Senate, Chairs of the Subcommittees reporting to them, and various administrators whose University roles make them appropriate members. The Standing Committees shall be:

- A. Academic Affairs
- B. Student Affairs and Campus Life
- C. Faculty and Institutional Affairs

Section 5. Standing Committees may, with the approval of the Senate, set up Subcommittees; the tenure of the Subcommittee shall be coincident with that of the parent Standing Committee.

Section 6. Persons eligible to serve on Subcommittees are members of the General Faculty and staff members appropriate to the function of the subcommittee. When one or more of the three Standing Committees request Subcommittee formation, the Committee on Committees and Elections shall determine the size of the Subcommittee and make nominations to the Senate, to be confirmed by the Senate.

Section 7. All Subcommittees shall report directly to the parent Standing Committee, of which each subcommittee's Chair will be a voting member.

Section 8. The Chair of each Standing Committee shall speak for the Committee. He/she may present an oral or written report, but in every case the presentation must give sufficient information on which the Senate can act.

Section 9. Continuing and Special Committees may be constituted, with appropriate membership, at any time by the Senate.

Section 10. The Faculty Research Advisory Board shall be a Continuing Committee of the Faculty Senate. It shall consist of not more than seven members to serve three-year staggered terms. The members will be nominated by the Chair of the Faculty Senate and confirmed by the Senate. The Board shall elect a Chair from its membership.

## ARTICLE VII. MEETINGS

Section 1. The Senate shall regularly meet at least once each month during the academic year. Regular meeting dates shall be established by the Senate; however, these dates may be altered when deemed necessary.

Section 2. A Special Meeting may be called by the Chancellor, the Chair of the Faculty, or at the request of a majority of the voting members of the Senate.

Section 3. Written notices of Regular Meetings of the Senate shall be sent to each Senator one week prior to the meeting and shall contain a tentative agenda. Special Meetings, when practicable, shall require a three-day notice. Special Meetings may be arranged by telephone or telegraph. Department offices will be notified.

Section 4. All Meetings of the Senate shall be open meetings unless, consistent with the requirements of State Law, a meeting is closed to the public by majority vote of a quorum of the Senate membership.

Section 5. Fifteen Voting Members of the Senate present at any meeting shall constitute a quorum.

Section 6. Minutes of all meetings shall be distributed to the faculty.

#### ARTICLE VIII. RIGHT OF FACULTY APPEAL

Section 1. Any action or resolution of the Senate may be appealed to the Senate by a petition containing not fewer than fifteen faculty signatures. In the event of failure of the Senate to produce agreement with the petitioners, fifty members of the faculty signing a petition may call for a General Faculty Meeting. A two-thirds vote of a quorum of the faculty in a General Faculty Meeting shall be required to revoke Senate action.

Section 2. Written notice of a full Faculty Meeting for deliberation of Senate action appealed by petition shall be distributed to the faculty one week prior to the meeting. Such notice shall include a statement of the action to be discussed.

#### ARTICLE IX. REVIEW OF THE CONSTITUTION, BY-LAWS, PROCEDURES

Section 1. The Senate shall have the authority to make by-laws and rules of order for the conduct of its business.

#### ARTICLE X. AMENDMENT OF THE CONSTITUTION

Section 1. A recommendation to amend the Faculty Constitution may be made in one of two ways: at a regular meeting of the Senate preceding that at which the vote on such recommendation is taken, or at a meeting of the General Faculty at least thirty days preceding that at which the vote on such recommendation is taken.

Section 2. A two-thirds vote of a quorum of the Senate present and voting shall be necessary in order to recommend the amendment of the Constitution or any of its provisions.

Section 3. Ratification of the recommendation of the Senate or General Faculty for the amendment of the Constitution or any of its provisions shall require a two-thirds vote of the faculty.

Section 4. The Board of Trustees of The University of North Carolina at Pembroke and the Board of Governors of The University of North Carolina shall be properly informed by the Chancellor of changes in faculty organization and operating procedures.

**11-2 By-Laws For The Faculty Senate****ARTICLE I. MEETINGS**

Section 1. The Faculty Senate shall meet regularly on the first Wednesday of each month of the academic year consistent with the University academic calendar.

Section 2. Special meetings and alterations of the prescribed schedule shall require a three-day notice when practicable.

Section 3. Meetings shall not exceed 90 minutes without a vote to extend the time.

Section 4. Absences from Meetings. When a Senator cannot be present at a regular meeting and requests to be excused, such request must be addressed to the Chair of the Senate, preferably in writing.

Section 5. The minutes and all official documents of the Senate and its committees and subcommittees will be filed by the Secretary of the Senate. The Secretary will post official agendas and minutes on the Faculty Senate web site. It will be the responsibility of each committee and subcommittee Chair to see that agendas and minutes are delivered to the Secretary in advance of meeting dates.

**ARTICLE II. RULES OF ORDER**

Section 1. The Senate shall determine the rules of order for the conduct of its business meetings.

Section 2. Robert's Rules of Order (Newly Revised) shall be followed, except that proxy voting shall be not be permitted.

**ARTICLE III. ORDER OF BUSINESS**

Section 1. The order of business at meetings of the Senate shall be as follows:

- A. Roll Call
- B. Approval of Minutes
- C. Adoption of Agenda
- D. Reports from Administrators
  1. The Chancellor
  2. The Provost and Vice Chancellor for Academic Affairs
- E. Reports of Committees
  1. Operations Committees
  2. Standing Committees
  3. Special Committees
- F. UNC Faculty Assembly Report
- G. Teacher Education Committee
- H. Graduate Council
- I. Other Committees
- J. Unfinished Business
- K. New Business
- L. Announcements

Section 2. All business brought before the Senate must have appeared on an approved Agenda before action on it can be completed.

#### ARTICLE IV. PROPOSALS TO BE ACTED UPON BY THE SENATE

Section 1. Proposals to the Senate may come from any Faculty member, and any administrator eligible for membership in the Senate.

Section 2. Proposals germane to the curriculum of a department must be approved and forwarded to the Department Chair.

Section 3. Endorsement does not imply consent or concurrence but an awareness of a proposal.

Section 4. Proposals originating through individual Senators, from committees or Special Committees, or from any other source shall be routinely referred to the Executive Committee for inclusion on the next agenda.

#### ARTICLE V. FUNCTION AND SCOPE OF OPERATIONS COMMITTEES

##### Section 1. Executive Committee

A. The Executive Committee shall prepare the agenda and publish it five days prior to each regular meeting of the Senate. The following procedure will be adhered to with respect to submitting items for the agenda as long as the Senate meetings are held on Wednesday:

1. Agenda items are to be submitted to the Chair of the Executive Committee no later than 12:30 on Monday of the week preceding the meeting of the Senate.
2. The Executive Committee will meet by Tuesday afternoon of the week prior to the Senate meeting to organize the agenda.

B. The Executive Committee will refer to appropriate Standing Committees or Special Committees' proposals and/or recommendations which it considers should be sent to these committees prior to the Senate. The Committee will note in its report receipt of such items and the disposition made of them.

C. The Secretary of the Senate shall maintain a Motion Log of all Senate actions indicating date and status of each.

D. The Executive Committee of the Faculty Senate shall proof-read the Faculty Handbook prior to printing.

E. The Senate Executive Committee shall have general supervision of the affairs of the Senate between its regular meetings. This includes the implementation of Senate-approved policies and procedures. None of these implementing actions shall conflict with actions taken by the Senate.

##### Section 2. Committee on Committees and Elections

A. The Committee on Committees and Elections shall conduct elections to fill positions that will expire in August, except for UNC Faculty Delegates and Alternates, whose terms expire on July 1.

1. Starting in October, ballots will be distributed by campus mail to elect:



- a. Divisional Senators; [See Article III of the UNCP Faculty Constitution; Section 13-2 and Section 9-2 of the UNCP Faculty Handbook; and Article V, Section 5 and Article VII of the Bylaws of the Faculty Senate for nomination guidelines for these positions];
  - b. Senators-at-Large, immediately following the completion of the election for Divisional Senators; [See Article III, Sections 6 and 7 of the UNCP Faculty Constitution for nomination guidelines];
2. Starting in February, ballots will be distributed by campus mail to elect:
- a. Members of the Promotion and Tenure Committee, divisional members of the Faculty Awards Committee, and the Delegate and then the Alternate to the UNC Faculty Assembly [See Article III of the UNCP Faculty Constitution; Section 13-2 and Section 9-2 of the UNCP Faculty Handbook; and Article V, Section 5 and Article VII of the Bylaws of the Faculty Senate for nomination guidelines for these positions];
  - b. At-large members of the Faculty Awards Committee immediately following completion of the election for divisional members;
  - c. Faculty Hearing Committee immediately following the completion of the election of members of the Promotion and Tenure Committee [See Section 13-3 in the UNCP Faculty Handbook for nomination guidelines];
  - d. Faculty Grievance Committee immediately following the completion of the election of the Faculty Hearing Committee [See Section 13-3 in the UNCP Faculty Handbook for nomination guidelines];
3. The Committee on Committees and Elections shall conduct elections for unexpired terms of office as the need arises to fill any such vacancy.
4. The Committee on Committees and Elections shall conduct elections in accordance with the following procedures:
- a. Poll faculty during the fall semester to determine individual preferences for faculty governance positions;
  - b. Determine eligibility of candidates [See Article III, Sections 3 through 8 of the UNCP Faculty Constitution];
  - c. One week before distributing ballots for any election, post a notice on the faculty e-mail listserv to inform faculty of ballots that will be distributed in one week. Additions and deletions will be accepted up to one day before ballots are due to be printed.
  - d. Prepare and distribute ballots to members of the General Faculty [See Article I, Section 1 of the UNCP Faculty Constitution];
  - e. Allow seven (7) calendar days for return of ballots, by campus mail, to committee members for tallying;
  - f. Determine winners of elections to fill one vacancy (each faculty member has one vote) as follows:
    - (1) The winner is that candidate who receives the greatest number of the votes cast, except that 33% of the votes cast is necessary for election.

- (2) Run-off elections will include all candidates who received at least 20% of the votes cast in the previous balloting, except that the ballot must include those who ranked first and second. If all candidates on the previous ballot received at least 20% of the votes, the last-place candidate will be dropped in the run-off election.
- g. Determine winners of elections to fill more than one vacancy (each faculty member has as many votes as there are vacancies) as follows:
- (1) The winners are those candidates who are selected on the greatest number of ballots and who receive at least 33% of the ballots cast.
  - (2) Run-off elections will include all candidates who are selected on at least 20% of the ballots cast in the previous balloting, except that the ballot must include at least one more candidate than the number of vacancies to be filled. If all candidates on the previous ballot received at least 20% of the votes, the last-place candidate will be dropped in the run-off election.
- B. The Committee on Committees and Elections shall nominate the following:
1. All members of Faculty Senate Subcommittees, the Faculty Governance Committee, the faculty members of the Health, Safety, and Environment Committee, the three non-Senate faculty members on the Student Affairs and Campus Life Committee, and one member of the Student Publications Board. The Committee shall select four nominees for the position of Faculty Conciliator for Undergraduate Grade Appeals. [See Article VI, Section 4 of the Faculty Senate Bylaws, Article VI, Section 3C of the Faculty Senate Constitution, and Section 13-5 of the Faculty Handbook.] At the Senate’s last meeting of the academic year, the Committee will recommend for confirmation by the Faculty Senate all the foregoing nominations.
  2. At least one Faculty Senator as Chair-Elect of the Senate and at least one Faculty Senator as Secretary-Elect. The Faculty Senate will elect these officers at its first meeting of the Spring Semester. The newly elected officers will take office immediately following the first General Faculty meeting of the next academic year. [See Article V, Sections 2 and 3 of the UNCP Faculty Constitution for nomination guidelines.]
- C. The Committee on Committees and Elections shall act on requests by Standing Committees for formation of any new Senate-approved subcommittees [See Article VI, Section 6 of the UNCP Faculty Constitution].

### Section 3. Committee on Faculty Governance

The Committee on Faculty Governance shall review and interpret the Faculty Constitution, the By-laws of the Faculty Senate, and rules of order for the conduct of Senate business. Changes in any of these areas that are approved by this committee will be brought, by the Committee Chair, directly to the Senate for its action.

### Section 4. Health, Safety and Environment Committee

The Health, Safety and Environment Committee will discuss and investigate issues related to the health concerns of students, staff and faculty due to environmental conditions on campus. The committee will have four regular meetings during the academic year. The meeting times and locations will be made “well known” to the campus community. Members of the Faculty, Staff or Student body may attend and make known concerns they have related to Health, Safety and Environment issues. The committee may meet more often when needed to investigate specific

issues that may arise. The committee will make a report at the first Faculty Senate meeting that occurs after a Health, Safety and Environment Committee meeting.

Section 4. Divisions by Departments or Areas

- A. Division of Arts:
  - Art
  - Drama
  - Music
  - Librarians
  
- B. Division of Education
  - Education
  - Health, Physical Education, and Recreation
  
- C. Division of Letters
  - American Indian Studies
  - English, Theatre and Languages (excluding Drama)
  - History
  - Mass Communications
  - Philosophy and Religion
  
- D. Division of Natural Science and Mathematics
  - Biology
  - Geology and Geography
  - Mathematics and Computer Science
  - Nursing
  - Chemistry and Physics
  
- E. Division of Social and Behavioral Science
  - Business Administration
  - Public Management
  - Political Science and Public Administration
  - Psychology and Counseling
  - Sociology, Social Work and Criminal Justice

ARTICLE VI. FUNCTION AND SCOPE OF STANDING COMMITTEES,  
SUBCOMMITTEES, CONTINUING COMMITTEES AND OTHER COMMITTEES

The three Standing Committees will be:

- Academic Affairs
- Student Affairs and Campus Life
- Faculty and Institutional Affairs.

Although the Standing Committee memberships are reconstituted each Academic year, the subcommittee memberships will be for two-year, staggered terms allowing for continuity of activity.

Section 1. Academic Affairs Committee

- A. The Academic Affairs Committee shall consider the following matters: all matters relating to curriculum; policies and standards relating to the admission and retention of students; and

recommendations concerning learning resource materials and services. Specifically regarding Senate vote on curriculum matters, the Chair of the Academic Affairs Committee is immediately to present to the Registrar all information pertaining to each individual course which is necessary for the computer data bank. In anticipation of this, the required course description presented to the Subcommittee on Curriculum should be the exact catalog wording desired by the department. The Committee shall regularly inform the Senate of its actions and recommendations.

B. The Academic Affairs Committee will be composed of thirteen voting members:

1. Eight Senators,
2. The Provost and Vice Chancellor for Academic Affairs,
3. The four Chairs of Subcommittees of the Academic Affairs Committee.

C. The Committee shall have four subcommittees:

1. The Subcommittee on Curriculum shall examine all proposals and policies relating to curriculum and shall make recommendations to the Academic Affairs Committee on their adoption. This subcommittee is responsible for sending to the Academic Affairs Committee all information pertaining to each individual course which is necessary for the computer data bank.

2. The function of the Enrollment Management Subcommittee shall be to consider policies and standards related to admissions and recruitment, financial aid, retention, advising, graduation, and related areas. The Subcommittee shall also be charged with receiving expressions of concern or interest regarding any of the areas listed above from faculty, staff, administration, or students. The Subcommittee shall, as it deems necessary, make recommendations to the Academic Affairs Committee on these matters.

3. The Subcommittee on Academic Support Services shall examine proposals and policies relating to the operations and development of the Library, the Media Center, the Office of Computing and Informational Services, and the University Writing Center, and shall make appropriate recommendations/proposals to the Academic Affairs Committee.

The Subcommittee shall also conduct, with the assistance of the Office of Institutional Research, a regular, usually biennial survey of the University community to assess perceptions of facilities and services of each academic support service area. The Subcommittee will report the information from the survey to the Academic Affairs Committee, director of the appropriate academic support service area, the Assistant Vice Chancellor for Academic Affairs, and the Provost and Vice Chancellor for Academic Affairs.

4. The General Education Subcommittee shall review the established/published goals of the General Education Program to ensure their concurrence with the University mission; review proposed changes in the General Education requirements for policies to ensure their concurrence with established program goals; and consider other matters referred to it.

The Subcommittee shall be composed of the Dean of the College of Arts and Sciences and a faculty member from each of the General Education areas (Arts, Business/Economics, Education/Physical Education, Humanities, Natural Science/Mathematics, and Social Sciences). The chair of the Subcommittee shall be one of the six faculty members representing the General Education areas.

The Subcommittee shall submit all matters of policy pertaining to the General Education Program directly to the Academic Affairs Committee for its consideration. All major curriculum proposals from the General Education Subcommittee shall be referred to the Subcommittee on Curriculum.

## Section 2. Faculty and Institutional Affairs Committee

A. The Faculty and Institutional Affairs Committee will consider the following matters: all matters relating to faculty, economic aspects of matters of concern to the Senate and its other committees; recommendations in areas of University business affairs as they affect educational policies, and of long-range projections and planning for the total development of the University.

B. The Faculty and Institutional Affairs Committee will be composed of twelve voting members:

1. Seven Senators,
2. The Vice Chancellor for Business Affairs,
3. The Vice Chancellor for Advancement,
4. Associate Vice Chancellor for Academic Affairs,
5. Chair of the Faculty Development and Welfare Subcommittee,
6. Chair of the Faculty Evaluation Review Subcommittee.

C. The Committee shall have two subcommittees:

1. The Subcommittee on Faculty Development and Welfare shall examine all proposals and policies relating to faculty, and shall, as necessary, make recommendations to the Faculty and Institutional Affairs Committee on such matters. Among the areas of concern of the Faculty Development and Welfare Subcommittee will be the following: Faculty development, evaluation, and criteria governing appointment and retention procedures; salary scale, leaves of absence, sabbaticals, fringe benefits, resignations, recognition of retirees, grievances, and collegiality. The Subcommittee also administers the James F. Hubbard Faculty Leave Fund.

2. The Faculty Evaluation Review Subcommittee shall review the Faculty Evaluation Model regularly and strive to clarify the existing document. The subcommittee shall make recommendations to the Faculty and Institutional Affairs Committee regarding any changes in the written document and shall respond to all requests for alteration of the document or its underlying philosophy.

## Section 3. Student Affairs and Campus Life Committee

A. The Student Affairs and Campus Life Committee will study and make recommendations about areas of student affairs or campus life, either those referred to it or initiated by it.

B. The Student Affairs and Campus Life Committee will consist of eleven voting members:

1. Three Senators one of whom will be selected by the Chair of the Senate to represent this committee on the Executive Committee,
2. The Vice Chancellor for Student Affairs,
3. The Director of the Givens Performing Arts Center,
4. Three additional faculty members,
5. Three students: the Chief Marshal, the President of the SGA, one additional student to be selected by the Vice Chancellor for Student Affairs.

C. The Committee shall be responsible for one Board:

1. The Student Publications Board will serve as the selection committee for both the newspaper editor and the yearbook editor, will serve as the arbitrator in the event that censorship pressures arise, and will develop other roles which the Board deems proper. The Board will not, however, attempt to provide active oversight of the day-to-day workings of student publications.

#### Section 4. The Composition of Subcommittees and Boards

The Subcommittees and Boards shall be composed as follows, with each member having one vote:

##### A. Academic Affairs Committee

###### 1. The Subcommittee on Curriculum:

Two Representatives from each Division,  
One Representative from the Office for Academic Affairs,  
Registrar,  
SGA Secretary,  
SGA Senator.

###### 2. The Enrollment Management Subcommittee

One faculty member from each division, one of whom shall chair the subcommittee,  
Vice Chancellor for Enrollment Management,  
Director of Advisement and Retention,  
Registrar/Liaison for Information Services,  
One SGA representative.

###### 3. The Subcommittee on Academic Support Services:

One Representative from each Division,  
Assistant Vice Chancellor for Academic Affairs,  
Director of Computing and Informational Services,  
University Librarian,  
Director of Disability Support Services,  
Director of the Media Center,  
Director of the Writing Center,  
One Graduate Student,  
One SGA Senator.

###### 12. The General Education Subcommittee

One faculty member representing each of the following General Education areas (one of whom will chair the subcommittee):

Arts  
Business/Economics  
Education/Physical Education  
Humanities  
Natural Science/Mathematics  
Social Sciences

Dean of the College of Arts and Sciences

Each of the faculty representatives will serve a two-year term, three beginning on even numbered years and three on odd numbered years. Selection will be by appointment by the Committee on Committees and Elections as with other subcommittees.

B. Faculty and Institutional Affairs Committee

1. The Subcommittee on Faculty Development and Welfare:

Two representatives from each Division,  
The Director of Human Resources.

2. The Faculty Evaluation Review Subcommittee

The subcommittee shall consist of seven members. Each division will be represented on the subcommittee and there will be two at-large members.

C. Student Affairs and Campus Life Committee

1. The Student Publications Board will be composed of:  
The Associate Vice Chancellor for Student Affairs,  
The faculty advisor of the student newspaper,  
The faculty advisor of the student yearbook,  
The faculty advisor of the student literary magazine,  
One faculty member who is not actively involved in student publications,  
to be nominated by the Committee on Committees and Elections,  
The editor of the student newspaper,  
The editor of the student yearbook,  
The editor of the student literary magazine,  
The SGA president or her/his designee.

2. Nominations for members of the Student Publications Board shall be submitted for consideration to the Student Affairs and Campus Life Committee as early as possible in the fall term of each academic year. Approved nominees shall serve until the Board is reconstituted at the beginning of the subsequent fall term.

D. The Chair of the Standing committee or parent committee shall appoint, or conduct an election for, subcommittee chairs.

Section 5. Meetings.

Upon organization by the Senate each committee and subcommittee shall meet, establish and publish a list of its scheduled meetings according to the following calendar:

A. FACULTY SENATE  
The first Wednesday of each month

COMMITTEE ON ACADEMIC AFFAIRS  
The third Wednesday of each month

SUBCOMMITTEE ON CURRICULUM  
The first Thursday of each month

## SUBCOMMITTEE ON GENERAL EDUCATION

The first Thursday of each month, one hour prior to the meeting of the Subcommittee on Curriculum.

## SUBCOMMITTEE ON ACADEMIC SUPPORT SERVICES

The second Tuesday of each month

## SUBCOMMITTEE ON ENROLLMENT MANAGEMENT

The second Wednesday of each month

## COMMITTEE ON FACULTY AND INSTITUTIONAL AFFAIRS

The third Thursday of each month

## SUBCOMMITTEE ON FACULTY DEVELOPMENT AND WELFARE

The second Thursday of each month

## SUBCOMMITTEE ON FACULTY EVALUATION REVIEW

The first Tuesday of each Month

## COMMITTEE ON STUDENT AFFAIRS AND CAMPUS LIFE

The third Monday of each month

## SENATE EXECUTIVE COMMITTEE

Always on a Monday or Tuesday, of the week preceding the Senate meeting

## COMMITTEE ON COMMITTEES AND ELECTIONS

Always available for required tasks

Special meetings may be called as the need arises.

## FACULTY GOVERNANCE COMMITTEE

The third Tuesday of each month

## B. Calendar

The Senate Chair and Executive Committee will publish, at the start of the fall semester, a calendar for the academic year of meeting dates and times for each Standing Committee and related Subcommittees of the Senate. The Chair and Executive Committee will also solicit meeting information from other Committees that are related to the Senate. This information will be summarized and published as early as possible in the fall semester.

## C. Absences from Meetings

When a member of either a Committee or Subcommittee cannot be present for a meeting, the member will notify the Chair of the Committee or Subcommittee.

When a member of a Committee or Subcommittee misses more than two regular meetings, that member will be dismissed from the committee. A replacement will be chosen in accordance with Article VI, Section 3. A of the Faculty Constitution (for a subcommittee member) and Article VI, Section 4 (for a committee member).

## Section 6. Faculty Research Advisory Board



A. The Faculty Research Board, a Continuing Committee of the Faculty Senate, shall advise the Faculty Senate and the Chancellor with respect to issues affecting faculty research, scholarly and creative activity. It shall propose initiatives that support faculty research, scholarship and creative activity; consider issues related to these activities submitted to it by the faculty; and monitor the general campus climate for such efforts.

B. The members of the Faculty Research Advisory Board shall be selected on the basis of demonstrated experience in research, scholarly or creative activity and be reflective of a diversity of disciplines. The Board shall meet at least once a semester and more frequently if needed.

#### Section 7. Teacher Education

All teacher education undergraduate curriculum proposals originating in the Teacher Education committee shall be referred to the Subcommittee on Curriculum. Graduate curriculum matters shall be referred to the Graduate Council.

#### Section 8. Graduate Council

The Graduate Council (not a committee of the Senate but a committee of the University) shall submit directly to the Senate for its approval all matters of policy pertaining to the graduate program. All curriculum proposals from the Graduate Council shall be referred to the Subcommittee on Curriculum.

Section 9. The Chairs of the Faculty Hearing Committee and the Faculty Grievance Committee will report to the Faculty Senate early in the fall semester on the number of cases heard during the previous academic year (and/or summer).

#### Section 10. Other University Committees

University Committees (not committees of the Faculty Senate, but Committees appointed by the Chancellor or the Vice Chancellors) shall report to the Faculty Senate at the last meeting of each semester. The reporting committee should be represented by a member of the Faculty who is also a member of that committee. The Senate, which should expect a written and oral report of the committee's activities during the past semester, should feel free to ask questions and to send requests to the committee.

The committees include:

- Advisory Committee on Institutional Effectiveness
- Faculty Research and Development Committee
- Honors College Council
- Institutional Review Board for Research Involving Human Subjects
- Insurance Committee
- Planning Council
- Traffic Control Board
- University Athletics Committee
- University Technology Committee
- World Studies Committee

### ARTICLE VII. ELECTIONS OF DELEGATES TO THE FACULTY ASSEMBLY OF THE UNIVERSITY OF NORTH CAROLINA

Any faculty member who is eligible to serve on the Senate is also eligible to serve as a Delegate or Alternate to the Faculty Assembly of The University of North Carolina. A delegate may serve no more than six of the preceding nine years; the terms of Alternates shall correspond to the terms of Delegates. Regular terms, three years in length, shall begin and end on July 1 of each year. Election

of one Delegate and one Alternate shall be held in the spring when needed. Should either a Delegate or an Alternate at some time during his/her term find it impossible to continue serving, an election to replace him/her shall be held as soon as possible after the vacancy occurs; and the faculty member shall complete the unexpired term.

**11-3 Faculty Senate and Related Committee Membership for the Current Year****11-3.A 2007-2008 Faculty Senate Membership****David Zeigler, Chair****Jamie Litty, Secretary**

<b>ARTS</b>	Cindy Saylor (to 2008) Tim Altman (to 2009) Susan Whitt (to 2010)
<b>EDUC</b>	Irene Aiken (to 2008) Susan Edkins (to 2009) Beverly Justice (to 2010)
<b>LETT</b>	Charles Beem (to 2008) Anthony Curtis (to 2009) Liliana Wendorf (to 2010)
<b>NS&amp;M</b>	David Zeigler (to 2008) Deok-Hyun Hwang (to 2009) Maria Pereira (to 2010)
<b>S&amp;BS</b>	Ottis Murray (to 2008) John Parnell (to 2009) Ramin Maysami (to 2010)
<b>At-Large</b>	Jim Fredrick (to 2008) Lee Phillips (to 2008) Ann Horton-Lopez (to 2008) Weston Cook (to 2009) Beverly King (to 2009) Sara Simmons (to 2009) Robert Brown (to 2010) Jane Huffman (to 2010) Jamie Litty (to 2010)

Chancellor Allen C. Meadors

Provost Charles F. Harrington

**11-3.B 2006-2007 Appointed Committee Membership****SUBCOMMITTEES OF SENATE STANDING COMMITTEES****Curriculum Subcommittee (first Thursday) [Academic Affairs Committee]**

<b>ARTS</b>	Robin Stevens (to 2009) Anthony Holderied (to 2008)
<b>EDUC</b>	Tommy Tompson (to 2009) Susan Edkins (to 2008)
<b>LETT</b>	Holden Hansen (to 2009) Anthony Curtis (to 2008)
<b>NS&amp;M</b>	Martin Farley (to 2009) Deborah Groves (to 2008)
<b>S&amp;BS</b>	Victor Bahhouth (to 2009) Fran Fuller (to 2008)
	One representative from Office of Academic Affairs
<b>Registrar</b>	SGA Secretary                      SGA Senator

**General Education Subcommittee (first Thursday)** [Academic Affairs Committee]

ARTS Carl Danis (to 2008)  
 EDUC Emily Long (to 2009)  
 LETT Anita Guynn (to 2009)  
 NS&M Jeremy Sellers (to 2009)  
 S&BS Jennifer Bonds-Raacke (to 2008)  
 Dean of Arts and Sciences

**Academic Support Services Subcommittee (second Tuesday)** [Academic Affairs Committee]

ARTS Robert Arndt (to 2008)  
 EDUC Emily Long (to 2007)  
 LETT Dandan Liu (to 2007)  
 NS&M Charles Lillie (to 2008)  
 S&BS Vacant  
 Associate Vice Chancellor for Academic Affairs  
 Director of Computing and Informational Services  
 Dean of Library Services  
 Director of the Media Center  
 Director of the Writing Center  
 One Graduate Student  
 One SGA Senator

**Enrollment Management Subcommittee (second Wednesday)** [Academic Affairs Committee]

ARTS Jonathan Maisonpierre (to 2008)  
 EDUC Carol Higy (to 2008)  
 LETT Judy Curtis (to 2009)  
 NS&M Mary Russell (to 2009)  
 S&BS James Robinson (to 2008)  
 Vice Chancellor for Enrolment Management  
 Director of Advisement and Retention  
 Registrar  
 SGA Representative

**Faculty Development and Welfare Subcommittee (second Thursday)** [Faculty and Institutional Affairs Committee]

ARTS Gary Wright (to 2008)  
 Anne Coleman (to 2009)  
 EDUC Valjeaner Ford (to 2008)  
 Debbie Thompson (to 2009)  
 LETT Jay Vest (to 2008)  
 Cyndi Sheard (to 2009)  
 NS&M Meredith Storms (to 2008)  
 Dena Evans (to 2009)  
 S&BS David Dran (to 2008)  
 Libby Denny (to 2009)  
 Director of Human Resources

**Faculty Evaluation Review Subcommittee (first Tuesday)**

ARTS	David Young (to 2009)
EDUC	Mary Guy Beaver (to 2009)
LETT	Enrique Porrua (to 2008)
NS&M	Leon Jernigan (to 2009)
S&BS	Kenneth Mentor (to 2008)
At-Large	Olivia Oxendine (to 2008)
At-Large	Steve Marson (to 2009)

[Faculty and Institutional  
Affairs Committee]

**SENATE OPERATIONS COMMITTEES****Faculty Governance Committee (third Tuesday)**

Danny Davis  
 Stephen Bukowy  
 Thomas Dooling  
 Janette Hopper  
 Chet Jordan  
 Norman Layne  
 Bruce Ezell  
 Joe Miller  
 Michael Poletti  
 Cindy Saylor  
 Ray Sutherland

**Health, Safety, and Environment Committee**

ARTS Stephen Robison  
 EDUC Carol Higy  
 LETT Richard Vela  
 NS&M Jeremy Sellers  
 S&BS Ronnie Martin  
 Nursing Cynthia Herndon  
 Staff Council chair  
 Physical Plant representative  
 Human Resources representative

**OTHER APPOINTMENTS****Non-Senate Appointments to Student Affairs and Campus Life Committee**

Rob Wolf (appointed non-senate to 2007)  
 Kevin Freeman (appointed non-senate to 2008)  
 Michael Alewine (appointed non-senate to 2008)

**Student Publications Board**

Mary Russell

**Nominees for Faculty Conciliator for Undergraduate Grade Appeals**

(Conciliator named by SGA)

Jamie Litty, Mark McClure, Marilu Santos

**11-3.C 2006-2007 Elected Committee Membership****Promotion and Tenure Committee**

ARTS	Ann Horton-Lopez (to 2008)
EDUC	Irene Aiken (to 2009)
LETT	Monica Brown (to 2009)
NS&M	Velinda Worix (to 2008)
S&BS	Elizabeth Normandy (to 2008)

**Faculty Hearing Committee**

Cherry Beasley (to 2008)
Sharon Bell (to 2008)
Betty Wells Brown (to 2008)
Kay McClanahan (to 2008)
Rick Crandall (to 2009)
Maria Pereira (to 2009)
Tim Ritter (to 2009)

**Faculty Grievance Committee**

Danny Davis (to 2008)
Deok-Hyun Hwang (to 2008)
Cliff Mensah (to 2008)
Meredith Storms (to 2009)
Tulla Lightfoot (to 2009)

**Faculty Awards Committee**

ARTS	Tracey Wiggins (to 2009)
EDUC	Jane Huffman (to 2008)
LETT	Liliana Wendorf (to 2009)
NS&M	_____ (to 2008)
S&BS	Brooke Kelley (to 2009)
At-Large	Monika Brown (to 2008)
	Stephen Robison (to 2009)
SGA Representative	

**UNC Faculty Assembly Delegates and Alternates**

Delegates:	Jeffery Geller (to June 2008)
	Chet Jordan (to June 2010)
	David Zeigler (to June 2008)
Alternates:	Irene Aiken (to June 2008)
	Mario Paparozzi (to June 2010)

## **11-4 Faculty Assembly Documents**

### **11-4.A Charter Of The Faculty Assembly Of The University Of North Carolina**

#### **I. OBJECTIVES AND FUNCTIONS**

1. The Faculty Assembly of The University of North Carolina shall gather and exchange information on behalf of the faculties of the constituent institutions of The University of North Carolina.
2. The Assembly shall, through appropriate channels, advise the Board of Governors of The University of North Carolina, the General Assembly, and other governmental agencies and officers on matters of university-wide import.
3. The Assembly shall advise and communicate with the President of The University of North Carolina with regard to the interests of the faculties and other matters of university-wide import.

#### **II. ORGANIZATION AND RELATIONSHIPS**

1. Representation in the Assembly shall be apportioned among the constituent institutions of The University of North Carolina with regard to the number of full-time faculty and professional staff members in the service of each institution. Each institution having not more than 300 full-time faculty and professional staff members shall choose two delegates; each institution having from 301 to 600 full-time faculty and professional staff members shall choose three delegates; each institution having 601 and 900 full-time faculty and professional staff members shall choose four delegates; and each institution having more than 900 full-time faculty and professional staff members shall choose five delegates. At any time that the number of full-time faculty and professional staff members of an institution changes so as to entitle it to a larger or smaller number of delegates under the foregoing formula, the number of its delegates forthwith shall be changed accordingly. Every delegate to the Assembly shall be a full-time faculty or professional staff member of the institution he seeks to represent. The manner of selection of delegates shall be determined by the faculties of the respective institutions consistent with their institutional practices. Terms and rotation of delegates shall be specified in the by-laws.
2. The Assembly shall have a Chairman and other such officers, who shall be chosen in such manner and for such terms, as the Assembly may provide in its by-laws.
3. Each institutional delegation to the Assembly shall make available to the faculty of its institution the official minutes of the proceedings of the Assembly, together with the written report of the delegation.

#### **III. OPERATIONS**

1. The Assembly shall adopt its own by-laws.

2. The by-laws of the Assembly shall provide for regular, stated meetings of the Assembly, which shall be held at various locations.
3. Special meetings of the Assembly may be called by the President of The University of North Carolina, by the officers of the Assembly, or by members of the Assembly, in accordance with procedures to be established in the by-laws of the Assembly.
4. Records of the activities of the Assembly shall be kept and transmitted to the appropriate successor officers of the Assembly.
5. Released time shall be made available to the officers of the Assembly, subject to the approval of the President of The University of North Carolina.
6. The Assembly shall be provided by The University of North Carolina with necessary secretarial assistance and other related services and resources.
7. The members of the Assembly shall be reimbursed by The University of North Carolina for expenses incurred in attending meetings of the Assembly.

#### IV. RATIFICATION AND AMENDMENT OF THE CHARTER

1. This Charter shall be transmitted to the constituent institutions of The University of North Carolina for ratification or rejection by the faculty of each institution in accordance with the processes of that institution. The Charter shall become effective upon its ratification by two-thirds of the constituent institutions of The University of North Carolina. The institutions whose faculties ratify the Charter shall become participating institutions and shall send delegations to the Assembly.
2. An amendment to the Charter may be introduced in the Assembly by any member of the Assembly; and if approved by a majority of the authorized membership of the Assembly, it shall be transmitted to the participating institutions of the Assembly for ratification by the faculty of each institution in accordance with the processes of that institution. An amendment shall become effective upon its ratification by two thirds of the participating institutions of the Assembly.

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The foregoing Proposed Charter of the Faculty Assembly of The University of North Carolina was adopted unanimously by the University Faculty Assembly, representing all 16 public institutions of higher education in North Carolina, meeting in Greensboro on April 15, 1972.

John L. Sanders  
Chairman of the Assembly

### **11-4.B Bylaws Of The Faculty Assembly Of The University Of North Carolina**

#### I. Definition of Charter

The articles under which the Faculty Assembly came into existence are the Charter of the Faculty Assembly. Bylaws enacted by the Assembly are for the purpose of giving effect to the purpose and functions described in the Charter.

#### II. Members of the Assembly



- A. The Assembly shall be composed of representatives from each institution according to the provisions as stated in Sec. II, Par. 1 of the Charter.
- B. The Assembly shall make no determination of the methods of election, those matters being specifically reserved to the faculties of the several institutions.
- C. The terms of delegates and alternates of the Assembly shall range from one (1) to three (3) years as established by each institution, and each institution shall assure continuity of delegation membership by a system of rotated terms. To be eligible as a delegate, a faculty member may not have served as a delegate to the Assembly for more than six (6) of the preceding nine (9) years, nor could he be elected to a term that would result in a violation of this limitation. Time spent while serving as an alternate is not counted in the above limitation.
- D. Each institutional faculty shall determine the number of alternate delegates it believes necessary. The terms of Alternates shall correspond to the terms of Delegates.
- E. All regular terms of service shall begin and end on July 1 of each year. The Delegate list and authorized Alternates for the coming academic year shall be in the hands of the Assembly Chairman by April 20.

### III. Officers

- A. The officers of the Assembly shall be a Chairman, a Vice-Chairman, and a Secretary.
- B. Each officer shall serve for a term of one year but may be re-elected to two additional succeeding terms in that office, after which he shall be ineligible for re-election to the office for a period of one year.

### IV. Senate Executive Committee

- A. The Senate Executive Committee consisting of the three (3) elected officers, Chairman, Vice-Chairman, and Secretary, shall be established.
- B. The Senate Executive Committee shall be responsible for preparing the agenda for meetings. All matters presented to the Senate Executive Committee by any Assembly Delegate, Assembly officers, or the President of The University of North Carolina shall be placed on the agenda not later than the time of the second regular meeting of the Faculty Assembly after receipt of such a recommendation.

### V. Meetings

- A. Unless otherwise ordered by the Senate Executive Committee, there shall be at least four stated meetings of the Assembly during the academic year at dates and places to be established at the last regular meeting of the preceding Academic Year. All Assembly members shall be informed of these dates by that time. The regular Fall meeting shall not be scheduled for a date prior to September 1.
- B. Special meetings shall be called:
  - 1. By the President of The University of North Carolina at his discretion.
  - 2. By the Senate Executive Committee on its initiative.

3. By the Chairman when a request is made to him by any institutional delegation.

C. The site of the regular meetings of the Assembly shall be determined by majority vote of members present, subject to A above. Special meetings may be held at whatever location seems most advisable to the Chairman.

D. No meetings of the Assembly shall be a legal meeting at which there are present fewer than a majority of the Assembly members.

E. Advance notice of all meetings shall be circulated to members so as to be received at least two weeks prior to the meeting. For special meetings in emergency situations, this provision may be waived by action of the Executive Committee.

F. The agenda for each meeting must be circulated so as to be received at least ten days in advance of the meeting (except in case of emergency as referred to in Section V, E). If an agenda item requires action by the Faculty Assembly, the recommendation shall be submitted to the Secretary by any Assembly member, and the Secretary shall be responsible for distribution of the recommendation with the agenda, or as soon thereafter as possible. The above shall not preclude any Assembly member from performing this distribution without use of the Secretary. No item of business may be acted upon by the Assembly unless the recommendation has been distributed to the Assembly 24 hours before action is to be taken. Except that the 24 hour rule may be waived by EITHER (1) a 2/3 vote of the members present at the meeting during which action is to be taken, OR (2) by virtue of the fact that the item of business requiring Assembly action received a majority vote of a quorum of a Standing or Ad hoc Assembly Committee. The agenda shall be open to all items submitted in time to meet the requirements of this Article.

#### VI. Voting

A. There shall be no voting by proxy. Only members or their authorized alternates present at the meeting may vote.

B. When voting, and upon the request of any voting member of the Assembly or his authorized alternate, and with the approval of one-fifth of the voting members present, a roll call vote will be held.

#### VII. Elections

A. It shall be incumbent upon each institution to designate and certify its Assembly members and alternates for the coming academic year on or before April 15.

B. Election of officers for the year shall take place at the last Spring meeting of the Assembly. Officers shall be elected by secret ballot in the following manner:

1. The order of election of officers shall be Chairman, Vice-Chairman, and Secretary.

2. Election shall be by a majority vote of those members present and voting.

C. The term of office for officers shall coincide with that specified in II, E for members of the Assembly.

D. An election to fill a vacancy in any office or on the Executive Committee can take place at any regular or special meeting of the Assembly.

#### VIII. Executive Committee

A. There shall be an Executive Committee consisting of the three officers of the Assembly, one officer from the staff of the University (who shall be appointed by the President of the University and who shall be a non-voting member of the committee), and the chairmen of the standing committees.

B. The Chairman of the Faculty Assembly shall be Chairman of the Executive Committee.

C. The Executive Committee shall review periodically the structure and functions of the standing committees and make recommendations to the Assembly for appropriate changes.

D. The Executive Committee shall assume only such prerogatives and powers as shall be delegated to it by a majority vote of the Faculty Assembly.

#### IX. Duties of Officers

A. The Chairman shall perform the duties usually associated with this office including, but not limited to, presiding at meetings of the Assembly, generally supervising the activities of the Assembly, appointing members of special committees and, with the guidance of the Executive Committee, appointing members, but not chairmen, of standing committees, and serving as chief liaison officer between the Assembly and the President of the University, the Board of Governors, and other appropriate agencies. If so desired by the President, the Chairman shall serve on the President's Administrative Council.

B. The Vice-Chairman shall perform the duties of the Chairman in the event of the Chairman's absence or disability. In the event that the office of Chairman falls vacant, the Vice-Chairman shall assume that office, and a new Vice-Chairman shall be elected at the next regular meeting.

C. The Secretary shall be responsible for the preparation of the minutes of all meetings and be custodian of the records of the Assembly. He shall be responsible for giving notice of meetings of the Executive Committee and the Assembly, for circulating the agenda, and for distributing copies of the minutes to the Faculty Assembly and Executive Committee meeting to all Delegates and other designated individuals.

#### X. Committees (other than Agenda and Executive Committee)

A. Nominations Committee. At its second regular meeting of the year, the Faculty Assembly will elect a nominations committee which will be composed of five members, two of whom will be members of the Executive Committee (and preferably) in their last year on the Assembly and expect not to return. All members will be nominated and elected by the full membership of the Assembly. The Chairperson of the nomination committee will be elected by the committee. This committee shall circulate the slate of at least two nominees for each office of the Assembly and two nominees for each of the chairpersons of the standing committees. These nominees will be presented to the full membership of the Assembly at the third regular meeting of the Assembly. All nominees must have agreed to their nominations prior to election by (to the presentation of this slate to) the Assembly.

B. A Governance Committee, whose responsibility shall be to review and make recommendations on matters relating to the Charter and Bylaws of the Assembly, and to consider and make recommendations on matters including but not limited to the statutes, the Board of Governors, and the General Administration of The University of North Carolina. The parliamentarian of the Faculty Assembly will be an ex-officio advisory member of the committee who will not have voting rights in the committee and who according to Section XI, B shall not necessarily be a member of the Faculty Assembly.

C. A Committee on Professional Development, whose responsibility shall be to review and make recommendations on matters which enhance professional effectiveness of faculty members in the areas of teaching, research, and public service; leaves for professional development, reduced teaching loads for research, and professional travel and relevant concerns.

D. A Committee on Faculty Welfare, whose responsibility shall be to review and make recommendations on those factors which contribute to the professional satisfaction of the faculty. Included among these factors are salaries, fringe benefits, retirement programs, working conditions, and matters related to communications within the University System.

E. A Committee on Academic Freedom and Tenure, whose responsibility shall be to review and make recommendations on matters related to academic freedom and tenure, faculty role in personnel decisions, and the preservation of academic freedom and tenure.

F. A Committee on Budget, whose responsibility shall be to review and make recommendations on matters relating to educational budgets for the State as well as for The University of North Carolina. Responsibilities shall include the making of recommendations on the preparation of the budget and the priorities which lead to allocations to the constituent institutions.

G. Committee on Planning and Programs, whose responsibility shall be review and make recommendations on matters relating to educational planning for the State as well as for The University of North Carolina, including the review and evaluation of programs and the criteria for the initiation or termination of educational programs. The committee shall inform the Assembly of the progress and nature of the five-year programs as developed by the General Administration and the Board of Governors.

H. The Chairman and members of each standing committee shall be members of the Assembly.

I. Ad hoc committees may be appointed by the Chairman of the Assembly as appropriate. The chairman of each ad hoc committee shall be a member of the Assembly, but non-voting members may be co-opted from the student bodies or faculties of the several institutions. Co-opted members of an ad hoc committee may not exceed, in number, Assembly members on the Committee.

## XI. Operations

A. The Chairman shall, within a month of assuming office, submit to the President of The University of North Carolina a budget for the Assembly for the year, which shall include a specification of the office space, secretarial assistance, supplies and travel required for the business of the Assembly and its Delegates.

B. The rules contained in the latest revision of Robert's Rules of Order shall govern the Assembly in all cases to which they are applicable when they are not inconsistent with Bylaws or special rules of the Assembly. There shall be a parliamentarian at all meetings and he shall be appointed by the Chairman. (He need not be a member of the Assembly).

## XII. Reports

A. The basic record of the actions and deliberations of the Assembly shall be the minutes of meetings kept by, or under the supervision of, the Secretary of the Assembly. Copies of the minutes shall be circulated to all members of the Assembly, the chancellors of the various institutions, the President of the University, the Chairman of the Board of Governors, and such other individuals as the Assembly, President, or Chairman may designate.

B. The delegation from each institution shall submit to its faculty and to the Chairman of the University Faculty Assembly and annual report of the work of the Assembly.

1. This report shall be prepared in time for submission to the faculty concerned at its first regular Fall meeting.
2. The form of the report as well as the production of it shall be the sole responsibility of the Assembly members from that institution.

C. Special reports may be prepared from time to time by the Assembly and given such distribution as seems appropriate.

D. The records of the Assembly shall be open to inspection by any regular full-time member of the faculty of each institution and to such other persons as may be given permission by either the Assembly, the President, or the Chairman.

## XIII. Attendance

A. Faculty members from the participating campuses are eligible to attend sessions of the Assembly as observers. Faculty or student members of special committees may, as a matter of course, be eligible to attend and participate in those portions of meetings of the Assembly at which matters pertaining to those committees are discussed.

B. Alternate members of the Assembly, unless standing in for a voting member, may participate in discussions of the Assembly only when given privileges of the floor by the Chairman.

C. The President of the University and his designated representatives shall have a standing invitation to attend and participate in the discussions at all meetings. In the event of the absence of these individuals, the Chairman of the Assembly shall communicate the proceedings of that meeting to the President.

D. Other visitors may be admitted to meetings.

## XIV. Amendments

A. The Bylaws may be amended by the vote of two-thirds of those voting members present at any meeting of the Assembly, provided the substance of the proposed amendment has been

circulated in time to be received by all members at least one month prior to the meeting at which action is proposed.

B. No amendment to the Bylaws may have the effect of amending, modifying, or altering the Charter. It shall be the duty of the Executive Committee to insure that such will not be the result. (For amendments to the Charter, see Charter, IV,2.)

February 23, 1973 - Original

July 1, 1974 - Revised

December 5, 1975 - Revised

April 29, 1977 - Revised

April 28, 1978 - Revised

December 4, 1981 - Revised

## 12 POLICY DOCUMENTS

### 12-1 Academic Freedom And Tenure (from The Code of the University of North Carolina)

NOTE THAT *THE CODE* HAS RECENTLY BEEN REVISED, WITH CHANGES TO TAKE EFFECT JANUARY 1, 2004. LANGUAGE OF THE REVISIONS IS SHOWN IN ITALICS IN THE SECTION BELOW.

#### EXCERPT FROM THE CODE OF THE UNIVERSITY OF NORTH CAROLINA CONCERNING ACADEMIC FREEDOM AND TENURE

For the full text of The Code, see  
[http://www.northcarolina.edu/content.php/policies/The\\_Code\\_TOC.htm](http://www.northcarolina.edu/content.php/policies/The_Code_TOC.htm)

#### CHAPTER VI - ACADEMIC FREEDOM AND TENURE

#### SECTION 600. FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY.

(1) The University of North Carolina is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. The University therefore supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.

(2) The University and each constituent institution shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.

(3) Faculty and students of the University of North Carolina shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.

#### SECTION 601. ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY.

(1) It is the policy of the University of North Carolina to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staffs of the constituent institutions. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with the University and their position as men and women of learning. They should not represent themselves, without authorization, as spokespersons for the University of North Carolina or any of its constituent institutions.

(2) The University and its constituent institutions shall not penalize or discipline members of its faculties because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

#### SECTION 602. ACADEMIC TENURE.

(1) To promote and protect the academic freedom of its faculty, the board of trustees of each constituent institution shall adopt policies and regulations governing academic tenure. Policies adopted by a board of trustees regarding academic tenure and promotion shall be effective upon review by the senior vice president for academic affairs and the vice president and general counsel, and approved by the

president. The chancellor shall review the constituent institution's tenure policies periodically, but at least every five years, and shall report to the president whether or not amendments or revisions are appropriate. The chancellor shall involve the faculty in this review.

(2) In all instances, the tenure conferred on a faculty member is held with reference to employment by a constituent institution, rather than to employment by the University of North Carolina.

(3) The tenure policies and regulations of each constituent institution<sup>[1]</sup> shall prescribe the procedures by which decisions concerning appointment, reappointment, promotion, and the conferral of permanent tenure shall be made. The length of terms of appointment that do not carry permanent tenure and those faculty ranks or titles whose holders shall be eligible for permanent tenure shall be prescribed. The institutional policies and regulations also shall prescribe the intervals at which the review of candidates for reappointment and promotion, including the conferral of permanent tenure, shall occur. The tenure policies and regulations of each institution, which shall include the complete text of Chapter VI of *The Code*, shall be published by the institution and distributed to its faculty members.

(4) The tenure policies and regulations of each institution shall set forth the general considerations upon which appointment, reappointment, promotion, and permanent tenure are to be recommended. The institutional regulations shall provide that these considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, the faculty member's potential for future contribution, and institutional needs and resources.

(5) The institutional policies and regulations shall specify that permanent tenure may be conferred only by action of the president and the Board of Governors, or by such other agencies or officers as may be delegated such authority by the Board of Governors.

(6) Institutional tenure policies and regulations shall distinguish among the following:

- (a) the nonreappointment (or nonrenewal) of a faculty member at the expiration of a specified term of service;
- (b) the discharge or suspension of a faculty member with permanent tenure or of a faculty member appointed to a specified term of service before that term expires for reasons based on incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty;
- (c) the termination of employment for reasons of institutional financial exigency or major curtailment or elimination of a teaching, research, or public-service program of a faculty member who has permanent tenure, or of a faculty member who has been appointed to a specified term of service before that term expires; and
- (d) retirement for physical or mental disability.

(7) Institutional tenure policies and regulations shall provide that the appointment, reappointment, or promotion of a faculty member to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the faculty member's services, whether for a specified term or for permanent tenure, shall be contingent upon the continuing availability of such funds. The institutional tenure policies and regulations may make one or more of the following exceptions to the foregoing contingency requirement:



- (a) That such a contingency shall not be included in a promotion to a higher rank if, before the effective date of that promotion, the faculty member had permanent tenure and no such condition is attached to the tenure.
- (b) That such a contingency shall not be attached to the faculty member's contract if the faculty member held permanent tenure in that institution on July 1, 1975, and the contract was not contingent upon the continuing availability of sources other than continuing state budget or permanent trust funds.
- (c) That such a contingency may be waived for health affairs faculties because of the unusual dependence of programs in the health professions on income from sources such as clinical receipts.

If a faculty member's appointment is terminated because of the nonavailability of these funds, the institution will make every reasonable effort to give the same notice as set forth in Section 605 B (1). This notice shall include the pertinent data upon which the termination is based.

(8) The tenure policies and regulations of each institution shall be subject to approval by the president. The president periodically shall review and re-evaluate these policies and regulations and report findings and recommendations, if any, to the Committee on Personnel and Tenure and through the committee to the Board of Governors.

### **SECTION 603. DUE PROCESS BEFORE DISCHARGE OR THE IMPOSITION OF SERIOUS SANCTIONS.**

(1) A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty.<sup>[2]</sup> These penalties may be imposed only in accordance with the procedures prescribed in this section. For purposes of these regulations, a faculty member serving a stated term shall be regarded as having tenure until the end of that term. These procedures shall not apply to nonreappointment (Section 604) or termination of employment (Section 605).

(2) The chief academic officer of the institution, however titled, shall send the faculty member a written statement of intention to discharge the faculty member by a method of mail or delivery that requires a signature for delivery. The statement shall include notice of the faculty member's right, upon request, to both written specification of the reasons for the intended discharge and a hearing by an elected standing faculty committee on hearings.

(3) If, within ten days<sup>[3]</sup> after receiving the notice referred to in paragraph (2) above, the faculty member makes no written request for either a specification of reasons or a hearing, the faculty member may be discharged without recourse to any institutional grievance or appellate procedure.

(4) If, within ten days after receiving the notice referred to in paragraph (2) above, the faculty member makes written request, by a method of delivery that requires a signature for delivery, for a specification of reasons, the chief academic officer shall supply such specification in writing by a method of delivery that requires a signature for delivery, within ten days after receiving the request. If the faculty

member makes no written request for a hearing within ten days after receiving the specification, the faculty member may be discharged without recourse to any institutional grievance or appellate procedure

(5) If the faculty member makes a timely written request for a hearing, the chief academic officer shall ensure that the hearing is accorded before an elected standing committee of the institution's faculty. The hearing shall be on the written specification of reasons for the intended discharge. The hearing committee shall accord the faculty member 20 days from the time it receives the faculty member's written request for a hearing to prepare a defense. The hearing committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member.

(6) The hearing shall be closed to the public unless the faculty member and the hearing committee agree that it may be open. The faculty member shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. A written transcript of all proceedings shall be kept; upon request, a copy thereof shall be furnished to the faculty member at the institution's expense.

(7) The chief academic officer, or counsel, may participate in the hearing to present evidence, cross-examine witnesses, and make argument.

(8) In reaching decisions on which its written recommendations to the chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written or oral arguments as the committee, in its discretion, may allow. The committee shall make its written recommendations to the chancellor within ten days after its hearing concludes.

(9) If the chancellor concurs in a recommendation of the committee that is favorable to the faculty member, the chancellor's decision shall be final. If the chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the chancellor's decision to the board of trustees. This appeal shall be transmitted through the chancellor and be addressed to the chair of the board. Notice of appeal shall be filed within ten days after the faculty member receives the chancellor's decision. The appeal to the board of trustees shall be decided by the full board of trustees. However, the board may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members. The board of trustees, or its committee, shall consider the appeal on the written transcript of hearings held by the faculty hearing committee, but it may, in its discretion, hear such other evidence as it deems necessary. The board of trustees' decision shall be made within 45 days after the chancellor has received the faculty member's request for an appeal to the trustees. This decision shall be final except that the faculty member may, within ten days after receiving the trustees' decision, file a written petition for review with the Board of Governors if the faculty member alleges that one or more specified provisions of the *Code of the University of North Carolina* have been violated. Any such petition to the Board of Governors shall be transmitted through the president, and the board shall, within 45 days, grant or deny the petition or take such other action as it deems advisable. If it grants the petition for review, the board's decision shall be made within 45 days after it has notified the faculty member that it will review the petition.

(10) When a faculty member has been notified of the institution's intention to discharge the faculty member, the chancellor may suspend the individual at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be exceptional and shall be with full pay.

**SECTION 604. APPOINTMENT, NONREAPPOINTMENT AND REQUIREMENTS OF NOTICE AND REVIEW.****604 A. Notice of Reappointment or Nonreappointment.**

*Effective January 1, 2004, for appeals of decisions not to reappoint made on or after January 1, 2004, 604 A shall read as follows;*

(1) The decision not to reappoint a faculty member at the expiration of a fixed term of service shall be made by the appropriate institutional faculty and administrative officers early enough to permit timely notice to be given. For full-time faculty at the rank of instructor, assistant professor, associate professor, or professor, the minimum requirement for timely notice shall be as follows:

- (a) during the first year of service at the institution, the faculty member shall be given not less than 90 calendar days' notice before the employment contract expires;
- (b) during the second year of continuous service at the institution, the faculty member shall be given not less than 180 calendar days' notice before the employment contract expires; and
- (c) after two or more years of continuous service at the institution, the faculty member shall be given not less than 12 months' notice before the employment contract expires.

(2) Notice of reappointment or nonreappointment shall be written. If the decision is not to reappoint, then failure to give timely notice of nonreappointment will oblige the chancellor thereafter to offer a terminal appointment of one academic year.

**604 B. Impermissible Reasons for Nonreappointment.**

In no event shall a decision not to reappoint a faculty member be based upon (a) the exercise by the faculty member of rights guaranteed by the First Amendment to the United States Constitution, or by Article I of the North Carolina Constitution, or (b) the faculty member's race, sex, religion, national origin, age, disability, or honorable service in the armed services of the United States, or (c) personal malice.

**604 C. Special Faculty Appointments.**

All appointments of visiting faculty, adjunct faculty, or other special categories of faculty such as lecturers, artists-in-residence, or writers-in-residence shall be for only a specified term of service. That term shall be set forth in writing when the appointment is made, and the specification of the length of the appointment shall be deemed to constitute full and timely notice of nonreappointment when that term expires. The provisions of Sections 602 (4) and 604 A shall not apply in these instances.

**604 D.** Subject to limitations contained in the Policies of the Board of Governors, a faculty member may appeal to the Board of Governors the decision of a chancellor not to reappoint the faculty member.

**SECTION 605. TERMINATION OF FACULTY EMPLOYMENT.****605 A. Definition.**

The tenure policies and regulations of each institution shall provide that the employment of faculty members with permanent tenure or of faculty members appointed to a fixed term may be terminated by the institution because of (1) demonstrable, bona fide institutional financial exigency or (2) major curtailment or elimination of a teaching, research, or public-service program. "Financial exigency" is defined as a significant decline in the financial resources of the institution that is brought about by decline in institutional enrollment or by other action or events that compel a reduction in the institution's current operations budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public-service program shall be made by the chancellor, after consulting with the academic administrative officers and faculties as required by Section 605 C(1), subject to the concurrence by the President and then approval by the Board of Governors. If the financial exigency or curtailment or elimination of program is such that the institution's contractual obligation to a faculty member may not be met, the employment of the faculty member may be terminated in accordance with institutional procedures that afford the faculty member a fair hearing on that decision.

**605 B. Timely Notice of Termination.**

(1) When a faculty member's employment is to be terminated because of major curtailment or elimination of a teaching, research, or public-service program and such curtailment or elimination of program is not founded upon financial exigency, the faculty member shall be given timely notice as follows:

- (a) one who has permanent tenure shall be given not less than 12 months' notice; and
- (b) one who was appointed to a fixed term and does not have permanent tenure shall be given notice in accordance with the requirements specified in Section 604 A(1).

(2) When a faculty member's employment is to be terminated because of financial exigency, the institution will make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources, to give the same notice as set forth in Section 605 B(1).

(3) For a period of two years after the effective date of termination of a faculty member's contract for any of the reasons specified in Section 605 A, the institution shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by a method of delivery that requires a signature for delivery, and the faculty member will be given 30 calendar days after attempted delivery of the notice to accept or reject the offer.

**605 C. Institutional Procedures.**

*Effective January 1, 2004, for terminations arising on or after January 1, 2004, 605 C. shall read as follows;*

The institution shall establish regulations governing termination procedures. These regulations shall include provisions incorporating the following requirements:

(1) If it appears that the institution will experience an institutional financial exigency or needs seriously to consider a major curtailment or elimination of a teaching, research, or public-service program, the chancellor or chancellor's delegate shall first seek the advice and recommendations of the academic administrative officers and faculties of the departments or other units that might be affected.

(2) In determining which faculty member's employment is to be terminated for reasons set forth in Section 605 A, the chancellor shall give consideration to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

(3) An individual faculty member whose employment is to be terminated shall be notified of this fact in writing. This notice shall include a statement of the conditions requiring termination of employment, a general description of the procedures followed in making the decision, and a disclosure of pertinent financial or other data upon which the decision was based.

(4) A reconsideration procedure shall be provided that affords the faculty member whose employment is to be terminated a fair hearing on the termination if the faculty member alleges that the decision to terminate was arbitrary or capricious.

(5) The institution, when requested by the faculty member, shall give reasonable assistance in finding other employment for a faculty member whose employment has been terminated.

(6) A faculty member whose employment is terminated pursuant to this Section 605 may appeal the reconsideration decision to the board of trustees of the constituent institution.

#### **SECTION 606. RETIREMENT OF FACULTY.**

Faculty may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes ("Retirement System of Teachers and State Employees").

#### **SECTION 607. FACULTY GRIEVANCE COMMITTEE FOR CONSTITUENT INSTITUTIONS.**

(1) The chancellor of each constituent institution shall provide for the establishment of a faculty grievance committee. The faculty grievance committee shall be elected by the faculty with members elected from each professorial rank. No officer of administration shall serve on the committee. For purposes of this section, "officer of administration" shall be deemed to include department chairs and department heads.

(2) The committee shall be authorized to hear and advise with respect to the adjustment of grievances of members of the faculty. The power of the committee shall be solely to hear representations by the persons directly involved in a grievance, to facilitate voluntary adjustment by the parties, and to advise adjustment by the administration when appropriate. Advice for adjustment in favor of an aggrieved faculty member may be given to the chancellor only after the dean, department head, or other administrative official most directly empowered to adjust it has been given similar advice and has not acted upon it within a reasonable time.

(3) "Grievances" within the province of the committee's power shall include matters directly related to a faculty member's employment status and institutional relationships within the constituent institution. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge or termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by the committee.

(4) If any faculty member has a grievance, the faculty member may petition the faculty grievance committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and against whom the grievance is directed. It shall contain any information that the petitioner considers pertinent to the case. The committee shall decide whether the facts merit a detailed investigation so that submission of a petition shall not result automatically in an investigation or detailed consideration of the petition.

(5) If, before this section is established, the faculty of an institution has adopted a faculty grievance procedure that in its judgment is adequate to its needs, it may retain that procedure in place of the one specified above.

(6) If neither the relevant administrative official nor the chancellor makes an adjustment that is advised by the faculty grievance committee in favor of the aggrieved faculty member, then the faculty member may appeal to the board of trustees of the constituent institution. The decision of the board of trustees is final.

#### **SECTION 608. STUDENTS' RIGHTS AND RESPONSIBILITIES.**

(1) The University of North Carolina affirms that the first goal of each constituent institution is to educate the students admitted to its programs. The freedom of students to learn is an integral and necessary part of the academic freedom to which the University and its constituent institutions are dedicated. Each constituent institution shall provide, within allotted functions and available resources, opportunity for its students to derive educational benefits through developing their intellectual capabilities, encouraging their increased wisdom and understanding, and enhancing their knowledge and experience applicable to the effective discharge of civic, professional, and social responsibilities. No constituent institution shall abridge either the freedom of students engaged in the responsible pursuit of knowledge or their right to fair and impartial evaluation of their academic performance.

(2) All students shall be responsible for conducting themselves in a manner that helps to enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected.

(3) In applying regulations in the area of student discipline, each constituent institution shall adhere to the requirements of due process as set forth in Section 502 D(3) of this *Code*.

#### **SECTION 609. APPELLATE JURISDICTION OF THE BOARD OF GOVERNORS.**

##### **609 A. Discretionary Review.**

Nothing contained in Chapter VI, or any other chapter of the *Code*, shall be construed to limit the right of the Board of Governors to make such inquiry and review into personnel actions as it may from time to time deem appropriate.

##### **609 B. Hearings.**

The Board of Governors may in its sole discretion conduct hearings. Any hearing, whether before the full board or a designated standing or special committee of the board, shall be limited to such matters as the Board of Governors shall deem appropriate.

### **609 C. Appeals by Non-Faculty Exempt Employees**

A non-faculty employee who is exempt from the State Personnel Act whose employment is terminated and who alleges that the termination was illegal or violated a Policy of the Board of Governors may appeal the decision in accordance with procedures established by the constituent institution. If the employee is a professional member of the president's staff, as provided for in Section 500 A(2) of this *Code*, then the employee may appeal to the president. Subject to limitations contained in the Policies of the Board of Governors, an employee who alleges that the termination of the employee's employment was illegal or in violation of Board of Governors Policy may appeal the final decision of the constituent institution, or the decision of the president, to terminate the employment to the Board of Governors.

### **609 D. Transmission of Appeals**

All appeals addressed to or requests for hearings by the Board of Governors, from whatever source, shall be transmitted through the president.

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<sup>[1]</sup> Because of the unique character and mission of the North Carolina School of the Arts, the requirement that the institution adopt tenure policies will be satisfied at that institution by an employment system based on renewable contracts, which system need not provide for the traditional faculty ranks. Wherever the phrase "tenure policies and regulations" is used in this chapter, it shall mean, for the School of the Arts, the faculty employment policies of that school. Wherever the phrase "tenured faculty" is used in this chapter, it shall mean, for that school, a faculty member holding a fixed-term contract.

<sup>[2]</sup> Retirement for reason of disability shall be in accordance with North Carolina statutes and regulations governing retirement for faculty who are members of the state retirement system. A faculty member who is not a member of the state retirement system and who is mentally or physically disabled, but refuses to retire, may be discharged because of that disability only in accordance with the procedures of this section.

<sup>[3]</sup> Wherever it is used in this chapter, except when calendar day is specified, the word "day" shall mean any day except Saturday, Sunday or an institutional holiday. In computing any period of time, the day in which notice is received is not counted but the last day of the period being computed is to be counted.

## 12-2 UNCP Guidelines For Phased Retirement Program

Significant changes to the Phased Retirement Policy are under active consideration by the UNC Board of Governors, and those changes are likely to be implemented in late 2007 after publication of this Handbook. The changes are likely to apply to persons entering the program in the summer of 2008. Anyone considering the requirements for Phased Retirement should contact Academic Affairs to find out what, if any, changes have been made to the program that might differ from the description below.

### 12-2.A Introduction

The University of North Carolina at Pembroke provides faculty an opportunity to participate in the Phased Retirement Program (PRP). Our program will operate within the parameters set by The University of North Carolina and approved by the Board of Governors and the UNC Pembroke guidelines presented here.

Except where otherwise noted, the Program is available to all full-time tenured faculty members who (1) have five years of full-time service at UNCP, (2) are age 50 or older, and (3) are eligible to receive retirement benefits through either the Teachers' and State Employees' Retirement system ("TSERS") or the Optional Retirement Program ("ORP"). Tenured faculty occupying full time administrative or staff positions are not eligible to participate in the Program until they vacate such positions. Thus services rendered while in phased retirement will be only those teaching and administrative duties under faculty appointment.

The Phased Retirement Program contemplates actual retirement and reemployment of participating faculty on part-time status for a limited period. For those who have not reached "normal retirement age," retirement must be demonstrated by a clear break in service of at least 30 days between cessation of full-time employment and return to institutional employment under the Program. For purposes of the Program, "normal retirement age" is the age at which the participating faculty member would have first satisfied an age-and/or-service requirement for "service" (unreduced) retirement if enrolled in the Teachers' and State Employees' Retirement system (TSERS). Under TSERS "unreduced" retirement is available if one is aged 60 with 25 years of credited service, if one is aged 65 with five years of credited service, or if one has 30 years of credited service at whatever age. If a person has achieved any one of these three service levels, the person has reached "normal retirement age" and need not undertake a break in service prior to entering the Phased Retirement Program. **(See "Administrative Policies for Implementation of The University of North Carolina Phased Retirement Program" for statements reproduced in this and the previous paragraph).**

The Eligible Faculty Member deciding to participate in the Program gives up tenure and terminates his/her current full-time position. In return, The University of North Carolina at Pembroke will contract with the faculty member for half-time employment. The participant in Phased Retirement will retain professorial rank and the full range of responsibilities, rights and benefits associated with it, except for tenured status and those responsibilities and duties which require tenured status. Once made, the decision to enter phased retirement is irreversible. Should the faculty member choose to participate in the Program, he/she will be entitled to participate in all employee benefit programs for which he/she is eligible as well as those activities for retired faculty provided by the institution.



All enrollments in the Program shall commence with the fall semester of the academic year next following execution of a contract between UNCP and the participant for PRP employment whether or not services are performed during the fall semester.

#### **12-2.B General Limitations On Number Of Eligible Faculty Members Who May Participate**

General limitations on number of Eligible Faculty Members who may participate. The University of North Carolina at Pembroke reserves the right to limit the number of eligible faculty who may participate in the Phased Retirement Program in the event that further enrollment in Phased Retirement would adversely affect a particular department's ability to deliver its programs and services. At this time, the University has not limited the number of participants from any School/College and/or Department.

#### **12-2.C Description Of Limitations Set Because Of Financial Exigency**

The institution reserves the right, should the necessity arise, to consider such limitations resulting from financial exigencies or University, departmental and program factors and needs, including number of departmental faculty, major enrollments, and critical areas of expertise. Should such exigencies arise, the institution reserves the right to consider such limitations.

#### **12-2.D Description Of Limitations Set Because Of Academic Program Compromise**

UNC Pembroke also reserves the right to set limitations on participation in the Program if such participation would substantially weaken academic quality of the departmental programs or disrupt program sequence.

#### **12-2.E List Of Eligible And Ineligible Tenured Faculty**

It is the individual faculty member's responsibility to insure that UNCP has all information necessary for it to determine the eligibility of the applicant as to age, service at UNCP, and retirement benefit eligibility within either TSERS or the ORP. For these purposes UNCP shall determine an applicant's age and service longevity with reference to the August 1 that follows submission of an application for participation. Included with this program description is a list of all faculty members at the University of North Carolina at Pembroke (by position, department, years of service, and age but without any individual's name) divided into categories of "Eligible for Phased Retirement" and "Ineligible for Phased Retirement." (See **"Administrative Policies for Implementation of the University of North Carolina Phased Retirement Program"**).

For administrators holding tenure as faculty who wish to participate in Phased Retirement, their twelve-month salaries must be refigured using a conversion formula described on the attached List of Eligible and Ineligible Faculty.

#### **12-2.F Number Of Years Participants Will Be Allowed To Remain On Phased Retirement**

To provide a reasonable period of time for Eligible Faculty Members to participate in the Phased Retirement Program, The University of North Carolina at Pembroke sets a period of three (3) consecutive years as the contractual period for a faculty member to participate in Phased Retirement. This three-year period will also provide a broader opportunity for a larger number of faculty members to participate in the Program.

#### **12-2.G Detailed Procedures Used To Accept, Review And Approve Applications**

Eligible faculty members will meet with their departmental chairs to discuss their interest in participating in the Phased Retirement Program. During these initial meetings, Eligible Faculty

Members should discuss their intent to participate in the program, the formal application process, etc. The Eligible Faculty Member should discuss with the chair the initial details of the half-time work plan. Once a preliminary half-time work plan has been agreed upon, based on departmental needs and schedules, the details of the plan are to be submitted to the appropriate school/college Dean. After approval by the Dean, the details of the plan are forwarded to the Office of the Provost and Vice Chancellor for Academic Affairs by the Dean for preparation of the following: the official University of North Carolina Phased Retirement Application and Reemployment Agreement, and the General Release. Duplicate originals will be signed by the department chair, the dean, and the Provost and Vice Chancellor for Academic Affairs and both originals of each of the two documents with the signatures of those University officials affixed will be sent to the faculty member for his or her review and signature. A faculty member will have at least forty-five (45) days to return the duplicate originals of the signed Agreement and Release to the Office of the Provost and Vice Chancellor for Academic Affairs. Faculty members electing to participate in the Program have the right to revoke the Agreement and Release anytime within seven (7) days of the date the Release is signed by all the parties, including the faculty member. Election to participate in the Program does not become final until after the seven-day period has expired. If the Agreement and Release are revoked, the Agreement is void. **(See “Administrative Policies for Implementation of The University of North Carolina Phased Retirement Program” for statements reproduced in this and the previous page.)**

#### **12-2.H Detailed Procedures To Inform Eligible Faculty Of Program**

Each year all tenured faculty members who appear eligible or likely to become eligible for the Program will receive the following materials.

- a letter announcing the Program
- the Program Summary
- a copy of the Model University of North Carolina Phased Retirement application and Reemployment Agreement
- a copy of the Model Phased Retirement Release
- A list of persons eligible and ineligible for the Program by department, rank and age (but without names)

At the time that these Program materials are distributed, an announcement will also appear in the Brave Bulletin and be sent by e-mail (via [FACULTY@PAPA.UNCP.EDU](mailto:FACULTY@PAPA.UNCP.EDU)) inviting faculty who believe they may be eligible to inquire about Program eligibility.

The distribution of these materials will occur by September 1 of each academic year.

#### **12-2.I General Guidelines For The UNCP Half-Time Work Plan For Eligible Faculty**

The Half-time Work Plan for UNC Pembroke faculty, drawn from the UNCP schedule of potential services, will be based on the concept of the faculty member’s role in contributing significantly to the University’s “balanced program of teaching, research/scholarly activity, and service” as set forth in UNC Pembroke’s mission. Activities appropriate to consider in developing the Eligible Faculty Member’s Half-time Work Plan cover the range of typical activities the faculty member has been engaged in throughout his/her career. These activities include teaching, research and creative activities, service, advising, writing of grant proposals, publication as well as other such activities. In developing and evaluating such a plan, consideration should be given to constructing a work plan equal to approximately one-half of the normal expectation of activities of a full-time faculty member. Some discretion may be applied in working out the Half-time Work Plan for a specific faculty member, but the plan must reflect appropriate attention to expected half-time contributions in teaching, research and scholarly activity (including creative

activity and/or grant writing) and service (including advising and other departmental and university service as well as community service).

The teaching load of a full-time faculty member at UNC Pembroke is 12 semester hours per semester. This teaching load is a function of the institution's size, its mission, its funding and resources, and its commitment to small class size and individual attention to and interaction with students. The Half-time Work Plan for Eligible Faculty Members who participate in Phased Retirement will be based on the expectation of a six semester hour teaching load per semester (or a 12-semester hour teaching load for the Eligible Faculty Member electing to complete the yearly half-time commitment in one semester).

Expectation for research/scholarly activity and University and public service will be an integral part of the Half-time Work Plan. The Eligible Faculty Member will be asked to submit a proposal for research/scholarly activity and University and public service as a part of the application process. Such a plan, for example, might include a proposal for completion of a research project in progress, its current status, and the projected time frame for submission for publication. Or the proposal might include a description of a planned grant proposal, its relevance to the University, the nature of the proposed activity, the Eligible Faculty Member's role in the proposed activity, and the projected time frame.

As indicated, both University and community service will continue as components in the work of the Eligible Faculty member participating in the Phased Retirement Program. The applicant will be asked to include a proposal describing how this aspect of the faculty role will be addressed in the Half-time Work Plan. Appropriate service might include the following activities, among others: both departmental and University-wide service (including committee work where appropriate); a curriculum revision project for the department; a University-wide project relating to faculty development and/or enhancement and enrichment of classroom instruction; collaboration with an academic support office to study, e.g., the extent of student use of the service and development of ways to extend and expand the utilization of that service; service to the public elementary and secondary schools; or public service contributing to the economic development of the region/state.

#### **12-2.J Institutional Officers Authorized To Answer Questions About The Program**

The following institutional officers are authorized to answer questions about the Phased Retirement Program:

- 1) Provost and Vice Chancellor for Academic Affairs, Lumbee Hall, The University of North Carolina at Pembroke, One University Drive, 28372 (telephone: 910-521-6211).
- 2) Benefits Manager, Human Resources, Lumbee Hall, The University of North Carolina at Pembroke, One University Drive, 28372 (telephone: 910-521-6279).
- 3) Associate Vice Chancellor for Academic Affairs, Lumbee Hall, The University of North Carolina at Pembroke, One University Drive, 28372 (telephone: 910-521-6224).

#### **12-2.K Benefits, Privileges, And Services Which Individual Participants May Continue**

See part III B (in Section 12-2.M below) for specific benefits, services and privileges that will either continue or discontinue when an individual enters the Phased Retirement Program. This table contains the benefits/deductions common to all UNC institutions as well as the specific additional services and privileges available at UNC Pembroke.

#### **12-2.L Letter to Candidates/Participants**

Dear *[Eligible Faculty Member]*:

Since its announcement in January 1998, one benefit potentially available to tenured faculty of the University of North Carolina has been the University's Phased Retirement Program (the "Program"). Our records suggest that you are now eligible to apply to participate in the Program or will be eligible on or before August 1, *[of year at least one full year distant]*.

This letter sets out in summary fashion the details of the Program. We have enclosed for your review a Program Summary, a sample UNC Phased Retirement Application and Reemployment Agreement, a General Release, and a list (both departmental and institutional in scope) of individuals, by faculty rank, who appear eligible or ineligible for the Program.

Only tenured faculty who meet certain age and service requirements ("Eligible Faculty Members") may participate in the Program. Eligible Faculty Members are individuals who are at least age 50, have at least five years of full-time service at The University of North Carolina at Pembroke (UNCP), and are eligible to receive retirement benefits through either the Teachers' and State Employees' Retirement System ("TSERS") or the Optional Retirement Program (the "ORP").

Should you be accepted to participate in the Program, you would give up tenure and terminate your current full-time position. In return, UNCP would contract with you for half-time reemployment for a period of no more than three years. You would negotiate individually with your department to determine your specific teaching duties and the time frame for fulfilling them. For example, you may be contracted to teach a full schedule for either fall or spring semester each year or teach a half schedule for both semesters. Half-time responsibilities and duties may vary among departments, but all enrollments in the Program commence with the fall semester and do not include summer school duties.

You would be initially compensated under the Program at a salary equal to fifty percent (50%) of the salary you received prior to phased retirement during your last nine-month term of employment incident to full-time service. Your salary would be paid over a twelve-month period. Upon entering the Program, you would continue to be subject to performance reviews. Subject to any limitations imposed under the State Retirement System and the legislative appropriations process, you would be eligible for salary increases and merit pay in subsequent years of Program participation based on annual evaluations. Please note that no salary increase will be reflected in the first year's half-time salary over the salary earned during the faculty member's last full-time year of service.

Initially offered during the five-year period February 1, 1998, through January 31, 2002, the Program has now been adopted as a "continuing benefit" for eligible faculty. Subject to certain enrollment caps and annual application "windows," you may apply to begin participation in the Program commencing with the fall semester that follows the date of your application.

You do not have an absolute right to participate in the Program. UNCP may limit participation in the Program in response to a *bona fide* finding that financial exigencies prohibit enrollment in the Program or that further enrollment will substantially weaken academic quality or disrupt program sequence. UNCP may also set caps to limit the number of Eligible Faculty Members who may participate in the Program.

If you choose to enroll in the Program, you may participate in all employee benefit programs for which you are eligible. These programs and activities include health insurance; Social Security and Medicare Tax Payroll Deductions; Federal and State Income Tax Payable

Deduction; Workers' Compensation; Liability Insurance, State Health Care Plan; North Carolina Flex benefits/deductions; access to and use of services of the Office of Academic Computing and Information Services and the Media Center; access to the services of the campus bookstore, the gymnasium, and the Sampson-Livermore Library; identification card for admission to all University-sponsored activities, including but not limited to athletic events and Performing Arts Center events (Only events sponsored exclusively by the University are included.); free parking on campus; and the current issue of the Yearbook at the end of the retirement year.

To participate in the Program, you will be asked to sign a release as a condition of your entering the Program. You are encouraged to consult with your attorney and financial advisors before making a decision to enter the program. A decision to enter the Program is binding once made. However, the period of phased retirement may be terminated at any time if you and UNCP both agree.

You are encouraged to attend an informational meeting on *[date]* at *[time]*. The meeting will be held at *[location]*. At this meeting officers who have been designated to provide information to Eligible Faculty Members will be available to answer questions you might have about the Program. The officers will also be available as a resource at any time.

We know that decisions regarding retirement can be emotional and difficult. The Phased Retirement Program is intended to make the process easier and to facilitate difficult decisions by allowing one to continue to participate in academic life and the mentoring of students while preparing for the future. We hope you will agree that the Program is a beneficial one.

Sincerely,

Roger G. Brown, Ph.D.  
Provost and Vice Chancellor for Academic Affairs

Enclosure

## **12-2.M Summary Of UNC Phased Retirement Policy**

### **I. PURPOSE**

The University of North Carolina at Pembroke Phased Retirement Program (the "Program") provides an opportunity for eligible full-time tenured faculty members to make an orderly transition to retirement through half-time service (or its equivalent) for a three-year period. It is completely voluntary, and the terms of an Eligible Faculty member's participation will be implemented by written agreement between the enrolling faculty member and The University of North Carolina at Pembroke. The Program will be available for application on a continuing basis beyond the original period of five years (which, otherwise, was to end with the 2002-2003 academic year), and Eligible Faculty Members or faculty members who become eligible may elect annually to seek to enroll in the Program during the enrollment life of the Program, with active participation to commence with the fall semester next following acceptance by the institution for participation.

### **II. ELIGIBILITY AND APPROVAL**

A. The Program is available only to full-time tenured faculty members. Participating faculty must be at least 50 years of age, have at least five years of full-time service at his or her current institution, and be eligible to receive retirement benefits through either the Teachers' and State Employees' Retirement System ("TSERS") or the Optional Retirement Program ("ORP"). Each

faculty member is individually responsible for providing to the institution age and service data needed to determine his or her Program eligibility. Faculty occupying full-time administrative or staff positions are not eligible to participate in the Program until they vacate such positions. Thus, services rendered while in phased retirement will be only those teaching and administrative duties under faculty appointment.

B. Once made, a decision to enter the Program is binding.

C. If an Eligible Faculty member and the University tentatively agree to the faculty member's participation and the "work plan," the decision to enter or not enter the Program rests with Eligible Faculty Members. An application to enter the program must be made at least six (6) months, but not more than eleven (11) months before the effective date of the phased retirement period.

D. Eligible Faculty Members do not have an absolute right to participate in the Program. Departments, schools, or institutions may limit participation in the Program based on any one of three conditions. One condition is the finding that financial exigencies prohibit enrollment in the Program. The second condition is that further enrollments in the Program will substantially weaken academic quality or disrupt program sequence. Further, a department, school or institution may also establish a cap or limit on the number of Eligible Faculty members who may enter the Program.

E. An application to enter the Program must be submitted to the Eligible Faculty Member's Department or Division Head. It is subject to approval by the Dean and must receive final approval from the UNCP's Chief Academic Officer.

### III. TERMS AND CONDITIONS

A. Phased retirement under the Program is subject to the following terms and conditions:

1. Upon entering the Program, Eligible Faculty Members give up tenure. They terminate full-time employment and contract for a period of half-time service to their institution. Half-time responsibilities may vary by institution and among departments in the same institution. Half-time service may consist of full-time work for one-half of a year (e.g., full-time work for one semester of an academic year) or half-time work for a year (e.g., half-time work in each of the two semesters of an academic year). Under either pattern the Program enrollment period begins with the fall semester. Teaching, research and service assignments during the period of phased retirement are individually negotiated by the Eligible Faculty Member and the appropriate supervisors and/or personnel committee(s). The details of the half-time service ("work-plan") must be set forth in a UNC Phased Retirement Application and Reemployment Agreement (the "Agreement").

2. In conjunction with the Agreement executed under the Program, an Eligible Faculty Member must execute a waiver of rights and claims under the Age Discrimination in Employment Act (the "ADEA") and other laws (the "Release"). The Release has to fully comply with the requirements for knowing and voluntary waivers as provided in the ADEA. After the Agreement is drafted, it must be delivered to the Eligible Faculty Member, and the Eligible Faculty Member has no less than forty-five (45) calendar days within which to consider the Release. Eligible Faculty Members are encouraged to consult an attorney prior to executing the Release. The Release does not become effective and enforceable for a period of seven (7) calendar days following its

execution, and during such period the Eligible Faculty Member may unilaterally revoke the Release. If the Eligible Faculty Member elects to revoke the Release within the seven (7) day period, the Eligible Faculty member must immediately be restored to the same full-time employment status as the faculty member held prior to execution of the Release, and the Agreement becomes null and void. Revocations must be in writing, personally signed by the affected faculty member and must be effected by personal delivery or posting by United States Mail to the office or official to whom the prior application to participate in the Program was submitted.

3. Participating Faculty Members initially receive a salary equal to fifty percent (50%) of the salary they received prior to phased retirement during their last nine- or twelve-month term of employment incident to full-time service. Compensation is paid over twelve (12) months irrespective of the pattern of duties under the Faculty Member's work plan. Subject to any limitations imposed under the State Retirement System and the legislative appropriations process, Eligible Faculty Members are eligible for salary increases and merit pay in subsequent years of Program participation based on annual evaluations.

4. Participating Faculty members will remain subject to The Code of The University of North Carolina.

5. Phased retirement under the Program may be for a period of at least, but not greater than, three years. All Eligible Faculty members at UNCP will have the same participation period of phased retirement.

B. Eligible Faculty Members who elect into the Program will retain their professorial rank and the full range of responsibilities, rights, and benefits associated with it, except for tenured status and those responsibilities and duties which require tenured status. (The employing institution, though, will keep records of participation so as to note those faculty who are in Phased Retirement.) Eligible Faculty members participating in the Program are eligible to participate in the following employee benefit plans or programs: After-tax Accidental Death and Dismemberment Insurance; After-tax Dental Insurance; Credit Union Deductions, Life Insurance, Long-Term Care Insurance, Supplemental Disability Insurance; Voluntary Supplemental Retirement Annuities such as 403(b), 457 and 401(k); other Benefits/Deductions; UNC Pembroke services including University Computing and Information Center; Media Center; Campus Bookstore; Gymnasium and other recreational facilities; Sampson-Livermore Library; Givens Performing Arts Center (Only events sponsored exclusively by the University are included.); identification card for admission to all University-sponsored activities (including athletic events); free parking on campus; current issue of yearbook at the end of the retirement year.

#### IV. GENERAL PROVISIONS

A. Nothing in the Program precludes a participating Faculty Member from terminating his or her phased retirement at any time upon the mutual agreement of the parties.

B. Eligible Faculty Members participating in the Program do not enjoy the benefits of tenure. They may not serve on committees if applicable procedures require that members be tenured. Otherwise participants have the same academic freedoms and responsibilities as other faculty members and have access to all grievance and appeal procedures available to non-tenured members of the faculty who are not participating in the Program.

C. Participating Faculty members are expected to maintain high levels of professional commitment to their institution.

### 12-2.N UNC Phased Retirement Application And Reemployment Agreement

#### UNIVERSITY OF NORTH CAROLINA AT PEMBROKE PHASED RETIREMENT APPLICATION AND REEMPLOYMENT AGREEMENT

EMPLOYEE NAME \_\_\_\_\_

EFFECTIVE DATE OF TERMINATION \_\_\_\_\_ DATE REEMPLOYED \_\_\_\_\_

REEMPLOYMENT OBLIGATION FROM \_\_\_\_\_ TO \_\_\_\_\_

INSTITUTION \_\_\_\_\_

DEPARTMENT \_\_\_\_\_

AGE \_\_\_\_\_ YEARS OF SERVICE \_\_\_\_\_ RETIREMENT PLAN \_\_\_\_\_

To participate in the University of North Carolina Phased Retirement Program (the "Program"), I understand that I must terminate my employment with The University of North Carolina ("UNC") and give up my tenured status. I further understand that I may elect to start receiving the benefits I have accrued under either the Teachers' and State Employees' Retirement System ("TSERS") or the Optional Retirement Program ("ORP") but am not required to do so. Furthermore, all retirement benefits for which I am eligible shall be determined in accordance with the applicable Plan. I understand and acknowledge that my decision to participate in this Program is voluntary and binding.

Upon the acceptance of my application to participate in the Program, The University of North Carolina at Pembroke (UNCP) is obligated to offer me reemployment for a term of three years. My reemployment shall be on a half-time basis (or the equivalent thereof). Compensation during the period of reemployment shall initially be one-half the salary I was earning during my last 9 month term of full-time employment prior to entering the Program. I will continue to be subject to performance reviews on reemployment. Subject to any limitations imposed by the State Retirement System and the legislative appropriations process, I will be eligible for salary increases and merit pay in subsequent years of Program participation based on annual evaluations.

The specific duties which I shall perform under this agreement are as follows:

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I understand that, unless I have attained my normal retirement age under the applicable plan, if I elect to start receiving the benefit I have accrued under TSERS or the ORP, I must, in order to validate such election, not be employed by The University of North Carolina or UNCP for 30 days immediately following the effective date of my retirement or termination of employment.

At the conclusion of the uniform, institutionally established three-year reemployment period under the Phased Retirement Program neither UNCP nor The University of North Carolina has any obligation to offer me additional employment.

I may participate in all state or institutional employee benefit programs for which I am eligible as a half-time employee or retiree. Those programs include After-tax Accidental Death and Dismemberment; After-tax Dental Insurance, Credit Union Deductions; Life Insurance, Long-Term Care Insurance; Supplemental Disability Insurance; Voluntary Supplemental Retirement Annuities such as 403(b), 457 and 401(k); other Benefits/Deductions; UNCP Services including University Computing and Information Center, Media Center, Campus Bookstore; Gymnasium and other recreational facilities; Sampson-Livermore Library; Givens Performing Arts Center (Only events sponsored exclusively by the University are included.); identification card for admission to all University-sponsored activities (including athletic events); free parking on campus; current issue of yearbook at end of the retirement year.

I will remain subject to The Code of The University of North Carolina.

This Agreement may be terminated at any time upon the mutual written agreement of the parties.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Eligible Faculty Member

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Department Head

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Dean of School/College

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Chief Academic Office

**12-2.O UNC Phased Retirement Program General Release****UNIVERSITY OF NORTH CAROLINA PHASED RETIREMENT PROGRAM  
GENERAL RELEASE**

1. Context of this General Release. I, \_\_\_\_\_, am entering into this General Release in accordance with the University of North Carolina Phased Retirement Program (the "Program") and with the associated Reemployment Agreement between The University of North Carolina at Pembroke (UNCP), a constituent institution of the University of North Carolina, and me, dated \_\_\_\_\_, \_\_\_\_.
2. Entities and persons released. As to the matters identified in paragraph 3, below, I hereby release and forever discharge the following entities and persons: the State of North Carolina; the University of North Carolina; UNCP; the employee benefit plans of the foregoing entities; all current and former officers, agents, and employees of the foregoing entities (in both their official and individual capacities); and all successors of the foregoing entities and persons, all hereinafter referred to as "Released Parties."
3. Matters released. I hereby understand and acknowledge that by entering into this General Release, I am releasing the Released Parties from any and all claims, actions, causes of action, demands, rights, damages, costs, sums of money, accounts, covenants, contracts, promises, attorney fees, and all liabilities of any kind or nature whatsoever at law, in equity, or otherwise which I or my heirs, personal representatives, executors, administrators, successors, or assigns (as to whom this General Release is also binding) ever had, now have, or may have against any of the Released Parties on account of any or all events and occurrences arising in any way from my employment by UNCP or the conclusion of that employment, at any prior time down to the date on which I have signed this General Release. I do not, however, release or waive any claims that may arise after the date I execute this General Release.
4. Laws underlying matters released. I understand that this General Release releases any and all claims pursuant to paragraph 3, above, against Released Parties, whether such claims are now known or later discovered, which I may have relating in any way to my employment by UNCP or the conclusion of that employment, including without limitation any Claims under the law of contract or tort; the Age Discrimination in Employment Act of 1967, as amended (29 U.S.C. §§ 621 et. seq.), including the Older Workers Benefit Protection Act of 1990; Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000e et. seq.), including the Civil Rights Act of 1991 and the Civil Rights Acts of 1866, 1870, and 1871 (42 U.S.C. §§ 1981 et. seq.); the Fair Labor Standards Act (29 U.S.C. §§ 201 et. seq.); the Americans with Disabilities Act (42 U.S.C. §§ 12101 et. seq.); and the Rehabilitation Act of 1973; or any other federal, state, or local statutory or common laws relating to employment discrimination or employment.
5. Matters not released under this General Release. Notwithstanding the foregoing paragraphs, I do not waive or release my right to seek employee retirement benefits or to seek or continue to receive other employee group benefits to which I am now entitled or for which I will

be eligible while a participant in the Program, whether my eligibility for any such employee retirement benefit or employee group benefit has been established by federal or North Carolina law or by contract between me and my employing institution.

6. Proper prior notice of certain information. I also acknowledge that I have been provided with a notice, as required by the Older Workers Benefit Protection Act of 1990, that contains information about individuals covered under the Program, eligibility factors for participation in the Program, time limits applicable to the Program, the job titles and ages of the employees designated as eligible to participate in the Program, and the ages of all individuals in the same job classification who have not been designated as eligible to participate in the program.

7. Time to consult an attorney, to consider signing this General Release, and to consider revoking this General Release. I understand and acknowledge that, as provided in the Older Workers Benefit Protection Act of 1990, I have the right, and that I have been encouraged, to consult an attorney before entering into this General Release. I understand that I have at least forty-five (45) calendar days in which to consider whether to execute this General Release and the Reemployment Agreement. I understand that any decision I may make to sign this General Release and the Reemployment Agreement before the end of the 45-day period is knowingly and voluntarily made and is not induced by UNCP through fraud, misrepresentation, or threat to withdraw or alter this General Release or the Reemployment Agreement prior to expiration of the 45-day period. I further understand that I may revoke this General Release and the Reemployment Agreement within seven (7) calendar days after signing the General Release. The Reemployment Agreement and this General Release will not be effective or enforceable until the expiration of this seven-day period.

8. Meaning of certain terms. I understand that, as used in this General Release, references to "the University of North Carolina" include all the University's constituent institutions; present and former members of the Board of Governors of the University of North Carolina and of the Boards of Trustees of the constituent institutions; and their faculties, employees, agents, successors, and assigns. I also understand that references to "the State of North Carolina" include all of the State's political subdivisions, administrative agencies, employees, agents, representatives, successors, and assigns.

9. Effect of signing this General Release. By executing this General Release, I acknowledge that I understand all of its terms and that I am executing it voluntarily and without duress of any kind, and with full knowledge and understanding of its significance. I also acknowledge that I am not entering into this General Release in exchange for consideration in addition to anything of value that I am otherwise entitled to receive. I further agree that should a portion of this General Release be held void, the remainder of this General Release shall continue in full force and effect.

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Employee Signature

Date

NOTARY CERTIFICATION

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, a Notary Public in and for the aforesaid state and county, hereby certify that  
\_\_\_\_\_ appeared before me this \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_ and executed the foregoing General Release.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## 12-3 Drug Policy Documents

### 12-3.A The University Of North Carolina Policy On Illegal Drugs

#### I. PURPOSE

The Code of The University of North Carolina describes the University as "an academic community dedicated to the transmission and advancement of knowledge and understanding." The Board of Governors therefore is committed to the maintenance and protection of an environment in which students and faculty members "may responsibly pursue these goals through teaching, learning, research, discussion and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors." Moreover, it is the obligation of all members of the University community -- faculty, students, administrators, and other employees -- to help maintain an environment where "academic freedom flourishes and in which the rights of each member of the academic community are respected."

A new threat to higher education communities has emerged. Illegal drugs now endanger the health and safety of members of these communities and imperil the integrity of the pursuit of learning. The institutions of The University of North Carolina are not immune to this threat. Illegal drugs now constitute such a serious problem nationwide that within the University system certain specific and uniform University policies are warranted. Success in combating the problem depends ultimately on the cooperative efforts of members of governing boards, students, faculty members, administrators and all other employees. Thus, it is on each campus of the University that a properly balanced program of educational efforts and punitive sanctions must be achieved. Accordingly, to support and assist the constituent institutions of The University of North Carolina in their continuing efforts to meet this threat, the Board of Governors adopts this policy.

#### II. POLICIES APPLICABLE UNIVERSITY-WIDE

Each Board of Trustees shall adopt a policy on illegal drugs applicable to all students, faculty members, administrators, and other employees. The Board of Governors recognizes that each such policy must address the circumstances and needs of the particular campus. However, the President shall ensure that the policy of each institution incorporates and is fully consistent with the following basic requirements.

##### A. Education, Counseling and Rehabilitation

1. Each constituent institution shall establish and maintain a program of education designed to help all members of the University community avoid involvement with illegal drugs. The educational program shall be publicized in catalogues and other materials prepared for all enrolled and prospective students and in materials distributed to faculty members, administrators and other employees.

2. Students, faculty members, administrators, and other employees are responsible, as citizens, for knowing about and complying with the provisions of

North Carolina law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as "controlled substances" in Article 5 of Chapter 90 of the North Carolina General Statutes. Any member of the University community who violates that law is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. It is not "double jeopardy" for both the civil authorities and the University to proceed against and punish a person for the same specified conduct. The University will initiate its own disciplinary proceeding against a student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interests of the University.

3. Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by Section 502D(3) and Section 603 of the University Code, by Board of Governors' policies applicable to other employees exempt from the State Personnel Act, and by regulations of the State Personnel Commission.

4. The penalties to be imposed by the University may range from written warnings with probationary status to expulsions from enrollment and discharges from employment. However, the following minimum penalties shall be imposed for the particular offenses described.

a. Trafficking in Illegal Drugs

(1) For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone), any student shall be expelled and any faculty member, administrator or other employee shall be discharged.

(2) For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94, (including, but not limited to, marijuana, pentobarbital, codeine) the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled and any faculty member, administrator, or other employee shall be discharged.

b. Illegal Possession of Drugs

(1) For a first offense involving the illegal possession of any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90, the minimum penalty shall be suspension from enrollment or from

employment for a period of at least one semester or its equivalent.

(2) For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94, the minimum penalty shall be probation, for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the Chancellor or the Chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or from employment for any unexpired balance of the prescribed period of probation.

(3) For second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators or other employees.

#### 5. Suspension Pending Final Disposition

When a student, faculty member, administrator, or other employee has been charged by the University with a violation of policies concerning illegal drugs, he or she may be suspended from enrollment or employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the Chancellor or, in the Chancellor's absence, the Chancellor's designee concludes that the person's continued presence within the University community would constitute a clear and immediate danger to the health or welfare of other members of the University community; provide, that if such a suspension is imposed, an appropriate hearing of the charges against the suspended person shall be held as promptly as possible thereafter.

### III. IMPLEMENTATION AND REPORTING

A. Each Board of Trustees shall adopt a policy on illegal drugs, the provisions of which shall be consistent with the requirements of Section II of this policy. The Chancellor shall file a copy of the campus policy with the President, and notice of any change that may be made in the policy from time to time also shall be filed with the President.

B. To carry out this policy, it generally will be necessary for each campus to revise its current policies and programs. New activities will have to be initiated in some University agencies that heretofore have not had a specific policy on illegal drugs. The President will confer with the Chancellors to determine what additional funding may be needed to make this policy effective, and the President will make recommendations to the Board of Governors by the fall of 1988 for any budget request or increases in fees that may be needed to achieve this objective.

C. Each Chancellor shall designate a coordinator of drug education. This person, acting under the authority of the Chancellor, will be responsible for overseeing all actions and programs relating to the campus policy.

D. Annually, each Chancellor shall submit to the Board of Trustees a report on campus activities related to illegal drugs for the preceding year. The report shall include, as a minimum, the following: (1) a listing of the major education activities conducted during the year; (2) a report on any illegal drug-related incidents, including any sanctions imposed; (3) an assessment by the Chancellor of the effectiveness of the campus program and; (4) any proposed changes in the policy on illegal drugs. A copy of the report shall be provided to the President, who shall confer with the Chancellor about the effectiveness of campus programs. The President periodically shall report to the Board of Governors.

Approved by the Board of Trustees on May 7, 1988.

### **12-3.B UNCP Drug Abuse Education And Prevention Policy**

The University of North Carolina at Pembroke is committed to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. All members of the academic community share in the responsibility for protecting that environment by exemplifying high standards of professional and personal conduct. The University is dedicated to providing students, faculty and staff an environment to study, work and play that is free from illegal drugs. The illegal possession, sale or use of drugs by members of the academic community adversely affects the educational environment.

Consequently, the University has developed a comprehensive program of drug education, abuse prevention and intervention services for all members of the academic community, including officers, employees, and students. All members of the University community are encouraged to become familiar with the program and are invited to take advantage of the services provided and to encourage persons with emerging chemical dependency problems to take advantage of rehabilitation programs and counseling programs.

### **12-3.C UNCP Smoking Policy**

Smoking is prohibited in all campus buildings. While dormitories are exempt from this policy, smoke-free floors or sections are available for students who prefer such accommodations.



## 12-4 UNCP Academic Honor Code

By accepting admission to The University of North Carolina at Pembroke, each student also accepts the standards of conduct, both in the classroom and outside it, of the UNCP community. One of the most important of these standards is academic honesty. You are expected to know what the Academic Honor Code says and to apply the provisions of that Code to your conduct at the University.

### STATEMENT OF PRINCIPLES

Academic honor and integrity are essential to the existence of a university community. If high standards of honesty are not maintained by everyone, the entire community and society itself suffer. Maintaining standards of academic honesty and integrity is ultimately the formal responsibility of the instructional faculty. Therefore, when any academic dishonesty is suspected, a faculty member has the responsibility to, and must, follow the policies and procedures of the Academic Honor Code.

Students are important members of the academic community. As responsible citizens of the UNCP community, students are obligated to uphold basic standards of honesty, and to actively encourage others to respect and maintain those standards. Allowing academic dishonesty is just as dishonest as committing a dishonest act oneself.

### WHAT ACTS VIOLATE THE ACADEMIC HONOR CODE?

While specific violations may take many forms, the general categories of acts that violate the Academic Honor Code are as follow:

- A. Cheating:  
Cheating means intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices in any academic exercise (for example, on a test). This definition includes both giving unauthorized information (in either oral or written form) and receiving such information during any academic exercise.
- B. Plagiarism:  
Plagiarism is intentionally or knowingly presenting someone else's words or ideas as one's own. You avoid plagiarism by very carefully acknowledging the sources of ideas you use and by appropriately indicating any material that has been quoted (that is, by using quotation marks and properly acknowledging the source of the quote, usually with a clear reference source citation and page number).
- C. Fabrication and falsification:  
This refers to intentional and unauthorized alteration or invention of any information or citation in an academic exercise. Falsification is a matter of altering information, while fabrication is a matter of inventing or counterfeiting information for use in any academic exercise. For example, a student who changes an answer on a test and claims that the item was incorrectly scored has falsified information. A student who makes up reference citations for a term paper has fabricated that information.

- D. Abuse of academic materials:  
Here we mean intentionally or knowingly destroying, stealing, or making inaccessible library or other academic material. Remember that library materials are borrowed, not yours to keep. For example, a student who tears an article out of a journal in the library has abused library materials. Similarly, a student who intentionally damages a computer in a campus computer lab has violated this standard.
- E. Complicity in academic dishonesty:  
Complicity means intentionally or knowingly helping or attempting to help another person to commit any act of academic dishonesty. For example, complicity would include allowing another student to look at test answers or to copy a paper. In a word, don't help someone else be dishonest.

#### PENALTIES FOR VIOLATIONS OF THE ACADEMIC HONOR CODE

The UNCP community takes the Academic Honor Code very seriously. Consequently, violations may lead to severe penalties. All acts of academic dishonesty violate standards essential to the existence of an academic community. Some first offenses are properly handled, and penalties determined, by the faculty member teaching the specific course in which they occur. The faculty member must use the settlement procedure described below to handle such an offense.

Penalties which individual faculty members may impose are limited to the following: (a) a formal warning or reprimand; (b) a reduced grade (including F) for the assignment; (c) a reduced grade (including F) for the entire course. In all cases, whatever the penalty, a record (a signed form) of the settlement of any charge of a violation of the Academic Honor Code will be kept for five years (or until the student graduates) in the Office for Student Affairs. The purpose of this record-keeping is to deter students from repeating offenses. A second purpose is to be sure students who violate the Academic Honor Code a second time are dealt with appropriately.

The Campus Judicial Board (CJB) handles all second offenses, some more serious first offenses, and any charges that the student feels are unfounded. In addition to any of the penalties available to an individual faculty member, the CJB may suspend the student from the University for a designated period of time (one semester, one year, etc.) or even dismiss the student from the University.

Several factors are considered in determining what penalty to impose for a violation of the Academic Honor Code. Those factors include: the nature and seriousness of the offense; the injury or damage resulting from the violation; the student's motivation and state of mind at the time of the incident; the student's prior disciplinary record; and the student's attitude and behavior after the violation was committed.

#### PROCEDURES FOR HANDLING CHARGES OF VIOLATIONS

If the faculty member responsible for a course obtains evidence, either directly or through information supplied by others, that a student may have violated the Academic Honor Code, the faculty member has a duty to investigate the incident by collecting whatever relevant evidence is available.

If the faculty member decides that the evidence is sufficient to support a charge against the student, the faculty member is to contact the Vice Chancellor for Student Affairs, who will determine from the records of past violations whether the student in question has previously admitted to, or been found guilty of, an Academic Honor Code violation.

If the suspected violation would be a second offense, the faculty member must take the case to the Campus Judicial Board. If the charge would be a first offense and the faculty member believes that a penalty no greater than F in the course would be appropriate, the charge may be settled between the faculty member and the student (as described below), with the settlement form signed and filed with the Office for Student Affairs. If the suspected violation would be a first offense, but one for which the faculty member considers the appropriate penalty to be more severe than F in the course, the case must be brought to the Chairperson of the Campus Judicial Board.

Once a student has received notice that he or she is charged with an Academic Honor Code offense, he or she may not withdraw from the course in order to avoid the penalty.

#### SETTLEMENT PROCEDURE TO BE USED BY INDIVIDUAL FACULTY MEMBERS

The faculty member should meet with the student suspected of violating the Academic Honor Code, present the evidence of the violation, and request an explanation from the student. After hearing the explanation, if the faculty member decides that a violation has occurred, he or she fills out and signs the Settlement of a Charge of Academic Dishonesty form, which is available to all faculty members. This form may be obtained from the Office of Student Affairs. The faculty member indicates the nature of the violation and the penalty to be applied, and then gives the form to the student. After receiving the form, the student has three school days to consider and seek advice on whether to admit guilt and accept the penalty by signing the form.

If the student agrees to sign, admitting guilt and accepting the penalty proposed, he or she does so in the presence of the faculty member. The faculty member then imposes the penalty. The faculty member will send the signed settlement form to the Vice Chancellor for Student Affairs, who keeps a record of first offenses for five years (or until the student graduates), and thus the matter is ended. If the student decides not to admit guilt or not to accept the penalty, the faculty member must take the case to the Chairperson of the Campus Judicial Board, if any penalty is to be imposed.

#### CAMPUS JUDICIAL BOARD

The composition of the CJB is as follows: two students recommended by the President of Student Government Association and appointed by the Chancellor; two faculty members recommended by the Faculty Senate Chair and appointed by the Chancellor; and, one administrative member recommended by the Vice Chancellor for Student Affairs and appointed by the Chancellor. Hearings follow procedures outlined in the UNCP Student Constitution. The CJB will judge the student as guilty or not guilty of the charges contained in the form submitted by the faculty member. Both the student who has been charged with a violation and the faculty member who has made the charge will give evidence to support their positions. Members of the CJB may question either the student or the faculty member or both and may ask for additional materials as they see fit to do so. In a closed session, the CJB will come to a conclusion about the validity of the charges.

If the student charged with a violation of the Academic Honor Code is found not responsible, the CJB prepares a written report of the case and sends it to the Vice Chancellor for Student Affairs, who will maintain a confidential file of materials related to the case. No part of the file becomes part of the student's disciplinary record. The case is closed, and no penalty may be imposed.

If a student is found responsible of violating the Academic Honor Code, the Campus Judicial Board will determine an appropriate penalty. Both the student and faculty member who submitted the charge may give evidence and make statements concerning the appropriate penalties to be imposed. The Vice Chancellor for Student Affairs will supply the student's previous Academic Honor Code disciplinary record (if any) to the Campus Judicial Board.

After hearing the evidence on the appropriate penalty, the Campus Judicial Board will determine the penalty, and prepare a written report to the student and the Vice Chancellor for Student Affairs. The Vice Chancellor for Student Affairs notifies the faculty member and the Provost and Vice Chancellor for Academic Affairs of the contents of that report. If the CJB decides that a penalty of a grade of F in the course (or one less severe) is appropriate, the faculty member imposes that penalty and no other penalty. If a more severe penalty is deemed appropriate, the Vice Chancellor for Student Affairs implements the penalty indicated in the report. The student will be notified by the Vice Chancellor for Student Affairs within five days of the Campus Judicial Board's determination of penalty.

#### CAMPUS APPEAL BOARD

If the Campus Judicial Board has found a student guilty of violating the Academic Honor Code, the student has the right to appeal that decision. The student has 48 hours from the date he or she is notified of the Campus Judicial Board's decision to file a written notice of appeal with the Vice Chancellor for Student Affairs. If the student does not file a notice of appeal, the decision of the Campus Judicial Board will be final.

If the student does file a notice of appeal within 48 hours, the Vice Chancellor for Student Affairs shall deliver this request as well as materials related to this case to the Campus Appeal Board.

The composition of the Campus Appeal Board is as follows: the Chair of the Faculty Senate who will serve as Chair; the President of the Student Government Association or his/her designee; the Dean of Students; and the Chair of the department in which the accused student is a major.

#### WHAT TO EXPECT FROM FACULTY

Faculty members have been instructed that they should outline their expectations pertaining to the Academic Honor Code at the beginning of each course. Students should be aware that some faculty members authorize or prohibit specific forms of student conduct which are unique to their courses or disciplines. All faculty members should refer students to the Academic Honor Code which is published in the UNCP Student Handbook. Further, faculty members have been advised to include the following statement in all course syllabi:

#### STUDENT ACADEMIC HONOR CODE

Students have the responsibility to know and observe the UNCP Academic Honor Code. This code forbids cheating, plagiarism, abuse of academic materials, fabrication or

falsification of information, and complicity in academic dishonesty. Any special requirements or permission regarding academic honesty in this course will be provided to students in writing at the beginning of the course, and are binding on the students. Academic evaluations in this course include a judgment that the student's work is free from academic dishonesty of any type; and grades in this course therefore should be and will be adversely affected by academic dishonesty. Students who violate the code can be dismissed from the University. The normal penalty for a first offense is an F in the course. Standards of academic honor will be enforced in this course. Students are expected to report cases of academic dishonesty to the instructor.

In general, faculty members should, and will, take preventive measures to avoid cases of academic dishonesty (for example, examinations should be carefully proctored). However, a faculty member's failure to take such measures is no excuse for academic dishonesty. Academic honesty and integrity, in the final analysis, are matters of personal honesty and individual integrity on the part of every student.

**SETTLEMENT OF A CHARGE OF ACADEMIC DISHONESTY****NOTICE TO STUDENT**

1. You are not required to sign this form.
2. If you do not sign this form, you have a right to a hearing before a neutral student-faculty panel before any disciplinary penalty may be imposed for the offense charged.
3. You have three school days to seek advice and decide whether to sign. You may discuss your decision with any person you choose.
4. If you do not sign this form or ask for a hearing within three school days, a hearing will be scheduled. You will be notified of this hearing at least five school days before it is scheduled. Failure to appear at this hearing will be construed as admission of guilt.
5. If you sign this form, you are admitting guilt and accepting the penalty shown.
6. If you sign, this form is kept on record for five years or until you graduate and may be used in determining the penalty if you are convicted of or admit to another honor code offense. This settlement form is not disclosed to prospective employers or to other schools to which you may apply.

**INSTRUCTOR**

I charge \_\_\_\_\_ with an Academic Honor Code violation which occurred in my course \_\_\_\_\_ (course no. \_\_\_\_\_) during the \_\_\_\_\_ semester/session, 20 \_\_\_\_ (Provide a brief description of the facts believed to constitute the violation; continue on back if necessary):

If student admits guilt by signing this form, I will apply the following penalty only:

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Signed: \_\_\_\_\_  
 (Instructor)  
 Date \_\_\_\_\_ Time \_\_\_\_\_

**STUDENT**

I have read this entire settlement form carefully and understand its significance. I admit to committing the offense charged by the instructor, accept the penalty assigned, and understand that this agreement will be kept in the first offender's file for five years or until graduation.

Signed: \_\_\_\_\_  
 (Student)  
 Date \_\_\_\_\_ Time \_\_\_\_\_

## 12-5 UNCP Code Of Conduct

The University of North Carolina at Pembroke is an institution of higher education dedicated to meeting and developing the educational needs of young men and women who will take their places as respectable and trustworthy citizens of their country. It takes for granted that students will not be guilty of unlawful or unworthy conduct. In the event of an infraction against University policies, appropriate disciplinary action will be taken.

The aim of all discipline is two-fold: first, to develop self-control in the individual; and second, to protect the welfare of society. The emphasis is on rehabilitation and re-education rather than punishment per se.

Students who cannot, or will not, abide by the rules of the institution are not welcome at The University of North Carolina at Pembroke. It is suggested that they seek their formal education elsewhere. Too, the institution reserves the right to decline to register students whose past records, either before or after entrance to The University of North Carolina at Pembroke, are such as to indicate social, moral, or scholastic unfitness.

According to the By-Laws of the Board of Trustees of The University of North Carolina at Pembroke, ratified in March of 1968, the administration of the University is responsible for all phases of student discipline. The administration holds that a student enrolling in the University assumes an obligation to conduct himself/herself in a manner compatible with the University's function as an educational institution. Further, the Board of Trustees has directed the administration to take appropriate disciplinary action against students and student organizations who are found to be in violation of the University's Code of Conduct. A UNCP student shall refrain from the following prohibited behaviors:

1. Violating the Academic Honor Code;
2. Furnishing false information to the University with intent to deceive;
3. Withholding, with knowledge, information from the University;
4. Refusing to comply with any lawful order of a clearly identifiable University official acting in the performance of his/her duties in the enforcement of University policies (residence staff members are considered University officials when acting in an official capacity);
5. Failing to present his/her ID when requested to do so by a University official;
6. Forging, altering, defrauding, or misusing documents, charge cards or money, checks, records, and ID cards of an individual or the University;
7. Neglecting to discharge all obligations to the University prior to the close of each semester;
8. Loitering around the residence halls after visitation hours have expired;
9. Disruptive and disorderly conduct;
13. Operating cell phones, pagers, beepers, etc. in classrooms, libraries, and labs;
- 11.
11. Harassing, abusing, or threatening another by means other than the use or threatened use of physical force;
12. Discriminating against another student by using offensive speech or behavior of a biased or prejudiced nature related to one's personal characteristics, such as race, color, national origin, sex, religion, handicap, age, or sexual orientation;

13. Unauthorized entry or presence in or upon or use of any University premises or property (including but not limited to roofs, storage facilities, crawl spaces, mechanical rooms and out buildings) or student property (i.e., automobiles, lockers, or residences) or unauthorized possession, duplication, loan, or use of keys to any University premises or property;
14. Using abusive, obscene, vulgar, loud, or disruptive language or conduct directed toward and offensive to a member or visitor to the University community;
15. Obstructing justice by hindering or impeding a duly authorized function of any judicial hearing;
16. Obstructing or disrupting teaching, research or other University activities on University premises;

The handling of disruptive behavior in the classroom is left to the discretion of the individual faculty member. However, it is suggested that the faculty member make clear to the class in the syllabus or at an early class meeting that any behaviors that disrupt the teaching and/or educational process will not be tolerated. If a student displays such behavior, the faculty member should deal with it early and directly by speaking to the student. If it continues to be a problem the faculty member may ask the student to leave the classroom and should report the student to the Vice Chancellor for Student Affairs. Written documentation should be kept for each instance including how it was dealt with. At the faculty member's request and with appropriate documentation, the Office for Academic Affairs will administratively withdraw the student from class(es) as a result of repeated disruptions to the academic process.

17. Violating policies governing residence life;
18. Rollerskating/blading, skateboarding, scooter riding and the riding of bicycles is prohibited in University buildings. Rollerskating/blading, scooter and bicycle riding as a means of transportation is only permitted on walkways and ramps when the operator does not create a hazard to themselves or others. Performing jumps or other stunts ("hot-dogging") is strictly prohibited on campus. Rollerskating/blading and skateboarding by visitors is prohibited. Skateboarders and rollerskaters/bladers may not be towed by bicycles or other vehicles.
19. Endangering, injuring, or threatening to injure the person or property of another;
20. Vandalizing, destroying maliciously, damaging or misusing public or private properties, including library materials;
21. Stealing or attempting to steal, aiding or abetting, receiving stolen property, selling stolen property, or embezzling the property of another person or the University (Book Selling B When a student resells a book to an individual or to the bookstore, that student is held responsible if the book which is being resold is stolen property. If, and when, a student buys a book from another student, it is the purchaser's or seller's responsibility to be able to identify the student involved. If the student buying the book will not or cannot identify the seller, the student buying the book will be held responsible. The student who sells a book to another student should always have his/her ID number in the book);
22. Being intoxicated in public, displaying, driving under the influence, or illegally possessing or using alcoholic beverages or liquors;
23. Illegally manufacturing, selling, using, or possessing narcotics, barbiturates, amphetamines, marijuana, sedatives, tranquilizers, hallucinogens, and/or other known drugs and/or chemicals;
24. Buying, selling, possessing, or using any kind of drug paraphernalia or counterfeit drugs;
25. Participating in hazing or harassment of UNCP students;



26. Possessing or using firearms, fireworks, explosives, or illegal weapons on University property;
27. Sexual harassment of any member of the University community;
28. Misusing, tampering with, or disturbing without proper cause any fire prevention and control equipment;
29. Knowingly acting as an accessory to any of the charges contained herein by:
  - a. Being present while the offense is committed and advises, instigates, or encourages the act, or
  - b. Facilitating in the committing of an offense in any way.

Students are subject to federal, state and local laws as well as University rules and regulations. A student is not entitled to greater immunities or privileges before the law than those enjoyed by other citizens generally. Students are subject to such disciplinary action as the administration of the University may consider appropriate, including possible suspension and expulsion for breach of federal, state or local laws, or University regulations. This principle extends to conduct off campus which is likely to have an adverse effect on the University, or on the educational process, or which stamps the offender as an unfit associate for the other students.

## 12-6 Discriminatory Activities Policies

### 12-6.A Improper relationships policy

POLICY OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA CONCERNING IMPROPER RELATIONSHIPS BETWEEN STUDENTS AND EMPLOYEES (For additional information, see the Board of Governors policy at <http://www.northcarolina.edu/content.php/policies/300.htm#300.4>)

The University of North Carolina does not condone amorous relationships between students and employees. Members of the University community should avoid such liaisons, which can harm affected students and damage the integrity of the academic enterprise. Further, sexual relationships between unmarried persons can result in criminal liability. In two types of situations, University prohibition and punishment of amorous relationships is deemed necessary: (1) When the employee is responsible for evaluating or supervising the affected student. (2) When the student is a minor, as defined by North Carolina law. The following policies shall apply to all employees and students of the sixteen constituent institutions.

#### A. Prohibited Conduct

1. It is misconduct, subject to disciplinary action, for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student of the institution with whom he or she has an amorous relationship or to whom he or she is related by blood, law or marriage.
2. It is misconduct, subject to disciplinary action, for a University employee to engage in sexual activity with any enrolled student of the institution, other than his or her spouse, who is a minor below the age of 18 years.

#### B. Definition of Terms

1. "Amorous relationship." An amorous relationship exists when, without the benefit of marriage, two persons as consenting partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.
2. "Related by blood, law or marriage" means:
  - a. Parent and child
  - b. Brother and sister
  - c. Grandparent and grandchild
  - d. Aunt and/or uncle and niece and/or nephew
  - e. First cousins
  - f. Step-parent and step-child
  - g. Husband and wife
  - h. Parents-in-law and children-in-law
  - i. Brothers-in-law and sisters-in-law
  - j. Guardian and ward

3. "Evaluate and supervise" means
  - a. To assess, determine or influence (1) one's academic performance, progress or potential or (2) one's entitlement to or eligibility for any institutionally conferred right, benefit or opportunity, or
  - b. To oversee, manage or direct one's academic or other institutionally prescribed activities.

C. Corrective Action

Violations of the provisions of Section A shall be addressed in accordance with remedial measures prescribed by each constituent institution; if disciplinary action is brought against an affected employee, it shall be conducted in accordance with existing institutional policies and procedures prescribed for prosecuting misconduct charges against members of the class of employment of which the affected employee is a member.

## **12-6.B Sexual Harassment Prevention Plan**

### **12-6.B.1 Policy Statement**

#### SEXUAL HARASSMENT - POLICY OF THE STATE OF NORTH CAROLINA

The policy of the State of North Carolina is that no state employee may engage in conduct that falls under the definition of sexual harassment indicated below. Personnel decisions shall not be made on the basis of granting or denial of sexual favors. All employees are guaranteed the right to work in an environment free from sexual harassment. Sexual harassment shall henceforth be deemed a form of sex discrimination prohibited by North Carolina General Statutes 126-16.

Sexual harassment is defined as deliberate, unsolicited, and unwelcome verbal and/or physical conduct of a sexual nature with sexual implications by a supervisor or co-worker which: 1) has or may direct employment consequences resulting from the acceptance or rejection of such conduct; 2) creates an intimidating, hostile or offensive working environment; or 3) interferes with an individual's work performance. Sexual harassment does not include personal compliments welcomed by the recipient, or social interaction or relationships freely entered into by state employees or prospective employees.

### **12-6.B.2 Statement From The Chancellor**

#### UNCP POLICY PROHIBITING SEXUAL HARASSMENT

The University of North Carolina at Pembroke is committed to providing a place where employees and students can work and study without concerns about sexual harassment. As Chancellor, I take this commitment seriously and affirm my support of the UNCP Policy Prohibiting Sexual Harassment. I ask for your continued support of our efforts to educate the university community about sexual harassment and to eliminate its presence on the UNCP campus.

### **12-6.B.3 UNCP Policy Prohibiting Sexual Harassment**

The University of North Carolina at Pembroke is committed to ensuring an environment for all students and employees which is fair, humane and respectful. The University supports and rewards student and employee performance on the basis of relevant considerations such as ability and effort. Any behaviors which indicate that sexuality is a relevant criterion for evaluating student or employee performance are detrimental to the work/study environment. Sexual harassment by any member of the University is a violation of both law and University policy, and it will not be tolerated in the University community. Sexual harassment is a particularly sensitive issue and as such will be dealt with promptly and confidentially by the University administration.

Definition (from the EEOC Interpretive Guidelines on Discrimination Because of Sex Under Title VII)

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment."

Harassment of employees on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Acts of 1964. Harassment of students is a violation of Section 902 of Title IX of the Education Act of 1972. Sexual harassment is also prohibited by North Carolina General Statutes 126-16.

Examples of behaviors which may constitute sexual harassment include (but are not limited to):

Verbal - sexual innuendo or suggestive comments; inappropriate jokes about sex or gender-specific traits; demeaning references to gender; unwelcome emphasis on an individual's sexual identity; offensive written communications, including sexual propositions, insults or threats; persistent, unwanted attempts to turn a professional relationship into a personal one;

Nonverbal - leering, suggestive or offensive gestures or sounds; showing of materials that are either sexual or sexist in nature; and

Physical - touching (for example, brushing, patting, pinching); sexual relations coerced through the use of threats or quid pro quo proposals (either explicit or implicit).

#### **12-6.B.4 UNCP Statement Of Policy**

The University of North Carolina at Pembroke prohibits sexual harassment among any members of the university population. Sexual conduct is considered harassment if it is tied in any way to decisions about academic success or personal advancement; or if it suggests a "discriminatory hostility" towards any person based on gender.

The University of North Carolina at Pembroke's policy seeks to address sexual harassment which results from one person's insensitivity to another as well as harassment which is more obviously abusive. Therefore, the goals of the policy are to promote public awareness and education; to provide mechanisms to deal promptly and fairly with problems; and to protect the rights of both the complainant and the accused.

Sexual harassment, in both obvious and subtle ways, may profoundly affect the lives of individuals. A person who is subjected to unwanted sexual attention may submit to this behavior out of fear of retaliation or reprisal or may withdraw from a course or resign from a job as a result. Through its sexual harassment policy procedures, The University of North Carolina at Pembroke seeks to provide alternative means of problem resolution. In some cases a person may not be aware that his or her behavior is inappropriate or offensive, or a person's words or actions

may be misinterpreted. In either case, these misunderstandings must be resolved so that they do not interfere with educational or administrative processes.

Sexual harassment often occurs in situations in which one person has power or authority over another (faculty-student, supervisor-staff, administrator-faculty). It can also occur among peers (student-student, staff-staff, faculty-faculty, etc.). Sexual harassment may involve members of the opposite sex or members of the same sex. Sexual relationships between faculty and students or supervisors and staff involve power differentials. Consequently, if a charge of sexual harassment is brought as a result of faculty-student or supervisor-staff relationships, the defense of mutual consent may be difficult to prove given this power differential.

It is also possible that unfounded allegations of sexual harassment may be made: such charges are slander or libel. The University does not condone either sexual harassment or unfounded charges of sexual harassment.

#### **12-6.B.4(a) Procedures**

There are three types of procedures for dealing with problems of sexual harassment. They are counseling, mediation and formal grievance. These procedures are not sequential; that is, a complainant may enter or leave the process at any stage.

Sexual Grievance Advisors are available for the counseling and mediation steps. These Advisors are faculty and staff members who are known to be able to maintain confidentiality, who are familiar with laws and policies concerning sexual harassment, and experienced in counseling or advising. Their names, telephone numbers and office locations will be widely publicized each year.

**Counseling.** Advisors will be available to listen empathetically and provide emotional support to complainants. The Advisors will also help to determine if the behavior of the accused person is indeed sexual harassment.

**Mediation.** At the request of the complainant, an Advisor will discuss the problem with the accused.

The goal of mediation, through counseling and education, is to persuade the accused to discontinue the harassing behavior. An equally important goal is to prevent retaliation against the complainant (for example, in grades, salary, promotion).

A written record of the mediation effort will be kept in a strictly confidential file by the University Affirmative Action Officer. The accused person may also submit a statement to become a part of the record. If a pattern of behavior on the part of an individual is observed, then disciplinary action may be taken even if complaints against that individual have been resolved through mediation.

If the complaint cannot be satisfactorily resolved by mediation, then a formal grievance may be filed. Using the informal procedure of mediation does not in any way preclude the filing of a formal grievance.

### **12-6.B.4(b) Formal Grievance Procedures**

A formal grievance may be filed as a first step by a complainant in seeking redress in a case of sexual harassment or after the mediation process has been attempted. Disciplinary action may range from a written reprimand to other actions such as suspension or even dismissal.

The procedures to be followed in filing a grievance will differ depending on the classification or level of the members of the university community involved in the grievance.

If the complainant is a student, procedures outlined in the Student Sexual Harassment Grievance Procedures policy shall apply.

If the grievance involves only faculty members, the Faculty Grievance Committee will have jurisdiction.

If the grievance involves only SPA employees, the SPA Employees Grievance Committee will have jurisdiction.

If the grievance involves only EPA non-faculty employees, the Chancellor will appoint a special hearing committee.

If the grievance involves members of different factions of the university community, the Chancellor will appoint a hearing committee consisting of six members to represent fairly the parties to the grievance. The Chancellor will appoint the chair of the committee.

A petition for redress of grievance should be submitted to the chair of the appropriate committee (Campus Hearing Board, Faculty Grievance Committee or SPA Employees Grievance Committee) when the parties to the grievance are from the same constituency; or to the Vice Chancellor (for Academic Affairs, Business Affairs or Student Affairs) appropriate to the status of the grievant when the status of the parties to the grievance differs. The Chancellor will be notified at this stage if a special committee needs to be formed.

The grievance petition should set forth the nature of the grievance and the individual against whom the grievance is directed; the grounds upon which the grievance is based; affirmation that attempts to resolve the grievance through mediation have failed when such attempts have been made; and any other information that the petitioner considers pertinent to the case.

Sanctions against persons guilty of sexual harassment may include, but are not limited to a written reprimand which becomes a part of the record, suspension, or dismissal. Recommendations for sanctions are made by the committee hearing the complaint. The final determination of disciplinary action rests with the Chancellor.

### **12-6.B.5 Sexual Assault Policy**

#### **Philosophy**

The University of North Carolina at Pembroke is committed to providing a safe and secure environment for students. To this end, the University recognizes the importance of its role in assisting a student who is a victim of sexual assault in regaining a sense of personal control over his/her life and the decisions he/she makes.

### Procedures for Victims Alleging Sexual Assault

A student who is a victim of sexual assault should immediately report those offenses to the proper authorities (Campus Police or local law enforcement agency). The well being of a student who has been sexually assaulted is a vital priority. The sooner a sexual assault is reported, the sooner the victim can be treated and tested for pregnancy and sexually transmitted diseases. A victim of sexual assault is reminded to go to a safe place. It is very important to preserve all physical evidence; therefore, the victim should not bathe, shower, douche or change clothes. This evidence is extremely important if the case goes to court. Calling a friend, family member and/or rape crisis companion to be with the victim for emotional support is encouraged. The University (Student Health Services or Campus Police) will provide transportation to the hospital emergency room. A victim of sexual assault should certainly seek the service of the University Counseling Center or a local rape crisis center. They have trained professionals who can help the victim and his/her family members deal with the aftermath of the assault.

### Services to Victims

A survivor/victim of a sexual assault will be provided with support throughout the process of his/her deliberating whether or not to formally report the crime, have a medical examination, change his/her room assignment or class schedule, seek professional counseling, change availability of directory information, etc. This support will be provided by certain University agencies/disciplines that have been identified as available for assistance to a victim of sexual assault. Further, these University agencies will be available to inform the victims of other resources and service providers in the local community.

### Rights of Alleged Assailants

Any student enrolled at UNCP who is accused of sexual assault will be afforded full procedural due process in the investigation and adjudication of his/her case. This shall include the right to the presumption of innocence until proven guilty and the privilege against self-incrimination.

### UNCP Student Code of Conduct

A UNCP student who has been victimized by sexual assault may seek redress through the campus judicial system if the accused is also an enrolled student at the University. Such redress may be in conjunction with or in place of pressing charges in the court system. In order to cite a student internally for sexual assault, the victim should report the offense to the Vice Chancellor for Student Affairs or his/her designee. Once the report is made, an investigation will be initiated by the Vice Chancellor for Student Affairs. The Campus Judicial Board will be convened in cases where the accused denies the charges. The victim will be required to appear before the Campus Judicial Board and to testify against the alleged assailant. Both students may have a friend/advisor from the campus community present with them throughout the hearing process and may present witnesses on their behalf. Immediate suspension of the accused student will occur if the Vice Chancellor for Student Affairs concludes that the person's continued presence at the University would constitute a clear and present danger to the health or welfare of other members of the University community. When such a suspension is imposed, a hearing of the charges against the suspended person shall be held as expeditiously as possible.

The penalty for a student found guilty of sexual assault will at minimum be conditional probation, with the maximum penalty being suspension or expulsion from the institution. In severe cases involving forced rape and/or physical injury involving a weapon, the penalty will be expulsion. The severity of the offense and the potential for subsequent harm to the victim/survivor or the community at large weigh heavily in sanctioning actions taken in such



cases. The victim's/survivor's identity and all information concerning the offense are held in strict confidence by hearing authorities under the guidelines of FERPA. However, the University cannot guarantee confidentiality.

#### Room and Class Change Options

A survivor/victim of a sexual assault may request an immediate room change from the Director of Residence Life if he/she feels threatened or compromised at his/her current residence. A room change will be approved if alternative space exists. The student may also request a lock change and new telephone number if the assailant had knowledge or previous access to those items. The victim may also file a request form in the Registrar's Office to remove his/her directory information from public access.

A survivor/victim of a sexual assault may also request the Provost and Vice Chancellor for Academic Affairs to change his/her class schedule. Such requests will be honored when multiple sections of classes are available. Every effort will be made by the University to make the victim feel cared for and safe.

## 12-7 Health And Safety Policies

### 12-7.A AIDS Task Force Policy of The University of North Carolina at Pembroke

The University of North Carolina has established an AIDS Policy for the 16 constituent institutions. UNC Pembroke has officially adopted this policy; in addition, an AIDS Task Force has developed and officially adopted an AIDS policy which reflects the unique characteristics of UNCP. The policy includes all bloodborne pathogens specifically inclusive of Acquired Immune Deficiency Syndrome (AIDS), the Human Immunodeficiency Virus (HIV), and Hepatitis B Virus (HVB). Guidelines are delineated as follows:

- I. The primary response of the University shall be education. Programs shall be developed to address students, employees, faculty and staff.
- II. Persons infected with any bloodborne pathogen such as the (AIDS), (HIV) or (HVB) will not be excluded from enrollment or employment, or restricted in their access to University services or facilities, unless medically based judgments in individual cases establish that exclusion or restriction is necessary for the welfare of the individual or for the welfare of other members of the University community.
  - A. A UNCP Response Team shall be established to make a case-by-case assessment of each known AIDS, HIV, or HBV infection to the end that the interests of all parties shall be protected.
  - B. The Response Team shall include:
    1. The University of North Carolina at Pembroke Student Health Services Director
    2. The Vice Chancellor for Student Affairs
    3. The Assistant to the Chancellor for Legal Affairs
  - C. The Response Team shall have access to University facilities, reports, and information it may deem appropriate.
  - D. The Response Team shall examine the welfare of the infected individual and the welfare of other members of the University community to determine what type of action is most appropriate to protect the well-being of all parties.
  - E. The Response Team shall examine and deliberate and make an assessment in each known infectious case as to whether an exception to the policy is warranted. Any exception to the policy shall be recommended to the Chancellor, whose decision shall be final.
- III. All members of the UNCP University community shall be required to the fullest extent possible under the law, to report any known or suspected case of any AIDS, HIV, or HBV to the UNCP Student Health Services Director who shall forthwith and without delay convene the UNCP Response Team.

- IV. Persons who know that they are infected with AIDS, HIV, and HBV are urged to share that information, on a confidential basis, with the Director of the Student Health Services, so that the University can respond immediately and appropriately to their health and educational needs.
- V. Persons who know or have a reasonable basis for believing that they are infected with AIDS, HIV, or HBV, are expected to seek professional advice about their health circumstances and are obligated, ethically and legally, to conduct themselves responsibly in accordance with such knowledge for the protection of self and other members of the University community.
- VI. The Vice Chancellor for Student Affairs, a member of the AIDS Task Force Team and the UNCP Response Team, shall be the official spokesman for the UNC Pembroke with the public media in matters related to any bloodborne pathogen.
- VII. The UNCP Task Force shall review this policy annually or as otherwise deemed necessary by the chairman of the Task Force or University administrators. Any review of this policy shall be documented by the dated signature of each member of the University AIDS Task Force.

**12-7.B Personal safety and mental health policy**THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE  
PERSONAL SAFETY AND MENTAL HEALTH POLICY

A student attending a university assumes self-responsibility for health and medical welfare. Although UNCP's Counseling and Testing Center's staff works in conjunction with the Student Health personnel to help individuals through short crises, these services are not equipped to work with people in ongoing crises or who are in need of intensive monitoring for health or psychological reasons. In addition, certain student behaviors (such as talking about or acting to harm self or others, or acting in ways that reflect a gross impairment in judgment) can have harmful effects on the welfare and function of others in the university community. Thus, this policy was developed in an attempt to safeguard the welfare of the individual and the community.

If any enrolled student (1) exhibits a pattern of threatening suicide or harm to self or others, (2) attempts suicide or threatens to harm others, (3) is hospitalized for psychiatric reasons (either voluntarily or involuntarily), or (4) obtains a mental health university withdrawal, his/her continued enrollment at or readmittance to UNCP is contingent upon review by the Vice Chancellor for Student Affairs, in conjunction with the Director of the Counseling and Testing Center and the Director of the Student Health Services.

If a student living in a residence hall attempts suicide or is hospitalized for psychiatric reasons, and upon review, is permitted to continue enrollment at the University, his/her current residence hall status will be reviewed by the Vice Chancellor for Student Affairs, in conjunction with the Dean of Students (Chief Housing Officer), the Director of the Counseling and Testing Center, and the Director of the Student Health Services. Thus, the student must meet with the Dean of Students (Chief Housing Officer) before returning to his/her residence hall. Upon this evaluation, the student's residence hall status may be revoked temporarily if the student's behavior is found to be in violation of Housing regulations or the University's Code of Conduct. Eligibility to return to a residence hall the following semester would also be determined in the evaluation. If the student is unable to secure off-campus housing and thus remain enrolled in UNCP classes, the student will be administratively withdrawn from the University.

## 12-8 UNCP Solicitation Policy

Human Resources Policy HR 65 02 (Revised May 22, 2003)

**Purpose:** The University of North Carolina at Pembroke ("UNCP" or the "University") has the duty and responsibility to maintain a safe and healthy work environment conducive to its principal mission of education while respecting the constitutional protection of free speech as well as the individuals right to privacy. Accordingly, the University hereby adopts this solicitation policy for the purposes of: (1) preserving the University's right to permit or prohibit sales and solicitations activities on university property, and (2) to protect the campus community from sales and solicitations activities that are intrusive, unrelated to our educational purpose, or incompatible with normal operations. This policy is not intended to constrain solicitation of the University, which may be directed to appropriate employees solely in their capacities as employees or agents of the University in the normal operation of University purchasing or contracting.

**Scope:** This policy applies to solicitation activities conducted on the grounds or within buildings under the control of UNCP, including solicitation using UNCP's electronic mail network ("email").

**Policy:** Solicitation of employees and students and/or distribution of literature for solicitation purposes is prohibited unless approved and conducted in accordance with the content, requirements and restrictions of this policy. The University reserves the right to withhold approval for any solicitation activities on property under its jurisdiction, and to regulate the time, place, manner and duration of approved solicitation. The University makes no warranty regarding the truth of any representation made in any written materials posted or distributed or other information provided as part of any solicitation activity engaged in pursuant to this Policy.

### Solicitation and distribution activities by non-employees:

1. An unaffiliated organization or non-employee intending to solicit or distribute literature to employees or students must, each visit or for any other solicitation activity:
  - a. Give advance notice of seven days of such intention by contacting, in writing, the Vice Chancellor for Student Affairs
  - b. At the time the advance notice is given, provide a list of the name of the persons or alternates who wish access to the University
  - c. In the event two or more requests for access to a facility for the same or overlapping times have been made, the Vice Chancellor for Student Affairs should attempt to provide alternate designated areas. In the event that no alternate designated area is available, the Vice Chancellor for Student Affairs will grant access to the available designated area on a rotating basis with equal time for its use to the extent reasonably possible.
  - d. Unless specifically provided otherwise herein, an unaffiliated organization or non-employee may solicit or distribute literature only in designated non-working areas, provided any employees being solicited are on non-working time.

Designated areas are to be determined by the Vice Chancellor for Student Affairs and a list of such areas will be made available upon request.

- e. An unaffiliated organization or non-employee may not distribute literature nor solicit employees in any work area, regardless of the fact that the employees may be on non-working time
  - f. An unaffiliated organization or non-employee may post or distribute only those written materials that are submitted to and approved by the Vice Chancellor for Student Affairs. Such notices must be a reasonable size so as not to obstruct any other notices and may be posted only in designated locations. All unaffiliated organizations or non-employees will have equal rights to any designated posting area. A list of the designated posting locations will be made available upon request.
2. Any disagreements regarding these rules should be directed to the Vice Chancellor for Student Affairs for final resolution.

Solicitation and distribution activities by or of employees:

1. An employee may solicit or distribute literature to other employees:
  - a. in non-working areas only if
    - i. All employees involved are on non-working time, or
    - ii. The solicitation will benefit a non-profit, community service organization;
  - b. in working areas and non-working areas, only if
    - i. the solicitation or distribution supports a UNCP entity such as departments, affiliated organizations, athletics, alumni association, or advancement,
    - ii. The solicitation will benefit a non-profit, community service organization and this process does not interfere with job duties,
    - iii. The solicitation takes the form of passing literature for orders as long as this does not interfere with job duties. Paying for and delivering of items ordered through this process must be done during non-working hours, or
    - iv. The solicitation or distribution is approved by the Chancellor as an exception to this Policy as provided herein.
2. Use of University internal campus mail, email, or any other University property by employees for solicitation purposes is prohibited, except for solicitations by or on behalf of affiliated organizations that do not interfere with the use of said mail and email systems and property for customary University operations. Employees may not use University facilities to conduct private enterprise.
3. Only employees of the University may distribute or post notices, literature or other appropriate information on employee bulletin boards designated as such by the University and only after receiving prior written approval from the Human Resources Director or his/her designee. If a notice contains information about an on-campus solicitation by an organization, it must conform to the permission granted to the organization (in terms of designated area, time and date) for such solicitation.

4. The Chancellor, at his discretion, may approve an exception to this Policy and set conditions under which University facilities may be used to engage in solicitation and distribution of information on behalf of any Community Service Organization that is sponsored by a University department, division, or other major administrative unit, if he determines the exception will further the mission and goals of the University.

Solicitation and distribution activities by students:

1. Solicitation, sales, and distributions on campus sponsored and conducted by registered student organizations, students, or student groups must be registered in advance with the Vice Chancellor for Student Affairs and carried out in only the designated areas. Student elections may be subject to additional requirements adopted by the Student Government Association.

In order to ensure availability of the desired facility, arrangements should be made at least four days in advance of the event. Use of all University Center facilities must be scheduled with the Director of the University Center and Vice Chancellor for Student Affairs. (See UC Policy Manual)

2. Notwithstanding any other statement in this Policy, students or registered student organizations may not solicit for funds from any on-campus group and/or agency unless granted permission by the Vice Chancellor for Student Affairs. Students shall not use any University facilities, including residence hall rooms, for the operation of private enterprise.
3. No student or group/organization shall solicit for funds, goods, or services under the University name off-campus unless the project has been approved in advance by the Vice Chancellor for Advancement and Vice Chancellor for Student Affairs.

General provisions:

Any organization or person who posts or distributes any tangible materials as any part of a solicitation activity shall be responsible for removing and properly disposing of all such materials at the conclusion of the solicitation period.

Any individual, organization, or any entity found in violation of this policy will be subject to disciplinary action deemed appropriate by the Chancellor and the Executive Committee.

Definitions:

1. Designated area - any facility location to be determined by the Vice Chancellor for Student Affairs.
2. Designated parking lot - an area to be determined by the Vice Chancellor for Student Affairs where employees and/or visitors park motor vehicles.
3. Organization - a body of persons established for a specific purpose.
  - a. Affiliated organization - any UNCP entity, including any department or division of the University, UNCP athletics, alumni association, and advancement, the Faculty Senate, the Staff Council, the Student Government Association, and any registered Student organization. Acting as an affiliated organization, the Office of Human Resources, at its discretion, may forward to employees information and materials from representatives of University recognized and approved firms offering optional retirement programs, deferred compensation, insurance, organization memberships, and similar employee benefits.
  - b. Unaffiliated organization - any organization that is not an affiliated organization.
4. Facility - any work or non-work area comprising one worksite that is governed by and under the control of UNCP.
5. Vice Chancellor for Student Affairs - the person designated by the Chancellor to be contacted regarding solicitation or distribution activities conducted at any facility.
6. Non-employee - any person not employed at UNCP, or any person not in an active work status.
7. Non-work area - any area to be determined by the Vice Chancellor for Student Affairs and generally includes lobbies, cafeterias, public areas or designated parking lots.
8. on-working time - approved leaves, lunch periods, and before and after scheduled working hours.



9. Solicitation - any activity conducted for the purpose of advertising, promoting, fund raising, or selling any product or service or encouraging membership or participation in any event, group, association or organization.
10. Work area - an area to be determined by the Vice Chancellor for Student Affairs, and generally includes offices, work stations, conference rooms and corridors leading directly thereto which are used as an integral part of performing work and any area where the employee performs his/her official duties.
11. Working time - that time when an employee's duties require that he or she be engaged in work tasks, but does not include an employee's own time, such as meal periods, vacations, and time before or after a shift.
12. Registered student organization - an organization of enrolled students that is recognized by the Student Government Association.
13. Student - an individual registered and enrolled at UNCP.
14. Student group - a group of enrolled students that is not recognized by the Student Government Association, but have some identifying characteristics that imply separateness from other students.
15. Community Service Organization - A non-profit, non-partisan community organization that is designated as an IRS Code 501(c) agency, or a human service organization licensed or accredited to serve citizens with special needs including children, youth, and the elderly.

## **12-9 UNCP Copyright Policy**

### **I. Introduction.**

The University of North Carolina at Pembroke is dedicated to its mission of instruction, research, and service. It is the policy of this University that its faculty, staff, and students carry out their scholarly work in an open and free atmosphere, and that consistent with applicable laws and policy they publish the results of such work without restraint. To those ends, and in order to effectuate provisions of the *Copyright Use and Ownership Policy* of the University of North Carolina, this Copyright Policy is adopted.

### **II. 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, 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.

### **III. Creation and Duties of the Faculty Copyright Education and Policy Committee and the University Copyright Dispute Resolution Panels; Consultation to the Chancellor.**

#### **A. Faculty Copyright Education and Policy Committee.**

##### **(1) Composition.**

The Chancellor and the Chair of the Faculty shall jointly appoint a standing committee of the faculty, designated as the Faculty Copyright Education and Policy Committee, to serve as the faculty's consultative committee to the Chancellor on copyright education and policy and to carry out the duties in Section III(A)(2) below.

##### **(2) Duties.**

The Faculty Copyright Education and Policy Committee shall have such responsibilities as the Chancellor may specify, including but not limited to the following duties:

- (a) Assistance in the provision of resources to and education of faculty, staff and students about the Fair Use Doctrine and other copyright matters.
- (b) Advising the Chancellor regarding implementation of the *Copyright Use and Ownership Policy* of the University of North Carolina and this Policy, including proposal of such amendments to this Policy as the Committee may consider necessary.

#### **B. University Copyright Dispute Resolution Panels**

##### **(1) Composition.**

The University Copyright Dispute Resolution Panels shall be authorized by the Chancellor on an ad hoc, case-by-case basis, and shall be composed of current full-time members of the UNC Pembroke faculty or staff as follows:

- (a) One member of the Panel shall be selected by each party involved in the copyright dispute.
- (b) An additional member of the Panel shall be selected by the members of the Panel selected under III(B)(1)(a) above and shall be deemed the Chair of the Panel.

##### **(2) Duties.**

Under procedures specified in Section VII below, the University Copyright Dispute Resolution Panels shall have the duties of hearing and resolving:

- (a) Disputes between or among members of the faculty or staff involving copyright ownership;
- (b) Disputes between or among members of the faculty or staff and a department chair or director of an administrative unit involving determinations of exceptional use of University resources or Directed Works (as defined in Section V(A)(3)(a) below); and
- (c) Such other disputes related to copyright matters as may be authorized by the Chancellor.

**C. Consultation to the Chancellor.**

In addition to the Faculty Copyright Education and Policy Committee serving as the consultative committee to the Chancellor as set forth in Section III(A) above, the UNC Pembroke Staff Council shall serve as the consultative group to the Chancellor on copyright education and policy as they relate to SPA staff and EPA non-faculty employees.

**IV. Use of Copyrighted Works by Faculty, Staff and Students**

**A. Infringement.**

Except as allowed by law, it is a violation of this Policy and law for University faculty, staff, or students to reproduce, distribute, display publicly, perform, digitally transmit, or prepare derivative works based upon a copyrighted work without permission of the copyright owner.

**B. Fair Use.**

**(1) Permissible Use.**

Under United States Copyright law, the “fair use doctrine” allows certain specified uses of a copyrighted work without requiring prior permission of the copyright owner under certain circumstances. As stated in the *Copyright Use and Ownership Policy* of the University of North Carolina, the University supports “the responsible, good faith exercise of full fair use rights, as codified in 17 U.S.C. § 107, by faculty, librarians, and staff in furtherance of their teaching, research and service activities.”

**(2) Elements of Fair Use; Good Faith Consideration Required.**

University faculty or staff who propose to make fair use of a copyrighted work must consider in advance the applicability of four statutory factors to be weighed in making a fair use analysis. These factors are:

- (a) The purpose and character of the use, including whether the use is of a commercial nature or is for nonprofit educational purposes;
- (b) The nature of the copyrighted work;
- (c) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (d) The effect of the use upon the potential market for or value of the copyrighted work.

University faculty and staff must apply these four factors and make a good faith reasonable fair use determination before using a copyrighted work without permission.

**(3) Assistance in Making Fair Use Determinations.**

The Faculty Copyright Education and Policy Committee, together with the Office of the University Counsel, shall issue and as necessary revise guidelines to assist University faculty, staff, and students in making fair use evaluations. Faculty, staff or students who require assistance with fair use questions related to their University work should consult the Office of the University Counsel. Upon request, the

Office of the University Counsel will make a determination whether a specific proposed use constitutes fair use, and the University will defend such determinations to the extent allowed by North Carolina.

## **V. Copyright Ownership.**

Ownership of copyright in copyrighted works by faculty, staff, or students shall depend on the category of the work in question and on the status of its creator(s). Categories of work defined under this policy include:

1. Traditional Works or Non-Directed Works;
2. Traditional Works or Non-Directed Works Involving Exceptional Use of University Resources;
3. Directed Works;
4. Sponsored or Externally Contracted Works;
5. Works Made for Hire;
6. Works by Independent Contractors; and
7. Student Works.

### **A. Works Created by Faculty or EPA Non-Faculty Employees.**

#### **(1) Traditional Works or Non-Directed Works.**

##### **(a) Definition.**

Traditional Works or Non-Directed Works are pedagogical, scholarly, literary, or aesthetic works by faculty or EPA non-faculty employees resulting from non-directed effort.

##### **(b) Ownership.**

(i) The creator of such a work shall own the work unless it is a Traditional Work or Non-Directed Work Involving Exceptional Use of University Resources, a Directed Work, a Sponsored or Externally Contracted Work requiring University ownership of copyright, or a Work for Hire (as those terms are defined below). As a condition of employment, faculty and EPA non-faculty creators of a Traditional or Non-Directed Work shall be deemed to have granted the University a perpetual, non-exclusive, non-transferable, royalty-free license (“shop right”) to use the work for the University’s own non-commercial educational or research use, unless the deemed granting of such a license will impede scholarly publication or similar activities *and the creator has given the Vice Chancellor for Academic Affairs written notice of such proposed or actual scholarly publication or similar activity*. For the purposes of this Policy, “educational” use means use for the purpose of offering regular academic course credit through a UNC Pembroke academic department. Such license includes the right to make derivative works. The original or a derivative work will credit the creator as author unless the creator requests that he or she not be credited upon timely written notice to the Chancellor.

(ii) Traditional Works or Non-Directed Works for which authorship cannot be attributed to one or a discrete number of authors but instead

result from simultaneous/sequential contributions over time by multiple authors who are faculty or EPA non-faculty employees shall be owned by the University.

(c) Commercialization; assignment to University.

The University may, at the discretion of the Chancellor, agree to accept a Traditional or Non-Directed Work for commercialization. If the University is to be involved in commercializing a Traditional or Non-Directed Work, the creator shall assign the work to the University under an Assignment Agreement, which shall include provisions outlining the commercialization responsibilities of the University and a mechanism for the sharing of commercial proceeds with the creator.

(d) Allocation of Commercialization proceeds.

Where the University agrees to accept the work for commercialization, the creator's share of proceeds shall be negotiated between the creator and the University on a case-by-case basis, taking into account the nature of the work and the creator's contribution, the prospective market conditions for the work, the anticipated level of effort and resources required for commercialization, and other commercially reasonable factors. Unless otherwise directed by the Chancellor or his or her designee, two-thirds of the University's share of the proceeds from commercialization of the work shall be allocated to the creator's department, and one-third to the University.

**(2) Traditional Works or Non-Directed Works Involving Exceptional Use of University Resources.**

(a) Definition

Exceptional use of University resources occurs when the University provides support for the creation of the work with resources of a degree or nature not routinely made available to faculty or EPA non-faculty employees in a given academic department or administrative unit. Examples of exceptional use may include but are not limited to: (i) Waiver of fees normally required to use specialized facilities such as equipment, production facilities, service laboratories, specialized computing resources, and studios; (ii) Institutional funding or gifts in support of the work's creation; and (iii) Reduction in levels of teaching, service or other typical university activities (e.g., course load, student advising responsibilities division/departamental meetings, office hours, administrative responsibilities) specifically to facilitate creation of the work. Ordinary or limited use of computers, laboratory space, libraries, office space or equipment, routine secretarial services at routine levels, telephones, and other informational resources shall not be considered exceptional use of University resources.

Use of University resources is presumed **not** to be exceptional unless a department chair or director of an administrative unit informs the faculty member in writing before such resources are allocated that such use is exceptional. If the creator of the work disagrees with the determination that the use of University resources is exceptional, he or she may submit a request to the Chancellor that the matter be referred to a Copyright Dispute Resolution Panel as set forth in Section VII below. It shall be the obligation of the

department chair or head of an administrative unit to establish that a proposed use of resources is exceptional by reference to the practices of the department or unit.

(b) Ownership.

Traditional Works or Non-Directed Works Involving Exceptional Use of University Resources shall be owned by the University.

(c) Release to Creator.

With agreement of the department chair or director of the administrative unit as defined above, the University may release or transfer the University's rights in a Traditional Work or Non-Directed Work created through exceptional use of University resources to the work's creator through an appropriate written agreement.

(d) Release Agreement.

Any agreement for release to a creator of a Traditional Work or Non-Directed Work created through exceptional use of University resources shall include provisions that:

(i) The University shall have a perpetual, non-exclusive, non-transferable, royalty-free license to use the work for the University's own non-commercial educational or research use, including the right to make derivative works, provided that "educational" use means use for the purpose of offering regular academic course credit through a UNC Pembroke academic department, and that the original or a derivative work will credit the creator as author unless the creator requests that he or she not be credited upon timely written notice to the Chancellor; and

(ii) Upon commercialization of the work either (a) the creator shall reimburse the University for the exceptional resources provided the creator, or (b) the creator shall share income from such commercialization with the University, in an amount to be negotiated between the creator and the University. Proceeds from commercialization shall be allocated as provided in Section V(A)(1)(d) above.

(e) Selection of release options; appeal.

The Vice Chancellor for Academic Affairs, in consultation with the creator's department chair or unit head and the University Counsel, shall determine which of the options available under Section V(A)(2)(d)(ii) above to be selected in conjunction with the release of such a work to its creator. Disputes regarding whether a work has been created through exceptional use of University resources shall constitute disputes regarding ownership to be resolved under the dispute resolution procedures specified below. However, decisions regarding financial terms made under Section V(A)(2)(d)(ii) above shall not be subject to appeal under this Policy. In the event that the creator and the University are unable to reach agreement regarding such financial terms, ownership of the work at issue shall remain with the University.

(f) Joint ownership.

In addition to the foregoing provisions for release to the creator of a Traditional or Non-Directed Work involving exceptional use of University resources, the University through the Vice Chancellor for Academic Affairs in consultation with the creator's chair, and the creator may alternatively negotiate for joint ownership of the work. In such case either party will be allowed to use and exploit the work without accounting to the other, unless otherwise agreed in writing.

**(3) Directed Works.**

(a) Definition.

Directed Works are works that are specifically funded or created at the direction of the University. For a work to be considered a Directed Work under this Policy, a department chair or head of an administrative unit must inform the faculty or staff member in writing in advance of its creation that the work is a "Directed Work." Such funding need not constitute exceptional use of University resources in order for the work to be considered a Directed Work. Directed Works shall also include works created by faculty, staff, or students in an institute, center, department, or other unit that, with approval of the Chancellor, has adopted rules providing that copyright in materials prepared by such faculty, staff, or students in the course of their professional work or in the course of study with that unit vests in the University and not in its creator.

(b) Ownership.

The University shall own Directed Works. Where practicable in the estimation of the creator's chair in consultation with the Vice Chancellor for Academic Affairs, and subject to any additional terms or limitations made necessary by University licensing agreements, the creator shall be granted a perpetual, non-exclusive, non-transferable, royalty-free license to the work for the creator's own non-commercial educational or research use.

(c) Release.

The University may release or transfer ownership in a Directed Work to the creator.

(d) Release Agreement.

Any agreement for release to a creator of a Directed Work shall include provisions that:

- (i) The University shall have a perpetual, non-exclusive, non-transferable, royalty-free license to use the work for the University's own non-commercial educational or research use, including the right to make derivative works, provided that "educational" use means use for the purpose of offering regular academic course credit through a UNC Pembroke academic department, and that the original or a derivative work will credit the creator as author unless the creator requests that he or she not be credited upon timely written notice to the Chancellor; and/or

(ii) Upon commercialization of the work either (a) the creator shall reimburse the University for the resources provided the creator in conjunction with creation of the work, or (b) the creator shall share income from such commercialization with the University, in an amount to be negotiated between the creator and the Vice Chancellor for Academic Affairs. Unless otherwise directed by the Chancellor or his designee, two-thirds of the University's proceeds from commercialization of the work shall be allocated to the creator's department, and one-third to the University.

(e) Selection of release options; appeal.

The Vice Chancellor for Academic Affairs, in consultation with the creator's chair, shall determine which of the options available under Section V(A)(3)(d)(ii) above will be selected in conjunction with the release of such a work to its creator. Disputes regarding whether a work is a Directed Work shall constitute disputes regarding ownership to be resolved under the dispute resolution procedures specified below. However, decisions regarding financial terms made under Section V(A)(3)(d)(ii) above shall not be subject to appeal under this Policy. In the event that the creator and the University are unable to reach agreement regarding such financial terms, ownership of the work at issue shall remain with the University.

(f) Joint Ownership.

In addition to the foregoing provisions for release to the creator of a Directed Work, the University through the Vice Chancellor for Academic Affairs in consultation with the creator's chair and the creator may alternatively negotiate for joint ownership of the work under the terms of a written agreement. In such case either party will be allowed to use and exploit the work without accounting to the other, unless otherwise agreed in writing.

#### **(4) Sponsored or Externally Contracted Works.**

(a) Definition.

A Sponsored or Externally Contracted Work shall be any copyrighted work developed using funds supplied under a contract, grant, or other arrangement between the University and a third party, including a sponsored research agreement.

(b) Ownership.

(i) Unless the agreement (i.e., the contract, grant, or sponsored research agreement) expressly requires copyright ownership by the University or conveyance of rights to a third party, the creator of a Sponsored or Externally Contracted Work shall own the work. As a condition of employment, faculty and EPA non-faculty creator-owners of a Sponsored or Externally Contracted work shall be deemed to have granted the University a perpetual, non-exclusive, non-transferable, royalty-free license to use the work for the University's own non-commercial educational or research use. For the purposes of this Policy, "educational" use means use for the purpose of offering regular academic



course credit through a UNC Pembroke academic department. Such license includes the right to make derivative works. The original or a derivative work will credit the creator as author unless the creator requests that he or she not be credited upon timely written notice to the Chancellor.

(ii) The University will own a Sponsored or Externally Contracted Work where the relevant agreement requires copyright ownership by the University or conveyance of rights to a third party, in which case the University will convey rights to the third party as required. In such cases the creator of the copyrighted work shall be required to report the work to the Vice Chancellor for Academic Affairs, using such forms and procedures as that Office develops. Where a proposed sponsored research agreement or research grant will require that copyrighted works be owned by the University or a third party, the Vice Chancellor for Academic Affairs should inform the relevant Principal Investigator of the copyright provisions and secure his or her consent to such provisions before the agreement is signed or the grant accepted.

(c) Release.

Sponsored or Externally Contracted Works owned by the University may be released to the creator or jointly assigned to the creator and the University, through the procedures mandated for Directed Works, where the University has ascertained that such release will not conflict with the terms of the relevant agreement or grant, or with written consent of the other party to the agreement or grant.

(d) Disclosure.

If an agreement under which a Sponsored or Externally Contracted Work is created addresses copyright ownership, then the disclosure terms of that agreement control. If an agreement under which a Sponsored or Externally Contracted Work is created is silent on copyright ownership, then the creator must disclose the existence of the work prior to any commercialization of that work. Disclosure shall be made in writing to the creator's department head and dean (or other supervisor, if applicable). Any questions on commercialization may be addressed to the Vice Chancellor for Academic Affairs.

## **B. Works Created by SPA Staff Employees Considered Works Made for Hire.**

### **(1) Definition.**

For purposes of this Policy, a “work made for hire” is:

(a) A work prepared by an employee within the scope of his or her employment; or

(b) A work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire.

**(2) Ownership.**

Works made for hire by SPA staff shall be owned by the University. Exceptions to University ownership may occur where

- (a) The University with written approval of the Chancellor or his or her designee enters into an agreement with an SPA employee in advance of creation of the copyrighted work specifying that the work shall be owned in whole or in part by the employee;
- (b) University ownership is waived in writing by the Chancellor or his or her designee; or
- (c) The SPA Staff creator is an author or co-author of a Traditional or Non-Directed Work, but only to the extent necessary to allow the SPA Staff creator to assign rights to academic publishers for publication made with no more than nominal consideration to the creators.

**C. Works by Independent Contractors.**

Each University unit or department entering into arrangements for work to be produced by an independent contractor must execute a written contract, signed by an authorized University official, which includes a provision that the University shall own copyrighted works produced by the independent contractor. Any exceptions must be approved by the vice chancellor with supervisory responsibility over the unit or department or his or her designee.

**D. Student Works.****(1) Definition.**

Student Works are papers, computer programs, theses, dissertations, artistic and musical works, and other creative works made by University students.

**(2) Ownership and Use.**

- (a) Students retain ownership of copyright in their Student Works; provided however, that as a condition of enrollment the student shall be deemed to have granted the University a non-exclusive, perpetual, world-wide, royalty-free right and license to reproduce and publicly or privately display, distribute or perform each Student Work for the University's own non-commercial educational purposes. The University's right and license in this paragraph is subject to the student's privacy rights under federal law. Other exceptions may be granted when the student offers the work to the University for commercialization.
- (b) Student Works created in the course of the student's employment by the University shall be considered Works Made for Hire, and ownership and use of such works shall be as specified in Section V(B) above.
- (c) As a condition of enrollment at UNC Pembroke, Student Works that constitute notes of classroom and laboratory lectures and exercises shall not be used for commercial purposes by the student generating such notes, the student's assignees, heirs, or successors in interest.

**VI. Works Subject to Both Copyright and Patent Protection.**

Where an invention is subject to protection under both patent law and copyright law, if the University through the Vice Chancellor for Academic Affairs determines to retain title to its patent rights, the

inventor/creator shall assign copyright to the University. On commercialization of such works, the inventor/creator shall be compensated only in accordance with the provisions of the University of North Carolina Patent Policy and the UNC Pembroke Patent Policy and such procedures as may be developed thereunder. The Vice Chancellor for Academic Affairs may on his or her own initiative investigate whether a copyrighted work reported to it may also be subject to patent protection.

## **VII. Dispute Resolution.**

### **A. Jurisdiction.**

Any University faculty or staff employee or student may seek resolution of a dispute regarding ownership of a copyrighted work governed by this Policy, including a dispute over whether use of University resources is an exceptional use, by filing a written request with the Chancellor. Upon receipt of such a request, the Chancellor shall authorize the creation of an ad hoc Copyright Dispute Resolution Panel, composed pursuant to Section III(B)(1) above.

### **B. Conduct of Hearing.**

The Copyright Dispute Resolution Panel shall conduct a hearing into the matter or may make a decision 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. 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 by the Panel or promulgated by the Faculty Copyright Education and Policy Committee. 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 adviser of his or her choosing, who shall not participate in the hearing, but who may provide advice and assistance to the party he or she accompanies.

The decision of the Copyright Dispute Resolution Panel may be reviewed and amended by the Chancellor on appeal from a party to the dispute or on the Chancellor's own motion, pursuant to procedures promulgated by the Faculty Copyright Education and Policy Committee. The Chancellor's decision shall be final.

*SOURCES: Nearly this entire policy was copied with permission from the policy of the University of North Carolina at Charlotte. Additions have been included from the policy of the University of North Carolina at Chapel Hill.*

**Approved by the Faculty Senate, March 1, 2006.**

## 12-10 Patent Policy

### I. Policy

The University of North Carolina is dedicated to instruction, research, and extending knowledge to the public (public service). It is the policy of The University to carry out its scholarly work in an open and free atmosphere and to publish results obtained therefrom freely. Research done primarily in anticipation of profit is incompatible with the aims of The University. The University recognizes, however, that patentable inventions sometimes arise in the course of research conducted by its employees and students using University facilities. The Board of Governors of The University of North Carolina has determined that patenting and licensing of inventions resulting from the work of University personnel, including students, is consistent with the purposes and mission of The University.

The aim of the patent policies of The University is to promote the progress of science and the useful arts by utilizing the benefits of the patent system consistent with the purposes for which it was established by Article I, Section 8, of the Constitution of the United States:

“The Congress shall have power...To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.”

Patents provide a means to encourage the development and utilization of discoveries and inventions. These policies have been established to ensure that those inventions in which The University has an interest will be utilized in a manner consistent with the public good through patents, licenses, or otherwise. The University is also aware of the value of patents in directing attention to individual accomplishment in science and engineering. Where possible, The University should make inventions resulting from its research available to industry and the public on a reasonable and effective basis and at the same time provide adequate recognition to inventors. Patents and their exploitation, however, represent only a small part of the benefits accruing to the public from the research program of The University.

A portion of the research conducted by The University is supported by government and a portion by private industry. Service to the public, including private industry, is an integral part of The University's mission. In agreements with private industry or other private organizations, the constituent institutions of The University must keep the interests of the general public in view. The rights and privileges set forth in cooperative agreements or contracts, with respect to patents developed as a result of research partly or wholly financed by private parties, must be fair and just to the inventor(s), the sponsor and the public. Research should be undertaken by The University under support from private parties only if it is consistent with and complementary to The University's goals and responsibilities to the public.

### II. Objectives

The principal objectives of The University of North Carolina Patent and Copyright Policies set forth herein are:

1. to provide appropriate incentive to creative intellectual effort by faculty, staff, students, and others associated with the constituent institutions of The University;
2. to establish principles for determining the interests of the constituent institutions, inventors, and sponsors in regards to inventions and/or discoveries;
3. to enable the constituent institutions to develop procedures by which the significance of inventions and/or discoveries may be determined and brought to the point of commercial utilization;
4. to provide the means for placing in the public realm the results of research, while safeguarding the interests of The University, inventor, and sponsor; and
5. to recognize the right of the inventor to financial benefits from the invention or discovery.

### III. Coverage

The University of North Carolina Patent and Copyright Policies apply to all University employees at each constituent institution, both full and part time, including faculty, other professionals exempt from the Personnel Act, staff subject to the Personnel Act, and students of each constituent institution. Upon prior written agreement between persons and the constituent institutions, these Policies may be applied to persons not associated with The University who make their inventions available to the institutions under circumstances where the further development and refinement of the inventions are compatible with the research programs of the constituent institutions.

### IV. Patent Ownership

#### Condition of Employment and Enrollment

The Patent and Copyright Policies of The University of North Carolina, as amended from time to time, shall be deemed to be part of the conditions of employment of every employee of each constituent institution, including student employees, and of the conditions of enrollment and attendance by every student at each constituent institution.

#### Ownership

With the exception of "Inventions made on Own Time," hereinafter defined, every invention or discovery or part thereof that results from research or other activities carried out at a constituent institution, or that is developed with the aid of the institution's facilities, staff, or through funds administered by the constituent institution, shall be the property of the constituent institution and, as a condition of employment or enrollment and attendance, shall be assigned by the University inventor to the constituent institution in a manner determined by the constituent institution in accordance with these Policies.

#### Patent Application

Patents on inventions made by University employees or students, may be applied for in any country by the constituent institution or through an authorized agent(s) or assignee(s). The constituent institution shall exercise its rights of ownership of such patent(s), with or without financial gain, with due regard for the public interest, as well as the interests of inventors and sponsors concerned.

#### Inventions Made on Own Time

Inventions or discoveries made by University personnel or students entirely on their personal time and not involving the use of University facilities or materials are the property of the inventor except in case of conflict with any applicable agreement between the institution and the federal or state government or agency thereof. For purposes of this provision, an individual's "personal time" shall mean time other than that devoted to

normal or assigned functions in teaching, extension, University service, or direction or conduct of research on University premises or utilizing University facilities. The term "University facilities" shall mean any facility, including equipment and material, available to the inventor as a direct result of the inventor's affiliation with the University, and which would not be available to a non-University individual on the same basis.

Personnel or students who claim that inventions are made on personal time have the responsibility to demonstrate that inventions so claimed are invented on personal time. All such inventions shall be disclosed in accordance with the institution's disclosure procedures applicable to inventions made on University time or with the use of University facilities, materials or equipment, and shall demonstrate the basis of the inventor's claim that only personal time was utilized. In each instance so demonstrated to conform to the definition of personal time, the institution shall acknowledge in writing that the invention is the sole property of the inventor in accordance with the "waiver" provision, below.

If the inventor so desires, inventions or discoveries made on personal time and utilizing the inventor's own facilities and materials may be assigned to the institution. Under this arrangement, the procedures will be the same as for inventions or discoveries made by university personnel on University time and/or with the use of University facilities and materials.

#### Waiver and Release of University Rights

Pursuant to these Policies and to its patent procedures, a constituent institution, after consultation with the inventor, shall cause its rights to subsequent patents, if any, to be waived to the inventor if the institution is convinced that no University facilities, time, or materials were used in the development of the discovery or invention, that it was made on personal time, and that such waiver would not conflict with any pertinent agreement between the institution and a sponsoring agency or agencies.

Pursuant to these Policies and to its patent procedures, a constituent institution, after consultation with the inventor, may at its discretion and upon such terms as it deems appropriate, cause its rights to the discovery or invention, if any, to be released and waived to the inventor if the institution is convinced that the discovery or invention is clearly one that is non-patentable, that it does not warrant further evaluation as to patentability, or if the discovery or invention has been returned to the institution after negative evaluation by the institution's agent(s).

#### V. Income from Patents

##### The Inventor

The inventor shall receive not less than fifteen percent (15%) of the gross royalties derived from licensing or income from assignment or sale of each patent resulting from his invention and owned by the constituent institution pursuant to these Policies. With the limitation, the exact proportion shall be determined in accordance with the institution's patent procedures as approved by the institution's Board of Trustees and the President.

##### The Institution

Income earned by each constituent institution from its patent and licensing activity shall be held in a separate trust fund by that institution to support research. The particular unit of the institution employing the inventor or furnishing the research facilities will be given preferential consideration, though not necessarily exclusive consideration, in the

allocation of such royalty income by the institution. Allocations from such trust funds shall be made by the Chancellor of each institution after receiving recommendations from the institutional Patent Committee.

## VI. Specific Conditions Governing Sponsored Research

### Government Sponsored Research

Patents on inventions arising from research financed by the United States Government may be controlled by the terms of the grants and contracts specified by the government agency pursuant to Federal Law. In some cases, the government claims rights to patents resulting from research financed under contracts supported by government agencies. Except as provided by Federal law or by government-supported grants or contracts, or when no patent rights are claimed by the United States Government, or when such rights are waived by the government, patents arising from government sponsored research are controlled by these Patent and Copyright Policies. When a patent arising out of research supported under government grants or contracts is owned by a constituent institution, that institution will, if requested, agree to a non-exclusive royalty-free license for use by the government of such patent. If such a patent is owned by the government, the institution shall be free to use the invention so covered for its own scientific and educational purposes without payment of royalty or other charge, consistent with Federal Law.

### 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 through the constituent institutions must be considered. Constituent institutions should normally reserve the right to ownership of patents on inventions arising out of research supported in whole or in part of grants or contracts with nongovernmental organizations or firms. Contracts or agreements which are entered into between institutions and such organizations or agencies should contain clauses setting forth such a reservation unless deviations therefrom are requested by the sponsor and approved by the institution 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 institution's obligation to the public in the application of its facilities and its employees' time and talent, special provisions may be negotiated by the institution in such non-government sponsored contracts, upon request, provided that the institution retains the right to use the invention for its own research, educational, and service purposes without payments of royalty fees, that the institution requires the sponsor to use due diligence in the commercial use of the invention, and that the institution retains the right freely to publish the results of its research after a reasonable period necessary to protect the right of the parties and to allow for the filing of a patent application.

## VII. Publication

A major function of The University of North Carolina is the advancement and dissemination of knowledge. Any practice that unnecessarily restricts the publication of results of scientific work is to be avoided. However, it is recognized that the full development of useful inventions or discoveries may be dependent upon the securing of patent protection that will enable the commercial utilization of the discoveries or inventions. Accordingly, under certain circumstances it may be necessary to delay for a minimum period the publication of results of research.

If a sponsor proposes to support a research effort that will involve a limited exclusive license to use of patents resulting therefrom, the agreement with respect to publication

shall include the following. First, the sponsor must agree that the results of the research may be published if desired by the investigators or research workers. Second, in order that patent applications not be jeopardized, the constituent institution, the 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 institution shall be free to proceed immediately with the publication. However, if the sponsor notifies the institution 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.

#### VIII. Avoidance of Conflicts

Conflicts involving patentable inventions and discoveries may arise when a constituent institution's personnel, including students enter into personal consulting agreements with outside firms and organizations. The agreements that business firms 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 constituent institution 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 that deals with patent rights, trade secrets, or the like, 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 appropriate administrators of the constituent institution in accordance with its patent procedures and either obtain a waiver of University rights or otherwise modify the consulting agreement to conform with these Policies, as is determined by the institution in its discretion.

The foregoing requirements are in addition to, and do not eliminate the necessity for, any approval which may be required by The University of North Carolina Policy on External Professional Activity of Faculty and Other Professional Staff.

#### IX. Duty to Disclose Discoveries and Inventions

All individuals whose discoveries and inventions are covered by these Policies have a duty to disclose their discoveries and inventions promptly in accordance with the patent procedures adopted by each constituent institution pursuant to these Policies. The duty to disclose arises as soon as the individual has reason to believe, based on his or her own knowledge or upon information supplied by others, that the discovery or invention may be patentable. Certainty about patentability is not required before a disclosure is made. Individuals shall execute such declarations, assignments, or other documents as may be necessary in the course of invention evaluation, patent prosecution, or protection of patent rights, to insure that title in such inventions shall be held by the constituent institution, where these policies indicate the institution shall hold title, or by such other parties as may be appropriate under the circumstances.



#### X. Patent Committees

The Chancellor of each constituent institution of The University of North Carolina shall appoint a Patent Committee, consisting of no less than three members, one of whom shall be designated by the Chancellor to serve as chair. The Committee for the institution shall review and recommend to the Chancellor or his delegate the procedures for the implementation of these Policies; shall resolve questions of invention ownership that may arise between the institution and its faculty, staff, or students or among individuals; shall recommend to the Chancellor the expenditure of the patent royalty fund; and shall make such recommendations as are deemed appropriate to encourage disclosure and assure prompt and expeditious handling, evaluation, and prosecution of patent opportunities.

The chairs of the institutional patent committees, or their delegates, shall meet as an All-University Patent Committee. The meetings of the All-University Patent Committee shall be at the call of the President of The University or his delegate who shall serve as its chair.

#### XI. Patent Management

The Chancellor of each constituent institution, or any person designated by him or her, is authorized to negotiate with reputable agencies or firms to secure for each institution arrangements for patent management, including competent evaluation of invention disclosures, expeditious filing of applications on patents, and licensing and administration of patents.

A constituent institution is authorized to administer its own patent management and licensing program without the use of a patent management agent, if it determines that such arrangement may better serve institutional and public interests. Nothing in this section shall be construed to permit the reduction of the minimum share due an inventor as specified in Section V of these Policies.

#### XII. Copyrights

As a general rule, all rights to copyright able material are the property of the creator. The distribution of royalties, if any, is a matter of arrangement between the creator and his publishers and licensees. Different treatment may be accorded by the institution in case of specific contracts providing for an exception, in cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work, where different treatment is deemed necessary to reflect the contribution of the institution to the work, as in the case of software or audiovisual material, or where a sponsored agreement requires otherwise.

#### XIII. Service Marks, Trademarks and Trade Secrets

Service marks and trademarks are the property of the constituent institutions, and without express authorization from the Chancellor or his or her designee, no steps shall be taken for securing trademarks or service marks by usage or registration with respect to products resulting from or arising out of research or other activities carried out at a constituent institution or developed with the aid of its facilities or staff, or produced through funds administered by the constituent institution. The institutions are hereby authorized to register such marks as are deemed by that institution to be appropriate and to license the use of such marks, provided that the income from such licensing shall be used to support the research and educational programs of the institution and not accrue to the personal benefit of University personnel.

The use of trade secret agreements to protect discoveries and inventions developed at the constituent institutions may not be consistent with the aims and purposes of The University of North Carolina. Special provisions may be required to protect the free dissemination of students' degree-related work.

#### XIV. Procedure

The Board of Trustees of each constituent institution shall adopt patent procedures that are consistent with and implement these Policies, taking into account the nature and scope of the institution's programs. The institutional patent procedures shall be reviewed and approved by the President or his representative prior to approval by the Trustees.

#### XV. Exceptions

Exceptions to the above policies are authorized if approved by the President following a favorable review and recommendation from the pertinent institutional committee or the All-University Patent Committee. Before approving an exception, the President must determine that, on the basis of the evidence available, such exception is in the public interest and is consistent with The University's responsibilities to the public.

*Adopted 6/10/83.*

## 12-11 Online Course Management Policy and Procedures

### Introduction

This document is intended to serve as a set of guidelines for decision-making related to the use of the online course management environments by the University of North Carolina at Pembroke. These policies apply to all UNCP courses that are presented whole or in part in an online course/learning/content management system, whether they reside on UNCP servers or offsite servers.

Included are statements related to Access, Course Management, Information Security, Copyright, and Intellectual Property Rights. These policy statements have been reviewed and approved by the Provost and the Associate Vice Chancellor for Information Resources. For further information or clarification, contact University Computing and Information Services at <http://www.uncp.edu/ucis/>.

This document is intended to reside solely online for ease in usability and access, as well as to ensure its currency. Do not rely on printed copies of this document without first verifying their accuracy against subsequent updates. Changes to these policies will be reflected in the "Last Updated" date listed at the end of the document.

- 1) **Access** – Access to online course management software, materials, and affiliated online tools will be granted as follows:
  - a. *One User Account* -- All UNCP students, faculty, and staff are entitled, subject to compliance with UNCP policies, to one online account each that will be used for all of their online activities. Access to the online software will be attained using the UNCP Online ID (username and password).
  - b. *Exceptions* -- A limited number of users who are not officially affiliated with UNCP (guest discussants or mentors, for example) may each be provided an account that is an online course management environments-only username and password, at the request of a "sponsor" (faculty or staff member). These accounts (referred to as "exceptions") are considered temporary, but are renewable on an annual basis, with the approval of the UNCP sponsor. Such accounts are assigned only to individuals who are working with UNCP faculty/staff on officially recognized activities on the online system (i.e., those included under the institution's license).
  - c. *Guests* – The online system will allow an individual without an account (known as a "guest" in online terminology) to gain access to specific areas of course sites, not including course rosters, user tools (e.g., user directory), or communication tools. Course sites may, at the discretion of the instructor, be made entirely or partially available to guests. The default setting (determined by local system administrators) for access to course sites locks each site entirely, to facilitate Fair Use posting of course materials and may only be made accessible to guests by the instructor or system administrator at instructor's request.
  - d. *Academic Review* -- Being instructor-of-record for a course comes with the institutional policy that an immediate academic chair can "sit-in" on a course for the purposes of performance reviews. In the event of a course review, the instructor should be notified of the anticipated timeframe for the review.

Deans, chairs, program directors, program coordinators, and members of committees evaluating the work of faculty teaching on-line courses have the automatic, on-going right of access to all on-line course materials used in on-line courses offered under their supervision.

Other faculty and administrators conducting university-approved inquiries involving grade appeals and/or other officially approved reviews of specific courses may request permission from the supervising dean or chair for more limited access.

Since the online course falls under the University's Appropriate Use Policy (AUP)[<http://www.uncp.edu/ucis/policies/AUP.htm>], only the Chancellor or appropriate Vice Chancellor can authorize persons other than those named above to have access to the online course.

- e. *Student Access* -- Students who are registered for classes (and have paid their fees) with online components will be given full access to those course sites not later than the first official day of classes for each term based upon the availability of staff resources. As students add courses to their schedule, after classes begin, they will be automatically added to the appropriate online rosters ("enrolled"), typically within 48 hours.
  - f. *Length of Access to Course Site* – At the end of a given term, course sites will remain available to the instructor and to the students for not less than ten calendar days after the last day of final exams. Faculty members may request that individual students continue to have to a course site beyond these dates. Reasons for extending course access might include providing access for students who are finishing "Incompletes" or the continuation of an online discussion. A student who is finishing an "Incomplete" but who is not currently enrolled may be subject to loss of his/her UNCP Online ID. In this case, an exception account may be established for that student at the request of the instructor, with access not to extend beyond the University's deadline for completion of work required to receive a course grade. In general, retaining courses beyond the usual cut-off will be discouraged, however, due to the potential confusion for students, increased work created for UCIS staff, and possible copyright concerns.
- 2) **Course Management** – Sites on the online servers are managed with the goals of reducing faculty time and effort needed to utilize online tools and materials, and improving server performance by eliminating redundant or unnecessary demands on the database.
- a. *Courses Kept on the Online Server* -- To meet the goal of using server space efficiently, the only course sites that will be maintained on the online server are those in use during the current term, and course sites that will be used in a future term. These could include previously used course sites that will be "recycled" for use with another group of students, or course sites that are in development.
  - b. *Course Size Limitations* – At this time, there is no limitation on the size of course sites. UCIS will work with faculty whose online sites contain extremely large files (video clips, for example) to provide advice and assistance to help them compress files in order to utilize space as efficiently as possible. In the event that a content management system is available for faculty instructional use, faculty will be advised to store their course content on that system so that it can be efficiently called from any course site.
  - c. *End of Term Notification* -- At the end of each term, all online faculty will receive an e-mail message detailing their options for re-using or deleting course sites. Based upon system resource requirements, courses not recycled for re-use (see section d below) will be deleted no sooner than ten calendar days after the last day of final exams.
  - d. *Course Archives* – Instructors have the option of creating an archive copy of their course offering(s). These copies can be retained for later retrieval, if this becomes necessary, but instructors will be reminded to print out the gradebook and any other documentation of student work in the event of a future grade dispute. Retrieving these records from the archive is a time-consuming and imperfect process, and should be considered a last resort for retroactive grade information. Once a course site has been archived, it will only be retrieved upon request of the original instructor who created/offered it (usually the instructor of record), when directed by the Chancellor or Provost, or when required by law or UNCP policy. The exception to this would be if UCIS received permission, if such permission is required by law or UNCP policy, from the original instructor to make the archived course materials available to another instructor/staff member.

- e. *Recycling Courses for Future Use* – Each term, instructors will be given the option to retain their online course sites for re-use in a later term. UCIS staff will copy these course sites, rename them with [GENERIC] in the course title. For example, Adolescent Development EDN-308-01-So4 would become [GENERIC] Adolescent Development-EDN-308-(instructor). The roster will be emptied, the gradebook cleared of names and scores, and the messages and replies in the discussion boards deleted. Until the term when the course returns to active use, the instructor(s) and/or their designee will be the only individual(s) with continued access to the site.
  - f. *Transferring Course Sites* – Instructors may elect to transfer their course site and its materials to another faculty member, or give other faculty members access to their course site. Course sites will not be re-assigned to a new instructor for re-use, however, without written permission from the original instructor to the extent such permission is required by law or UNCP policy. If faculty members leave UNCP for other employment, they may request a copy of their course site(s) to take along or request that a copy of their site be transferred electronically to their new institution, where it may be usable (within technological limits).
  - g. *Requesting an Online Course Site* – Any faculty or instructional staff member may request that an online course site be established for their use by submitting the form found at [http://www.uncp.edu/blackboard/forms/request\\_site.htm](http://www.uncp.edu/blackboard/forms/request_site.htm). Course name and number, instructor name, and course line number are required to set up a course site. Before the site will be made available, however, the instructor must attend an orientation workshop to become familiar with the online software. This is done to reduce the number of support calls made to UCIS and IDS, as well as to provide constructive teaching ideas for using Internet resources and instructional development advice for online teaching. Individuals who have experience working with online systems at other institutions may have this prerequisite waived, although it is recommended that they meet with a UCIS staff member to discuss the course management protocols that are specific to UNCP.
  - h. *Non-instructional Uses* -- The online system is maintained for instructional use (i.e., to support courses offered by UNCP). Questions regarding the establishment of non-instructional Websites may be directed to UCIS client Services.
  - i. *Gradebook Information* – The online grade book is a tool designed for the convenience of students and faculty. Thus, it is not an official record of student grades, nor should it be considered a legally binding record of student scores. Faculty are strongly encouraged to periodically print out a copy of the Online Gradebook, and to print a final copy for their records after the term ends. The Gradebook can also be downloaded as a comma separated value file (.csv) and opened in Excel or another program.
- 3) **Information Security** – The online user database is fed directly from the UNCP online ID system, thus allowing users to login with an already-familiar username and password. The security of these systems is of paramount importance in maintaining a reliable and trusted resource for virtually available instructional materials and tools.
- a. *Controlling Access to Student Information* – As with other university records, faculty are cautioned to take care that student information (including, but not limited to, grades, test scores, usernames, or ID numbers) is closely guarded. As noted in the Gradebook Information section above, grades should not be posted so that students may see scores belonging to anyone but themselves (for example, in a spreadsheet uploaded to the course site).
  - b. *E-mail Address Display* – All online users have the option to disable the display of their e-mail address within our online system. (Due to system design, the one exception to this is the Discussion Forum areas, where the user’s e-mail address will appear unless messages are posted anonymously. It is anticipated that this disparity will be rectified in later software releases.) Instructions for disabling this, or for enabling the display of other directory information within the online system are included in the ”Tools” section, “Personal Information,” of each course site.

- 4) **Copyright Issues** -- Faculty are strongly encouraged to respect the property of others by obeying copyright law and requesting permission, when appropriate, before using the work of others.
- a. *Posting Copyrighted Materials* – Copyright law and Fair Use Guidelines allow faculty to provide access to copyrighted materials using the online system under certain circumstances. Instructors are advised to consider the use of online reserves through Sampson-Livermore Library, or online course packs to avoid infringement.
  - b. *Linking to External Sites from the online system* – The online software provides an easy-to-use interface for integrating links to other Websites into course materials. Instructors are encouraged to link to other sites, rather than attempting to integrate the desired materials directly into the online course site. This alleviates copyright concerns and also retains the integrity of the materials (and associated links) in their original environment. It is the responsibility of the instructor to confirm that links from online to external sites are viable.
  - c. *Linking to the Online System from External Sites* – It is possible to link to an online course site directly from Websites external to the online system. Users will, however, be prompted to log in with their recognized UNCP online ID to prevent unauthorized access to materials.
- 5) **Intellectual Property** – The University of North Carolina at Pembroke recognizes the intellectual property rights of faculty, staff, and students. The following sections are in force unless superseded by overriding institutional policy.
- a. *Ownership of Course Sites* – Ownership of on-line course materials, including the University’s retention of a perpetual, non-exclusive, non-transferable, royalty-free license (“shop right”) to use the work for the University’s own non-commercial educational or research use, shall be governed by the provisions of the UNC Pembroke Copyright Policy, which is based on a determination of whether the materials at issue meets the definition of Traditional Works or Non-Directed Works; Traditional Works or Non-Directed Works Involving Exceptional Use of University Resources; Directed Works; Sponsored or Externally Contracted Works; Works Made for Hire; Works by Independent Contractors; or Student Works. Instructors who create online courses shall have the right to request and receive an archived copy of the site in digital format. During the semester a course is taught, use of the site and access to its materials and tools are determined by the instructor assigned responsibility for teaching the course, and these rights may be reassigned by that individual; provided, however, the Chancellor or his designee may access, alter, or limit use of the site and access to it when required by law or whenever the Chancellor determines such action to be in the best interest of the University.
  - b. *Student-created Materials on the online system* – Instructors may require students to post their own work or, with the student’s permission, may post a student’s work on the online course site. Students must be informed of this (in the syllabus or in some other written format) at the beginning of the course. They must also be told if their work will be retained in the course site beyond the duration of the term and whether others will have access to it. No evaluative commentary or grade information from the instructor may be included with student work if the work includes information identifying its creator. Students’ copyrights in their work shall be governed by the UNC Pembroke Copyright Policy. This policy also applies to student-posted messages in a Discussion Forum.
  - c. *System Management Data* – Information regarding online system performance or usage is considered the property of the University of North Carolina at Pembroke. To the extent allowed by law, information regarding specific online sites or individual accounts will be held in confidence, although data may be gathered and presented in aggregated form by university staff members (e.g., UCIS, IDS, Library, etc.) so that personally identifiable information is not disclosed, for professional development activities, such as conference presentations and/or scholarly/industry publication.

**Acknowledgement:**

*Parts of this document are taken from “Policies and Procedures Related to Use of Blackboard,” University of Kansas, and used with permission.*

**Approved by the Faculty Senate, March 1, 2006.**

## **12-12 Compensation Beyond Contract for EPA Faculty and Non-Faculty Employees**

### **Human Resources Policy HR 11 96**

**PURPOSE:** The objective of this policy is to promote equitable compensation for all traditional forms of professional activity. Application of this policy is consistent with all State and Federal labor laws, including the Fair Labor Standards Act (FLSA). This policy is not intended to modify any of the documents referenced herein. UNC General Administration academic salary increase memoranda published annually provide guidance for EPA personnel salaries. Board of Governors' Policy, "External Professional Activities of Faculty and Other Professional Staff (EPA)," applies to payments from other than University fund sources (e.g., consulting and dual employment). The State Personnel Manual describes rules for the payment of employees subject to the State Personnel Act (SPA). The following paragraphs are not intended to supersede the policies of UNC General Administration, the Office of State Budget and Management, or the Office of State Personnel.

**SCOPE:** This policy applies to compensation paid to UNCP faculty and EPA nonfaculty from all University sources including Continuing Education and sponsored program funds.

#### **POLICY:**

#### **LIMITATIONS ON COMPENSATION FOR EPA PERSONNEL**

##### **I. Academic Year Compensation (Exceptions Noted in Section III)**

I.1 The salary approved by the Board of Governors (through the BD-119 process) is the full compensation that full-time faculty and EPA professional staff should expect during the base period of appointment. This period includes all formal holidays and interludes during which no classes are scheduled. Regardless of the salary source, total compensation paid during the period of appointment cannot exceed the salary amount authorized in the current academic salary increase documents, except as provided in the policies and procedures for salary increases provided by General Administration and the exceptions so stated in Sections III and IV of this policy. Performing tasks, other than exceptional situations listed herein, will require reduction in other responsibilities of the faculty or professional staff member. For example, arrangements should be made for "release time" if faculty members are to conduct sponsored program activities during the academic year appointment.

I.2 Upon appropriate approvals, individuals with appointments of less than full time during an academic or fiscal year can increase their commitment up to full time with additional compensation. However, in no event may the effort of an individual exceed full-time commitment, unless specifically authorized as an exception as provided in Sections III and IV.

I.3 Arrangement may be made to pay an individual from fund sources from more than one division. Such arrangements will require in advance the signatures of the Provost and/or Vice Chancellor of each division affected.

##### **II. Periods Outside the Academic Year**

II.1 For a nine-month appointee, total UNCP compensation from all forms of work done during the summer (such as, continuing education activities, teaching Summer School, research, sponsored programs, and curriculum development activities) can not exceed one-third of the current nine-month salary.

II.2 The level of compensation awarded to a faculty member for teaching activities during the summer months or other periods not included in the base salary, regardless of the source of funds, will be based on the policy governing compensation to faculty members for teaching assignments during such periods as stated in the University Faculty Handbook.

### **EXCEPTIONS TO THE GENERAL POLICY**

#### **III. For Additional Teaching**

III.1 Generally, additional compensation is paid for continuing education activity. UNCP policy limits continuing education teaching to one course per semester.

III.2 Approval may also be granted for additional compensation for conducting non-credit short courses, seminars, workshops, and conferences for continuing professional education, and special lectures and forums for the personal enrichment of interested citizens.

III.3 EPA nonfaculty employees, whose duties are tied to the normal workweek schedule of the University, are allowed to take on a University teaching/sponsored research responsibility for additional compensation. This responsibility must be carried out at times other than during the assigned working hours established for full-time employment responsibility.

III.4 Teaching at another institution in The University of North Carolina system is covered under the State's "Policy on Dual Employment," State Personnel Manual, and approval is obtained via completion of a Form CP-30. Payment is made by The University of North Carolina at Pembroke with funds transferred from the sister institution.

#### **IV. For Additional Responsibilities Other Than Teaching**

##### **IV.1 Rotational Assignments**

Faculty of an academic unit that are assigned administrative responsibilities (Chair) may receive additional compensation with the approval of the Provost.

##### **IV.2 Interim or Acting Appointments**

Appointments to a higher level of administrative responsibility (e.g., interim department chair) traditionally have been compensated at a higher rate. Normally, interim assignments and compensation will be reflected in the academic salary increase document prepared in August. Subsequent assignments will be included as amendments to this document (BD-119). Long-term assignments will be received/approved by the Chancellor (or his/her designee) upon the recommendation of the Provost or appropriate Vice Chancellor.

##### **IV.3 Special Projects: Faculty**

When the Provost determines that a project must be conducted during the period of appointment of a faculty member and that it is not practicable to arrange for release time due to short lead-times or short project duration and when the cognizant department chair certifies that the work can be done so as not to interfere with a faculty member's normal duties, the Provost may authorize a supplemental payment, not to exceed 20%, to the faculty member for work on the project. Faculty should not begin work for which supplemental pay is expected without prior approval of the Provost.

##### **IV.4 Exceptional Situations: EPA Nonfaculty**



In exceptional situations EPA nonfaculty may receive additional compensation, not to exceed 20%, for non-teaching activities that are unrelated to the employee's normal duties. These activities must not interfere with the employee's normal duties and must be carried out at times other than during the normal working hours established for full-time employment responsibility of that staff member. Such exception must be approved in advance by the Provost or Vice Chancellor of the appropriate division.

## **V. Intra-University Consulting**

Since intra-University consulting is assumed to be undertaken as a University obligation requiring no compensation in addition to full-time base salary, the principle also applies to faculty members who function as consultants or otherwise contribute to a sponsored agreement conducted by another faculty member of the same institution. However, in unusual cases where consultation is across departmental lines or involves a separate or remote operation and the work performed by the consultant is in addition to regular departmental assignments, any charges for such work representing extra compensation above the base salary are allowable provided that such consulting arrangements are specifically provided for in the agreement or approved in writing by the sponsoring agency.

## **VI. Maximum Payments for Exceptions**

When exceptions have been granted, the total amount of payments for these projects may not exceed 20% of current salary. These amounts must be approved by the Chancellor.

## **VII. Fringe Benefits**

Mandatory employer contributions for fringe benefits must be funded from the same source as the additional compensation.

### **PROCEDURE:**

Specific guidance dealing with rates and limits of additional compensation, timing of approvals, method of payments and deductions, and work requiring participation from members of two or more units or divisions is available in the offices of the Vice Chancellor for Business Affairs and the Provost/Vice Chancellor for Academic Affairs.

## **12-13 Policies On Activities Outside Of University Responsibilities**

### **12-13.A Policies And Guidelines Concerning Conflicts Of Commitment And Interest Affecting University Employment**

#### **12-13.A.1 Introduction**

The University of North Carolina at Pembroke's Policies and Guidelines Concerning Conflicts of Commitment and Interest Affecting University Employment document supports the policies and guidelines adopted by the UNC Board of Governors on April 16, 1993.

The University of North Carolina at Pembroke subscribes to the statement of The Code of The University of North Carolina indicating that the basic mission of the faculty is "the transmission and advancement of knowledge and understanding."

University faculty engage in a number of activities within the academy related to their teaching, research and service. In addition, because of the nature of their credentials and expertise, faculty also have opportunities to utilize their skills and knowledge in settings and

activities outside the University. In most instances, this independence and flexibility work to the advantage and benefit of the faculty member, the institution and the community.

The same opportunities can become problems, however, when a conflict of commitment or a conflict of interest arises.

### **12-13.A.2 Conflict of Commitment**

A conflict of commitment arises when a faculty member's activities outside the University interfere with the performance of responsibilities within the institution. This conflict of commitment may occur as the result of such activities as consulting, teaching, performing and other such involvements. At The University of North Carolina at Pembroke, conflict of commitment is generally discovered and resolved through the normal expectations and routine monitoring of faculty performance, through the required External Professional Activity for Pay reporting process and through reports by and interactions with colleagues, department chairs and administrators in the process of consideration for tenure and/or promotion and merit pay.

It is the policy of The University of North Carolina at Pembroke that faculty shall devote their primary professional loyalty, time and efforts to teaching, research and service and related duties and that EPA non-teaching employees shall devote their primary professional loyalty, time and efforts to the specific requirements of their University employment. Therefore, in accord with this policy, outside activities and financial interests must not interfere with carrying out University employment responsibilities. The University of North Carolina at Pembroke has adopted the federal standard of significant financial interest as defined in Section 50.603 of the Federal Rules and Regulations reported in the July 11, 1995, Federal Register (See Appendix A).

The policies and procedures outlined in this document are designed to prevent circumstances that can limit and/or adversely affect impartiality in the performance of University duties. Additionally, The University of North Carolina at Pembroke has in effect a written and enforced administrative process to identify and manage, reduce or eliminate significant financial interest as outlined in 42CFR Part 50 (amended), article 50.605. (See Appendix B.)

### **12-13.A.3 Conflict of Interest**

Conflicts of interest arise when financial or other personal considerations "may compromise, may involve the potential for compromising, or may have the appearance of compromising a faculty member's objectivity in meeting university duties or responsibilities, including research activities" (from the Board of Governors April 16, 1993 policy). The biases resulting from conflicts of interest may compromise such responsibilities as making decisions about personnel and purchases; gathering, analyzing and interpreting data and sharing research results; selecting research protocols; and employing statistical methods. Problems can occur when a faculty member is in a position to influence University business, research or other decisions in ways leading to personal gain for the faculty member or his or her family. Conflict exists when a faculty member or an immediate family member has a personal interest in an activity that could have an impact on decision making at the University. Conflict exists when a faculty member's commitments and obligations to the University are likely to be compromised by other interests and commitments. It is the policy of The University of North Carolina at Pembroke that faculty and EPA non-faculty employees will avoid conflicts of interest that may adversely affect the University's interests, compromise objectivity in carrying out University responsibilities, or compromise the performance of University responsibilities. Thus external activities and financial interests must be arranged to avoid such conflicts. External activities which may have an impact on University responsibilities fall into three categories.

**12-13.A.4 Categories of Activities with Potential for Conflict****12-13.A.4(a) Category I. Activities Holding Little Potential for Conflict**

Some external activities of faculty have little potential for creating conflicts of interest. These include, but are not limited to, such activities as receiving royalties from the publication of books or licensure of patented inventions subject to The UNC Patent and Copyright Policies; holding an equity interest in a corporation designed solely to accommodate external consulting activities; receiving honoraria or expense reimbursement for service to professional associations; service on review panels, presentation of scholarly works, or participation in accreditation reviews.

**12-13.A.4(b) Category II: Activities Requiring Disclosure and Review Because of Potential for Conflict**

Other activities may require disclosure or administrative review because a possibility for conflict of interest is present. Such activities must be reviewed and may be limited or monitored. Examples of these activities cited in the policy adopted by the UNC Board of Governors on April 16, 1993, are presented here not as an exhaustive list, but rather as further clarification of the nature of conflict of interest.

1. University employee requiring students to purchase the textbook or related instructional materials of the employee or members of his or her immediate family, which produces compensation for the employee or family member.
2. University employee receiving compensation or gratuities (other than occasional meals, gifts, or desk copies of textbooks, and the like) from any individual or entity doing business with the University.
3. University employee serving on the board of directors or scientific advisory board of an enterprise that provides financial support for University research, and from which the employee or a member of his or her immediate family may receive such financial support.
4. A University employee serving in an executive position in a for-profit or not-for-profit business which conducts research or other activities in an area related to other University duties of the employee.
5. A University employee having a financial interest in a business that competes with services provided by the University.
6. A University employee engaging in any other activity that has the potential for creating a conflict of interest or commitment as defined herein.

**12-13.A.4(c) Category III: Activities Not Allowable Because of High Potential for Conflict**

Finally, there are certain activities or situations which are generally not allowable because they suggest the strong possibility that conflict of interest may be inevitable. For that reason, the University employee considering involvement in these kinds of activities would not be allowed to proceed until he or she could demonstrate that, in fact, the potential for conflict of interest does not exist. These examples of typical unallowable external involvement are from the Board of Governor's April 16, 1993 policy:

1. A University employee participating in University research involving a technology owned by or contractually obligated to (by license or exercise of an option to license, or otherwise) a business in which the individual or a member of his or her immediate family has a consulting relationship, has an ownership, or holds an executive position.
2. A University employee participating in University research which is funded by a grant or contract from a business in which the individual or a member of his or her immediate family has an ownership interest.

3. A University employee assigning students, post-doctoral fellows or other trainees to University research under conditions that require research results to be held confidential, unpublished, or inordinately delayed in publication (other than as allowed by University Patent and Copyright Policies or by policy of the Board of Governors dated February 12, 1988, Administrative Memorandum No. 260.)
4. A University employee making referrals of University business to an external enterprise in which the individual or a member of his or her immediate family has a financial interest.
5. A University employee associating his or her own name with the University in such a way as to profit financially by trading the reputation or goodwill of the University.
6. A University employee making unauthorized use of privileged information acquired in connection with his or her University responsibilities.
7. A University employee making use of University facilities (such as: offices, telephones, office equipment, office supplies), University services and staff for non-university sponsored activities.
8. A University employee publishing or formally presenting University-sponsored research results, or providing expert commentary on a subject without at the same time disclosing any significant financial interest relating to such results or such subjects.
9. A University employee engaging in any other activity having high potential for a conflict of interest.

#### **12-13.A.5 Avoiding Conflicts of Interests**

In an attempt to avoid and forestall conflicts of interest, The University of North Carolina at Pembroke will follow these procedures:

##### **12-13.A.5(a) Dissemination of Policy on Conflict of Interest**

This policy is an official part of the Faculty Handbook, which is distributed to all faculty during their first semester of employment.

Any additions, deletions, or revisions are distributed to all faculty at the beginning of the academic year. In addition, The University of North Carolina at Pembroke will alert faculty each year to the University's Policy on Conflict of Interest by inserting a printed reminder in the first pay envelope.

**12-13.A.5(b) Requirement of Disclosure**

At the beginning of each academic year, each faculty member will be required to submit a Disclosure Form (as shown in attachment to this policy), indicating any plans for non-University activity. This form will be submitted in addition to the form on External Professional Activity for Pay. This form will be reviewed first by the department chair to determine whether it is (1) a negative disclosure, revealing no conflict or (2) a positive disclosure requiring additional review. The form, with the department chair's decision and recommendation, will be forwarded to the Office for Academic Affairs for additional review. If the activity is determined not to be in conflict with University obligations, the form will simply be filed in the faculty member's personnel file in the Academic Affairs Office. If the activity needs further review and discussion, the Office for Academic Affairs will confer with the department chair to decide on appropriate action.

Updated forms must be submitted during the year if changes occur which may involve a potential conflict of interest, which eliminate a previously discussed conflict of interest, or which change any responses on the previously filed Disclosure Form.

All Disclosure Forms will be on file in the faculty member's personnel file in the Academic Affairs Office.

## **12-13.B Policy On External Professional Activities Of Faculty And Other Professional Staff**

### **12-13.B.1 Section 1. University Policy**

The following policy was adopted April 16, 1993 by the Board Of Governors of the University Of North Carolina.:

The University of North Carolina and its constituent institutions seek to appoint and to retain, as faculty and other professional staff members, individuals of exceptional competence in their respective fields of professional endeavor. Because of their specialized knowledge and experience, such persons have opportunities to apply their professional expertise to activities outside of their University employment, including secondary employment consisting of paid consultation with or other service to various public and private entities. Through such practical, compensated applications of their professional qualifications, University employees enhance their own capabilities in teaching and research. Thus, participation of faculty and other professional staff members in external professional activities for pay, typically in the form of consulting, is an important characteristic of academic employment that often leads to significant societal benefits, including economic development through technology transfer. However, such external professional activities for pay are to be undertaken only if they do not:

- a. Create a conflict of commitment by interfering with the obligation of the individual to carry out all primary University duties in a timely and effective manner; or
- b. Create a conflict of interest vis-a'-vis the individual's status as an employee of the University; or
- c. Involve any inappropriate use or exploitation of University resources; or
- d. Make any use of the name of the University of North Carolina or any of its constituent institutions for any purpose other than professional identification; or
- e. Claim, explicitly or implicitly, any University or institutional responsibility for the conduct or outcome of such activities.

### **12-13.B.2 Section 2. Definitions**

- a. "External professional activities for pay" means any activity that 1) is not included within one's University employment responsibilities; 2) is performed for any entity, public or private, other than the University employer; 3) is undertaken for compensation; and 4) is based upon the professional knowledge, experience and abilities of the faculty or other professional staff member. Activities for pay not involving such professional knowledge, experience and abilities are not subject to the advance disclosure and approval requirements of Section 3 of this Policy, although they are subject to the basic requirement that outside activities of any type not result in neglect of primary University duties, conflicts of interest, inappropriate uses of the University name, or claims of University responsibility for the activity.
- b. "University employment responsibilities" include both "primary duties" and "secondary duties." Primary duties consist of assigned teaching, scholarship, and all other

institutional service requirements. Secondary duties consist of professional affiliations and activities traditionally undertaken by faculty and other professional staff members outside of the immediate University employment context that redound to the benefit of the profession and to higher education in general. Such endeavors, which may or may not entail the receipt of honoraria or the reimbursement of expenses, include membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies. Such integral manifestations of one's membership in a profession are encouraged, as extensions of University employment, so long as they do not conflict or interfere with the timely and effective performance of the individual's primary University duties.

- c. "Faculty or other professional staff member" means any person who is employed full-time by the University of North Carolina or a constituent institution or other agency or unit of the University of North Carolina and who is not subject to the State Personnel Act.
- d. "Department" means an academic department, a professional school without formally established departments, or any other administrative unit designated by the Chancellor of an institution or by the President for the Office of General Administration, for the purposes of implementing this policy.
- e. "Inappropriate use or exploitation of University resources" means using any services, facilities, equipment, supplies or personnel which members of the general public may not freely use. A person engaged in external professional activities for pay may use, in that connection, his or her office and publicly accessible facilities such as University libraries; however, an office shall not be used as the site for compensated appointments with clients, e.g., for counseling or instruction. Under no circumstances may a supervisory employee use the services of a supervised employee during University employment time to advance the supervisor's external professional activities for pay.
- f. "Conflict of interest" relates to situations in which financial or other personal considerations may compromise, may have the potential for compromising, or may have the appearance of compromising an employee's objectivity in meeting university duties or responsibilities, including research activities.

### **12-13.B.3 Section 3. Procedures Governing External Professional Activity For Pay**

- a. A faculty or other professional staff member who plans to engage in external professional activity for pay shall complete the "Notice of Intent to Engage in External Professional Activity for Pay" (hereinafter referred to as "Notice of Intent," see Section 14-3.A, Miscellaneous Forms), which shall be filed with the head of the department in which the individual is employed. A separate "Notice of Intent" shall be filed for each such activity in which an employee proposes to engage. Unless there are exceptional circumstances, the "Notice of Intent" shall be filed not less than ten (10) calendar days before the date the proposed external professional activity for pay is to begin.
- b. Approval of a "Notice of Intent" may be granted for a period not to exceed the balance of either 1) the fiscal year (in the case of 12-month employees and employees with contract service periods that include the summer session) or (2) the academic year (in the case of



9-month employees with no summer session contract period) remaining as of the date of approval; if the approved activity will continue beyond the end of the relevant fiscal or academic year in which it was begun, an additional "Notice of Intent" must be filed at least ten days before engaging in such activity in the succeeding relevant year.

- c. Except as set out in paragraph "d" below, the "Notice of Intent" shall be considered as follows: If, after a review of the "Notice of Intent" and consultation with the faculty or other professional staff member, the department head determines that the proposed activity is not consistent with this policy statement of the Board of Governors, the faculty or other professional staff member shall be notified of that determination within ten (10) calendar days of the date the "Notice of Intent" is filed. In the event of such notification by the department head, the faculty or other professional staff member shall not proceed with the proposed activity but may appeal that decision to the administrative officer to whom the department head reports, and then to the Chancellor (or, in the General Administration, to the President). A decision on any such appeal shall be given to the faculty or other professional staff member within ten (10) calendar days of the date on which the appeal is received. The decision of the Chancellor (or of the President) shall be final. Appeals shall be made in writing on the "Notice of Intent" form.
- d. If question 8, question 9a, or question 9b on the "Notice of Intent" is answered in the affirmative, the procedure set out in paragraph 3.c above shall be modified as follows: The decision of the department head to approve the activity shall be reviewed promptly and approved or disapproved within ten (10) days of receipt by the administrative officer to whom the department head reports, and appeal of a disapproval by that officer shall be to the Chancellor (or, in the General Administration, to the President).
- e. Departmental summaries of all "Notices of Intent" filed and of actions taken in response to such "Notices of Intent" during the preceding fiscal year shall be submitted by department heads to the Chancellor (or, in the General Administration, to the President) each July. The Chancellors shall provide annual summary reports to the President by September 1 of each year.
- f. University employees not complying with these procedures will be subject to disciplinary action. Department heads are held responsible for proper reporting.

#### **12-13.B.4 Section 4. Special Provisions**

- a. External professional activities for pay performed for another institution or agency of the State of North Carolina also must comply with State policies governing dual employment and compensation, unless an exception to those State policies is expressly authorized by the Chancellor or the President.
- b. The procedures in Section 3 shall not be required of faculty and other professional staff members serving on academic year contracts, if the external professional activity for pay is wholly performed and completed between the day following spring commencement and the first day of registration for the fall semester, provided that the activity does not conflict with this policy statement of the Board of Governors and is not conducted concurrently with a contract service period for teaching, research, or other services to the institution during a summer session.

**12-13.B.5 Section 5. Effective Date**

This policy statement shall become effective on July 1, 1993.

### **12-13.C Policies On Employee Political Candidacy And Officeholding**

Policies adopted by the Board of Governors in 1976 establish processes for resolving, in advance, questions about possible conflicts between a University employee's satisfactory performance of employment responsibilities and his involvement in political candidacy and officeholding. All University employees (full-time, part-time, or adjunct) except those subject to the State Personnel Act are covered by the policies. An employee who intends to become a candidate for election or appointment to or to hold any public office is responsible for knowing the terms of and complying with the requirements of the Board policies. A copy of the full text of the Board policies may be obtained from the Library, the Chancellor's Office, Human Resources Office and from the following website: [www.ga.unc.edu/publications/admin\\_manual](http://www.ga.unc.edu/publications/admin_manual) (see Section III E). Failure to comply with the policies is a violation of the terms and conditions of University employment and may result in disciplinary action. The following is a summary of the basic provisions of the Board policies. The full text of the policies should be consulted by an affected employee. Advice concerning the interpretation and application of the policies may be obtained from the Assistant to the Chancellor for Legal Affairs.

#### **12-13.C.1 Candidacy For Election To Public Office**

Becoming a candidate for election to a full-time or major part-time office is presumed to create a conflict of time that interferes with the employee's satisfactory performance of University employment obligations. The conflict may be avoided by (1) resigning from University employment (2) seeking an appropriate unpaid leave of absence from University employment, or (3) rebutting the presumption of conflict by demonstrating that there in fact will be no conflict between campaign activity and University employment. An employee who intends to become a candidate must follow prescribed procedures for resolving questions about conflicts in advance of becoming a candidate.

#### **12-13.C.2 Holding Public Office**

Upon assuming an elective or appointive full-time office, a University employee will be deemed to have resigned his University employment, unless prior to assuming office he requests and is granted a full leave of absence, without pay. Such a leave of absence may not exceed two years.

Upon assuming an elective or appointive major part-time office, a University employee will be presumed to have a conflict of time that necessitates his resignation from University employment; the resignation requirement may be avoided if (1) he requests and is granted an appropriate leave of absence or (2) he rebuts the presumption of conflict by demonstrating that there in fact will be no conflict between officeholding and University employment.

An employee who intends to occupy such an office must follow prescribed procedures for resolving questions about conflicts in advance of assuming the office.

## **13 ADJUDICATORY BODIES AND PROCEDURES**

### **13-1 UNCP Faculty Grievance Procedure**

The Faculty Grievance Procedure defines the framework for the consideration and satisfactory resolution of grievances within the University brought by faculty members who seek redress concerning employment related matters (Section 607 of the Code). The function of the grievance procedure is to attempt to reach a consensual resolution of the dispute and, if that fails, to determine whether the contested decision was materially flawed in violation of applicable policies, standards or procedures. The grievance process is not intended to second-guess the professional judgment of officers and colleagues responsible for making administrative decisions.

The University of North Carolina at Pembroke has implemented a two-tier grievance process. The first step is participation in mediation if both parties consent to mediate the matter. If an agreement is not reached during mediation or the parties choose not to mediate the matter, the grievance will be forwarded to the Faculty Grievance Committee for consideration by its established process and procedure.

#### **13-1.A Faculty Grievance Committee**

##### **13-1.A.1 Jurisdiction Of The Faculty Grievance Committee**

Any faculty member with a cause for grievance in any matter related to a faculty member's employment status and institutional relationships within UNCP [other than suspension, discharge, nonreappointment (including denial of permanent tenure) or termination which are under the jurisdiction of the Faculty Hearing Committee] may submit a petition for redress to the Faculty Grievance Committee. The Faculty Grievance Committee shall be authorized to hear and advise with respect to the adjustment of grievances of members of the faculty. The power of the Committee shall be solely to hear representations by the persons involved in the grievance, to facilitate voluntary adjustments by the parties, and when appropriate, to make recommendations concerning adjustments.

##### **13-1.A.2 Composition And Election Of The Faculty Grievance Committee**

An at-large election for members of the Faculty Grievance Committee is conducted by the Committee on Committees and Elections of the Faculty Senate after the completion of the Faculty Hearing Committee election [See By-laws Article V. Section 2]. Those eligible to vote are members of the General Faculty. [See UNCP Faculty Constitution, Article I, Section 1]. Faculty will have as many votes as there will be vacancies on the committee at the start of the next academic year. The Faculty Grievance Committee will be constituted as follows:

1. There will be five (5) committee members.
2. Members will serve staggered two-year terms and may not serve more than two consecutive terms.
3. The Committee will have representatives of each professorial rank [Assistant Professor, Associate Professor, and Professor].
4. Every effort will be made by the Committee on Committees and Elections to ensure an appropriate diversity of gender, race, and division/departmental balance.

5. Members shall be selected from candidates chosen on at least 20% of the ballots cast.

The following restrictions shall apply to committee membership:

1. No department chair or officer of the administration shall serve on the Committee.
2. No more than one member from any department may serve on the Committee at one time.
3. A member of the Committee shall not serve concurrently on the Committee on Promotion and Tenure or the Faculty Hearing Committee.

### **13-1.B General Procedures Of The Faculty Grievance Committee**

The following procedures shall be observed:

1. As soon as the election results have been reported to the Senate, the Chair of the Committee on Committees and Elections will call a meeting of the Faculty Grievance Committee for the purpose of electing a Chair of that committee for the next Academic Year.
2. For a particular hearing, Committee members who hold an appointment in the faculty member's department, who will testify as witnesses, or who have any other conflict of interest are disqualified. Replacement of Committee members who are unable to serve on a case for any reason will be made by the Chair of the Faculty Senate with the concurrence of the Executive Committee of the Senate.

If the Chair of the Faculty Senate has any conflict of interest in the case or is absent, then the duties of the Senate Chair, relative to the case, will be assumed by the following in succession: Senate Chair-Elect (if there is one), Chair of Faculty and Institutional Affairs Committee, Chair of Academic Affairs Committee.

3. A quorum for any meeting of the Committee is a simple majority of the total Committee membership.
4. The Chair of the Grievance Committee will report to the Faculty Senate early in the fall semester on the number of cases heard during the previous academic year.

### **13-1.C Initiating Actions Under The Faculty Grievance Procedure**

#### **13-1.C.1 Initial Procedures**

A petition for redress of grievance should be submitted to the Chair of the Faculty Grievance Committee with a copy to the respondent (the person against whom the grievance is filed). The petition should be submitted promptly after the occurrence of the problem causing the grievance. The Committee reserves the right to delay action on the petition until the next semester if there is insufficient time for a complete review. If the problem occurs during the summer session, the petition should be submitted at the beginning of the fall semester.

The petition shall set forth in objective terms: 1) the nature of the grievance and against whom the grievance is directed; 2) the issues or grounds upon which the grievance is based and

which the faculty member feels need resolution; and 3) any other information that the petitioner considers pertinent to this case.

The committee shall decide whether the facts merit a detailed investigation or detailed consideration of the petition. The burden of proof rests upon the faculty member to establish the validity of the contention by a preponderance of the evidence.

### **13-1.C.2 Procedure For Review**

Initial step: When a petition is submitted, the Chair may designate a trained mediator who will attempt to settle the grievance if the dispute appears to be amenable to such an approach, and if the parties to the dispute express their willingness to cooperate with such an effort. Neither party is obliged to engage in mediation; it is a consensual undertaking.

#### **13-1.C.2(a) Mediation of Grievance**

- i. Mediation is a procedure in which disputing parties enlist the assistance of a neutral party to help them in achieving a voluntary, bilateral agreement that finally and definitively resolves all or portions of their dispute, without resorting to adversarial procedures such as grievance hearings, administrative hearings or litigation. Any such mediated agreement that the parties are able to negotiate will be embodied in a written agreement.
- ii. The appropriate functions of a mediator are to assist the parties in defining, clarifying, communicating about, and ascertaining the substantiality and relevance of the issues that appear to divide the parties and to aid the parties in generating, considering, and communicating with each other about possible bases for resolving the dispute.
- iii. UNC Pembroke requires that mediation is a prerequisite to access to any formal faculty grievance process only if both parties consent to mediation. This does not require that parties reach a mediated agreement. The mediator can assess (evaluate) the value of continuing the mediation process (in terms of the likelihood of reaching a settlement in a reasonable period of time) and can terminate the process if he/she determines that the parties are not amenable to a settlement. Upon such a termination of the process by the mediator, the formal grievance committee review process will begin.
- iv. Mediators may be trained members of the faculty or staff, outside mediators from the community, or mediators from other campuses within the University. UNCP will provide a list of trained/certified mediators to involved parties. Mediators may not be members of the Faculty Grievance Committee. The mediator selected must be agreed upon by written consent of both parties prior to mediation session(s). In all cases, the selected mediator must have successfully completed formal mediation training substantially equivalent to that required for certification by the North Carolina Administrative Office of the Courts or to have been formally trained in mediation specifically designed for use in a university setting.
- v. Attorneys may be present at any or all mediation sessions. However, attorney involvement is limited to discussions with his/her client and attorneys are prohibited from participating directly in the mediation dialogue.

- vi. Should mediation fail, parties involved will not be held accountable for the failure of the process to reach an agreement, nor will any party be required to pursue mediation off-campus. No record of a failed mediation process will be produced by the mediator other than an unelaborated written statement (i.e., that the mediation was attempted, but settlement was not reached) to the Chair of the Faculty Grievance Committee who will then initiate the formal grievance process.
- vii. The mediator is prohibited from being called as a witness in any subsequent (formal or informal) proceedings.
- viii. Nothing done or said by either party during a mediation process shall be referred to or used against a party in any subsequent proceeding.
- ix. A successful outcome to a mediation will result in a document signed by all parties involved, the mediator, the Chair of the Faculty Grievance Committee, and Academic Affairs; provided, however, if the settlement requires action by any administrative division of UNCP other than Academic Affairs, the Chancellor or Vice Chancellor of such other division(s) must also sign the settlement agreement for it to be effective. The document must include specific remedies agreed upon, time for remedies to be implemented/available, etc. The mediator is responsible for ensuring this document is complete and delivered to all parties within 10 working days of the last mediation session. Records of mediations are to be kept on file in the Office for Academic Affairs for a minimum of five years.

### **13-1.C.2(b) Formal Grievance Procedure**

If, within eleven working days of the petition being filed, all parties involved have not commenced mediation or if the mediator reports that mediation has been attempted and failed, the Faculty Grievance Committee will convene for initial review of the content of the petition. The Faculty Grievance Committee will then initiate consideration of the merits of the grievance petition within six working days in the following manner:

- A. The committee will hold preliminary discussions with each party to the grievance in private for the purpose of determining the exact nature of and basis for the grievance. . In order to prevail in the grievance process, a faculty member must establish that the faculty member experienced a remediable injury attributable to the alleged violation of a right or privilege based on federal or state law, university policies or regulations, or commonly shared understandings within the academic community about the rights, privileges and responsibilities attending university employment.

If, following these discussions and an examination of any written materials each party may wish to present, at least two members of the Committee believe that, assuming the truth of the information asserted in the petition, a valid grievance within the Committee's jurisdiction has been presented and justifies a hearing, a formal hearing will be convened. A petition properly is dismissed if the grievant fails to allege any injury that would entitle the faculty member to relief in accordance with stated standards. Dismissal is also required if the petition addresses a problem that is not within the Committee's jurisdiction. If no formal hearing is deemed appropriate, the Committee shall dismiss the grievance and no formal hearing shall be conducted and the

Committee shall communicate that determination to all parties to the grievance. Any determination of that nature shall be set forth in writing and shall affirm the specific bases for the decision.

- C. If a formal hearing is deemed appropriate, the Committee shall so inform all parties and give them twenty working days to prepare material and testimony. Any witnesses shall be identified to the Committee at least five working days prior to the initiation of the hearing.
- D. The hearing shall be conducted by the chair of the Grievance Committee, with the Committee members and all parties to the grievance present. The hearing will be conducted in private, and witnesses shall not be present other than for purpose of giving testimony. The faculty member is to present evidence in support of the faculty member's contentions and the person charged with wrongdoing is to be given an opportunity to respond.
- E. The Committee is to maintain a complete record of all testimony and other evidence received so that a verbatim transcript of the testimony and other evidence may be created (a good quality tape recording of the proceeding is an acceptable method of keeping a record of testimony along with maintenance of all documents and other tangible evidence presented). An official taped record of the hearing shall be maintained by an appointed member of the Committee and shall be available to the parties, administrators, committees and their respective staffs, that are involved. The record is otherwise to be considered confidential and shall be kept in a manner consistent with appropriate privacy acts. . Only the evidence so compiled is to form the basis for committee conclusions about the case and any resulting advice to the responsible administrator and the Chancellor. The burden is on the grievant to establish by a preponderance of the evidence that the faculty member has experienced an injury that would entitle the faculty member to relief in accordance with the standard set out in paragraph herein above.
- F. Once the hearing is concluded, the Committee has a period of eleven working days to deliberate and formulate its recommendations.



**13-1.C.3 Procedure After The Hearing**

If the Committee determines that the faculty member's contention has not been established by a preponderance of the evidence, it shall, by a simple, unelaborated statement, so notify all parties to the grievance.

If the Committee determines that the faculty member's contention has been established, it shall so notify in writing all parties to the grievance and the department chair, dean or other administrative official most directly empowered to take corrective action. The written notice shall also include a recommendation for adjustment in favor of the aggrieved faculty member. Within six working days after receiving such a recommendation, the department chair, dean or administrative official (normally the Provost and Vice Chancellor for Academic Affairs) shall notify the faculty member and the Chair of the Grievance Committee as to what action will be taken with respect to the Committee's recommendation and by what date such action will be initiated.

If the department chair, dean or the Provost and Vice Chancellor for Academic Affairs fails to make such notification or if they fail to act upon the Committee's recommendations within a reasonable time, a written report containing the Committee's findings and recommendations will be submitted to the Chancellor. The grievant shall also have the right to appeal the Committee's decision by notifying the Chancellor in writing within ten calendar days after receipt of the Committee's decision. The Chancellor shall base his or her decision on the recommendation of the Faculty Grievance Committee and the record from the Faculty Grievance Committee hearing. The Chancellor may, in his or her discretion, consult with the Faculty Grievance Committee before making a decision. The Chancellor will issue a decision within six working days of receipt of the Committee's report or written notice of appeal by the grievant. The Chancellor's decision on the grievance will be mailed to the grievant by registered mail, return receipt requested. The Chancellor shall notify the member and the respondent administrator in writing of the Chancellor's decision. The notification shall include a notice of appeal rights, if any, and if the decision can be appealed, it shall contain the information specified below.

A grievant dissatisfied with the Chancellor's disposition of his or her grievance may appeal to the UNCP Board of Trustees under the provisions of Section 607 of the Code depending on the subject matter of the grievance.

**13-1.C.4 Appeal to the Board of Trustees**

Decisions which may be appealed

- a. If the Faculty Grievance Committee did not advise that an adjustment in favor of the grievant was appropriate, then the decision of the Chancellor is final and may not be appealed.
- b. If neither the relevant administrative official nor the Chancellor makes an adjustment that is advised by the Faculty Grievance Committee in favor of the aggrieved faculty member, then the faculty member may appeal to the Board of Trustees of The

University of North Carolina at Pembroke. The decision of the UNCP Board of Trustees is final.

- c. The Board of Trustees may delegate to a designated committee the authority to make procedural decisions and to make final decisions on behalf of the board concerning appeals of faculty grievances submitted pursuant to section 607 of *The Code*, Timeline for Appeals.

### **13-1.C.5 Timeline for Appeals**

- a. A grievant who seeks to appeal the Chancellor's disposition of his grievance must file written notice of appeal with the UNCP Board of Trustees (the "Board"), by submitting such notice to the Chancellor, with adequate evidence of delivery, within 10 working days after the grievant's receipt of the Chancellor's decision. The notice shall contain a brief statement of the basis for the appeal. If the Board agrees to consider the appeal, it will do so on a schedule established by the Chancellor, subject to any instructions received from the Board or from a committee of the Board that has jurisdiction over the subject matter of the grievance. The Board will issue its decision as expeditiously as is practical. The Board shall dismiss any request for an appeal of any decision by the Chancellor that was final pursuant to this policy. If the grievant fails to comply with the schedule established for perfecting and processing the appeal, the Board in its discretion may extend the time for compliance or it may dismiss the appeal.
- b. If the Chancellor's decision is appealable, the Chancellor's notice of the disposition of a grievant's case must inform the grievant: (1) of the time limit within which the grievant may file a petition for review by the Board of Trustees, (2) that a written notice of appeal containing a brief statement of the basis for appeal is required with the ten-day period and, (3) that, after notice of appeal is received in a timely manner, a detailed schedule for the submission of relevant documents will be established. All such notices of decision are to be conveyed to the grievant by a method that produces adequate evidence of delivery.
- c. Standard of Review: In order to prevail before the Board of Trustees, the faculty member must demonstrate that the Chancellor's decision was clearly erroneous, that it violated applicable federal or state law or university policies or regulations, or that the process used in deciding the grievance was materially flawed.

### 13-2 The Promotion And Tenure Committee

The Promotion and Tenure Committee advises the Provost and Vice Chancellor for Academic Affairs on matters of promotion and tenure. This University wide committee attempts to ensure a fair and consistent application of promotion and tenure standards. The responsibilities of the Promotion and Tenure Committee are to (a) gather the reports of the department chair and Peer Evaluation Committee, (b) request any additional information that it deems necessary, (c) examine all facets of the application, and (d) reach an equitable final decision. Responsibilities in the tenure and/or promotion process are discussed below (Section 4-3.F and 4-7.F).

#### 13-2.A Composition and restrictions on membership of the Committee:

1. The Committee will consist of five faculty members, one elected from each Faculty Senate division. The Committee on Committees and Elections will conduct faculty-wide elections for the divisional representatives under procedures outlined in the By-laws of the Faculty Constitution.
2. Membership is restricted to full-time faculty members; no department chair or other administrator shall be eligible to serve. Department chairs and administrators may act as resource persons to the Committee.
3. Only those faculty members with tenure and the rank of associate or full professor are eligible for election to the Committee.
4. Membership is for three-year staggered terms. A member may not succeed him or herself.
5. A member of the Committee (Promotion and Tenure) shall not serve concurrently on the Faculty Hearing Committee or the Faculty Grievance Committee or a Tenure and Promotion Peer Evaluation Committee, but shall be eligible to serve on *Contract Renewal* Peer Evaluation Committees
6. No member may receive a major evaluation while serving on the Committee. A member who is to receive a major evaluation must resign from the Committee by September 21 of the year of the evaluation so that a replacement may be elected. If a member fails to resign by that date, his or her major evaluation is aborted.
7. No member of the Promotion and Tenure Committee shall serve concurrently on the Faculty Hearing Committee or the Faculty Grievance Committee or a Tenure and Promotion Peer Evaluation Committee, but shall be eligible to serve on *Contract Renewal* Evaluation Committees.

#### 13-2.B Procedures

1. Committee leadership. At the final meeting in the spring semester, the Committee will select a chair and vice chair. The chairmanship rotates among divisions. The vice chair

should represent the next division in the regular rotation. A member may serve as chair only once during his or her term. The chair is responsible for conducting meetings, insuring that all pertinent provisions of the Faculty Evaluation Model are followed, using standard parliamentary procedures in reaching decisions, insuring confidentiality of proceedings, and preparing and distributing the Committee's final reports. Should the chair abstain from a case, the vice chair will preside; the vice chair will also assist in preparation of final reports.

2. Coordination with the Office for Academic Affairs. At the first meeting of the fall semester, the Provost and Vice Chancellor for Academic Affairs briefs the Committee on the results of the previous committee's recommendations and on the forthcoming candidacies to be considered. Throughout the year, the Committee chair serves as the liaison between the Committee and the Office for Academic Affairs for matters pertaining to promotion and tenure decisions.
3. Quorum requirements and abstentions. A quorum of four members is required to conduct preliminary meetings, and a quorum of all five members is required for final decisions. In any decision that involves a conflict of interest on the part of a member, that member is to notify the other members and abstain from all deliberations and votes on that decision.
4. Report preparation. In preparing the Tenure and Promotion Evaluation Report for a faculty member, the committee is to follow the Format for Evaluation Reports (Figure 4A.1); complete the Tenure, Promotion, and Renewal Form (Figure 4A.3); and be guided by the Standard Performance Rating Scale (Figure 4A.6). Serious consideration must be given to the area weights on the faculty member's Self-Evaluation Report(s). The Committee's final recommendation should be an independent judgment based on summaries of the overall record and the Committee's resolution of any disagreements between the candidate and other evaluators. The Committee should strive for consistency over time in applying criteria and making decisions.

### 13-3 Faculty Hearing Committee

- A. **The Faculty Hearing Committee considers requests for hearings concerning discharge or the imposition of serious sanctions. (Section 5-5), nonreappointment (Section 5-6) or termination of employment (Section 5-7).**
- B. Elections for members of the Faculty Hearing Committee are conducted by the Committee on Committees and Elections of the Faculty Senate [See By-laws Article V, Section 2]. Those eligible to vote are members of the General Faculty. [See UNCP Faculty Constitution, Article I, Section 1].

The Faculty Hearing Committee shall be constituted as follows:

1. The Committee shall have seven (7) members, all of whom have permanent tenure or have held permanent tenure and are participating in phased retirement.
  2. No department chair or officer of the administration may serve on this Committee.
  3. At most one faculty member from a given department may serve at one time.
  4. Members shall serve two-year staggered terms and may not serve more than two consecutive terms.
  5. Membership on the Faculty Hearing Committee precludes service at the same time on the Promotion and Tenure Committee as well as on the Faculty Grievance Committee.
- C. General Committee Procedures
1. As soon as the election results have been reported to the Senate, the chair of the Committee on Committees and Elections will call a meeting of the Faculty Hearing Committee for the purpose of electing a Chair of that committee for the next academic year.
  2. For a particular hearing, Committee members who hold an appointment in the faculty member's department, who will testify as witnesses, or who have any other conflict of interest are disqualified. Replacement of Committee members who are unable to serve on a case for any reason will be made by the Chair of the Faculty Senate with the concurrence of the Executive Committee of the Senate.

If the Chair of the Faculty Senate has any conflict of interest in the case or is absent, then the duties of the Senate Chair, relative to the case, will be assumed by the following in succession: Senate Chair-Elect (if there is one), Chair of Faculty and Institutional Affairs Committee, Chair of Academic Affairs Committee.

3. A quorum for any meeting of the Committee is a simple majority of the total Committee membership.
  
4. The Chair of the Hearing Committee will report to the Faculty Senate early in the fall semester on the number of cases heard during the previous academic year.

### **13-4 Misconduct Related To Research**

#### **13-4.A Guidelines For Consideration Of Cases Involving Misconduct In Academic Research**

##### **13-4.A.1 Guiding Principles**

- A. Definition of Misconduct in Academic Research by Faculty
1. The intentional misrepresentation, fabrication, or falsification of data gathered in academic research or in the procedure used to gather, analyze, or validate such data.
  2. Plagiarism -- The use of ideas, language, or the results of creative endeavors without appropriate referencing or crediting of the original source(s).
  3. Other practices that seriously deviate from those commonly accepted within the academic community for proposing, conducting, or reporting research, including inappropriate crediting of authorship (or lack of crediting) in cases in which students, alumni, or other parties have contributed to such research.
  4. The material failure to comply with federal requirements regarding the use of laboratory animals, the treatment of human subjects, or the expenditure of grant funds as stipulated conditions for specific grants, contracts, or as general requirements of the granting or contracting agency.
  5. Misconduct in academic research is to be carefully distinguished from honest differences in the evaluation of data gathering or analysis practices, and from honest differences in interpretations or judgments of data. Honest differences of opinion are the lifeblood of a vigorous and productive discipline. The confusion of honest differences of opinion with intentional misrepresentation could easily be detrimental to the discipline and restrict academic freedom.
  6. Similarly, honest errors in collecting, analyzing, and reporting data are not considered to be instances of academic misconduct. It is the responsibility of those investigating the matter to determine, with all the resources at their disposal, the delicate and complex question of whether the alleged misconduct arises from honest error, minor to gross negligence, or outright misrepresentation. Honest errors arising from negligence reflect simply bad research and should be dealt with as an issue separate from deliberate deception, misrepresentation, plagiarism, and unethical or illegal practices in the conduct of research or creative activity.
- B. General Policies Regarding Misconduct in Academic Research
1. Policy. Misconduct in academic research poses a fundamental threat to the process of academic research and creative endeavors and therefore cannot be tolerated.

2. Handling of allegations. Allegations of misconduct in academic research are a serious matter. They must be handled in a prompt and appropriate manner with due respect and concern both for the accused and the accuser. The responsibility for coordinating these procedures rests with the Provost and Vice Chancellor for Academic Affairs unless there is a conflict of interest, in which case the Chancellor will assume this responsibility.
3. Protection of the accused. Until a decision as to the facts of the case is made through the judicious application of the policies and procedures described in this document, the accused is to be protected by the institution. Individual parties involved must be shielded from the possible damage arising from allegations of misconduct, while ensuring a prompt and effective response to the allegations raised. The primary mechanism for this protection will be strict confidentiality. The damages resulting from spurious allegations of misconduct in academic research, and inappropriate assumptions of guilt must be minimized.
4. Protection of the accuser. The accuser is also to be protected by confidentiality and anonymity in the initial handling of the case until it becomes necessary for the identity of the accuser to be revealed to the accused and to other parties that need to know. Except under extraordinary circumstances, the accused has the right to confront the accuser. Special care in this respect must be taken in cases where the accuser is subordinate to the accused. Spurious, frivolous, or irresponsible accusations of misconduct are, themselves, a form of academic misconduct and should be dealt with accordingly. Individuals must be protected by the institution from these types of allegations.
5. Confidentiality. An investigation of an allegation of misconduct in academic research must be handled with strict confidentiality at all times.
6. Conflict of interest. A conflict of interest, real or perceived, must be avoided in the investigation of an allegation of misconduct in academic research. The membership of the investigating committee must be screened to avoid this difficulty.
7. Timeliness. Fairness and justice to the parties involved require that allegations of misconduct in academic research be resolved in a timely manner. Any deviation from the time guidelines given below should involve the preservation of the fair and appropriate handling of the investigation. When a departure from these time constraints is judged to be necessary, the extent and specifics of the departure must be documented and agreed to in writing by the parties involved.
8. Documentation. The investigation of an allegation of misconduct in academic research must be carefully documented starting with the initial allegation and proceeding through disposition and reporting of findings. Thorough documentation is important for several reasons, including potential legal proceedings that may follow from such cases. Every substantive aspect of the investigation needs to be documented. Personnel decisions or other actions arising from the disposition of the case need to be justified in the documentation.



9. Organization. There will be three stages involved in the handling of an allegation of misconduct in academic research. The first stage, which is the internal (Inquiry) stage, involves the gathering of facts as quietly and confidentially as possible with only the Provost and Vice Chancellor for Academic Affairs, the Inquiry Committee, and the faculty member(s) named in the allegations being informed of the proceedings. If the inquiry indicates that a formal investigation is warranted, then an Investigating Committee is formed as described below, and the second (Investigation) stage begins. At this stage, the Provost and Vice Chancellor for Academic Affairs informs the Chancellor that such proceedings are underway. The third (Summary) stage involves actions taken by the Provost and Vice Chancellor for Academic Affairs based on findings in the first two stages.
  
10. If in the Inquiry stage it is found that a full investigation (second stage) is appropriate, then the University has the responsibility of informing various parties both within and external to the university community. Those who need to be informed will depend on the circumstances, but may include: (1) department chairs, administrators, or other faculty who will be affected by the investigation; (2) persons who have been or are currently in collaboration with the accused; and (3) any funding agency that requires reporting under such circumstances. It is the responsibility of the Investigating Committee to determine the extent of such reporting at the outset of the official investigation.

### **13-4.B Procedures for Handling an Allegation of Academic Misconduct**

#### **A. Overview**

1. There are three stages in the handling of allegations of misconduct in academic research. They are the Inquiry stage, the Investigation stage, and the Summary stage. The Inquiry stage begins with the initial allegation of misconduct in academic research and ends when the Provost and Vice Chancellor for Academic Affairs determines that the case does or does not warrant further action. The Investigation stage begins if and when it is decided that the case requires a full investigation and ends with a summary of findings as to the facts of the case and a recommendation for action forwarded to the Provost and Vice Chancellor for Academic Affairs. The Summary stage involves actions taken by the Provost and Vice Chancellor for Academic Affairs based on the findings of the first two stages.
  
2. For purposes of consistency, a "day" is defined as a weekday during which classes are normally in session. University holidays are not to be counted toward the deadlines established in this document. Timeliness for proceedings that extend over lengthy holidays may need to be modified as circumstances require. If so, these modifications must be documented and agreed to in writing by the parties involved.

Inquiry Stage

1. An allegation of misconduct in academic research should be directed to the Provost and Vice Chancellor for Academic Affairs. The Provost and Vice Chancellor for Academic Affairs determines, in consultation with the complainant, whether the charges are of a serious nature. This decision must be dated and documented in a specific file to be retained by the Provost and Vice Chancellor for Academic Affairs. Except in cases of conflicting interest, or other sensitive or special circumstances, the department chair of the faculty member(s) named in the allegation is informed of the matter at this time.
2. Upon finding that the complaint deserves further examination, the Provost and Vice Chancellor for Academic Affairs should initiate the Inquiry stage. This stage should be concluded within 30 work days.
  - 2.1 The Inquiry Committee is to be formed by the Provost and Vice Chancellor for Academic Affairs. This committee may include the department chair involved and members of any research oversight committees that may have an interest in the present matter. Decisions to involve or not involve other parties in the inquiry must be made in light of the need to avoid real or apparent conflicts of interest and to maintain appropriate confidentiality.
  - 2.2 The Provost and Vice Chancellor for Academic Affairs will name one of the committee members to serve as chair. This individual will coordinate the collection of documents, correspondence, and all other appropriate materials that are necessary for conducting the inquiry.
  - 2.3 The faculty member(s) named in the allegation must be notified of the initiation of the proceedings.
3. The accused has a right to attend the Inquiry meetings at which evidence is presented and discussed, and to examine and respond to any evidence or testimony presented. A discussion of the allegation with the accused should be one of the first elements of the Inquiry Committee proceedings. The accused may not attend the final meeting of the Inquiry Committee at which a decision is reached as to whether the allegation warrants a formal investigation. However, no new evidence used against the accused may be presented or discussed at this final meeting. Within these limits, Inquiry Committee meetings may be attended only by Inquiry Committee members, the accused, persons presenting evidence or testimony, and others who have, in the judgment of the Provost and Vice Chancellor for Academic Affairs, a substantive and demonstrable need to know. The Inquiry shall be conducted under the strictest confidentiality possible.
4. If the Inquiry Committee finds that a full investigation of the allegation is not warranted, then any reference to the allegation must be removed from the faculty or staff member's personnel file, as well as from any special files

pertaining to this matter. All documentation regarding the allegation must be destroyed by the Provost and Vice Chancellor for Academic Affairs.

5. If the Inquiry Committee finds that a full investigation of the allegation is warranted, the Provost and Vice Chancellor for Academic Affairs should (a) appoint an ad hoc committee to conduct an investigation composed as described below; (b) take appropriate action to preserve and protect any data, records, or evidence pertaining to the case; (c) notify the individual(s) involved of the proceedings being initiated and of their opportunity to appear before the committee in their own defense; and (d) report the initiation of the investigation to any funding agency that may be involved. The Provost and Vice Chancellor may require that the accused individual(s) temporarily cease research activities if it is determined that a continuation of such activities may result in risk or harm to parties involved. The Provost and Vice Chancellor for Academic Affairs shall inform the UNCP Chancellor that a formal investigation of Academic misconduct is underway.

#### Investigation Stage

1. The Chair of the Investigating Committee is to be designated first by the Provost and Vice Chancellor for Academic Affairs. The nature of the research, possible conflicting interests, and departmental or administrative concerns will guide the choice of this individual.
2. The Investigating Committee should be composed of seven members including: (a) the appointed chair; (b) one member representing the University Senate; (c) one member representing the Faculty Development and Welfare Subcommittee; and (d) members representing the committees involved with research on the UNCP campus. The Provost and Vice Chancellor for Academic Affairs and the Chair of the Investigating Committee will confer on the six appointments (other than the Committee Chair) to assure that the Committee includes faculty with the particular expertise relevant to the nature of the allegation. These appointments shall be full-time faculty members with no apparent conflicts of interest and who are deemed qualified and appropriate to work in this capacity.
3. The Committee shall conduct a prompt and thorough investigation in order to ascertain whether the individual has violated this policy, and if so, to what extent. Early in the course of the investigation, the Committee shall discuss the matter in confidence with the accused individual and with all persons with whom the accused has collaborated in relation to the work under review. Throughout the investigation, the Committee shall be sensitive to the effects of the proceedings on the individual, protecting the rights of the accused, and avoiding disclosure except to individuals who need to be involved in the investigation.
4. One or more hearings shall be conducted by the Investigating Committee in which information and evidence relevant to the allegation are presented, discussed and evaluated. It is the responsibility of the Committee chair to schedule and conduct the hearing(s) as well as to provide relevant evidence, documents, and recorded testimony to Committee members. Interviews with

those having special knowledge relevant to the allegation may take place in the hearing(s), as well as a review of written documents, publication records, raw data or computer files, and transcripts of testimony or discussion from previous hearings and interviews.

5. The accused individual has the right to attend these hearings, to examine all documents or evidence used to question persons being interviewed, and to introduce any evidence, documents, or interviews in support of the views of the accused. At the conclusion of the hearings, a separate meeting of the Investigating Committee shall be conducted to reach a decision as to the facts of the case. The accused individual may not be present at this final meeting, and no new evidence of any sort may be presented at this meeting. The accused individual must have access to all information used by the Committee, and must be given the opportunity to respond to that information.
6. The hearings may be attended only by those whose presence is required for the proceedings to take place. This would normally include the members of the Investigating Committee, the accused individual, and persons needed to present evidence or testimony. Others may be permitted on a need-to-know basis at the discretion of the chair of the Investigating Committee in consultation with the Provost and Vice Chancellor for Academic Affairs if necessary.
7. The scope of the investigation shall be at the discretion of the Committee chair according to the charge and the facts. The Committee shall consider only such evidence as is presented at the hearing(s). The Committee shall use its judgment in deciding what evidence presented is fair and reliable. A written transcript shall be kept of all proceedings in which evidence is presented. Upon request, a copy of this transcript will be furnished to the accused faculty member at the University's expense.
8. Within 30 work days from the beginning of the official investigation, the Investigating Committee should produce a preliminary report to which the accused individual may respond, in writing, before final recommendations are made. A period of 15 work days is allowed for a response from the accused unless it is determined by the Committee chair that more time is needed to ensure fair and appropriate handling of the matter. The specifics of any agreement to alter this timing must be documented and signed by the accused, the Committee chair, and the Provost and Vice Chancellor for Academic Affairs.
9. Within 60 work days from the beginning of the Investigation stage, the Investigating Committee must submit to the Provost and Vice Chancellor for Academic Affairs a written report which describes their findings as to the acts of the matter. This report should specify whether a majority of the committee believes that the accused individual has or has not engaged in substantive academic misconduct as defined in this document. If a majority of the Committee has determined that a substantive violation has occurred, the report should address the extent and seriousness of that violation. The report should also recommend a course of action to the Provost and Vice Chancellor for Academic Affairs. Such actions may involve personnel decisions, sanctions,

notification of a funding agency, notification of collaborators, or any other appropriate action.

### Appeal Process

The individual faculty member may appeal the decision reached in the above process through the standard faculty committees: the Faculty Grievance Committee or the Faculty Hearing Committee, as appropriate. Faculty members who feel that they have cause for a grievance in any matter other than suspension, discharge, nonreappointment (including denial of permanent tenure) or termination, which are under the jurisdiction of the Faculty Hearing Committee may submit a petition for redress to the Faculty Grievance Committee.

### **13-4.C APPENDIX A: Definition of Significant Financial Interest**

Significant Financial Interest means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties for such rights). The term does not include:

- (1) Salary, royalties, or other remuneration from the applicant institution;
- (2) Any ownership interests in the institution, if the institution is an applicant under the SBIR Program;
- (3) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- (4) Income from service on advisory committees or review panels for public or nonprofit entities;
- (5) An equity interest that when aggregated for the Investigator and the Investigator's spouse and dependent children, meets both of the following tests: Does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than five percent ownership interest in any single entity; or
- (6) Salary, royalties or other payments that when aggregated for the Investigator and the Investigator's spouse and dependent children over the next twelve months, are not expected to exceed \$10,000.

**13-4.D APPENDIX B: Certification of Objectivity in Research**

The University of North Carolina at Pembroke has in effect a written and enforced administrative process to identify and manage, reduce or eliminate significant financial interests as outlined in 42 CRF Part 50 (amended), article 50.605.

The University of North Carolina at Pembroke:

\_\_\_\_\_ has not found a significant financial interest in this research.

\_\_\_\_\_ has found a significant financial interest in this research. Actions will be taken prior to the award of funding to manage, reduce or eliminate that interest in accordance with 42 CFR Part 50; and will notify PHS of such action prior to issuance of the Notice of Grant Award.

Further, The University of North Carolina at Pembroke agrees to make information available, upon request, to Health and Human Services regarding all significant financial interests identified by the institution, and how those interests have been managed, reduced or eliminated to protect the research from bias.

Director, Center for Sponsored Research and Programs

Note: This certification page will be attached as an appendix to all PHS proposals per UNC-GA's request.

### **13-5 UNCP Undergraduate Grade Appeal Process**

Undergraduate students may appeal a final course grade. The appeal process must be initiated by the student within thirty (30) calendar days after the first day of class of the regular semester following the award of the grade. The appeal process is summarized below.

#### **Step 1**

An undergraduate student who wishes to appeal a final course grade must first attempt to resolve the matter by meeting with the instructor involved. The student must explain his or her position to the instructor and attempt to understand the justification for the grade assigned by the instructor. The purpose of the meeting is to reach a mutual understanding of the student's situation and the instructor's actions and to resolve differences in an informal and cooperative manner.

#### **Step 2**

If a student fails to reach a satisfactory solution in consultation with the instructor, or if it is impractical to consult with the instructor, the student should seek the assistance of the Faculty Conciliator within fifteen (15) calendar days of the meeting with the instructor or within thirty (30) calendar days after the first day of class of the semester following the award of the grade. The Faculty Conciliator's role is to advise, guide, and document the student's progress through the Appeal Process (see Checklist).

#### **Step 3**

Within five (5) calendar days of the initial meeting with the student, the Conciliator must arrange a meeting with the student, the instructor, and the Department Chair. The purpose of this meeting is to try to find an amicable solution. In the case of a grade appeal involving a Department Chair, the meeting will be with the student, the instructor (chair) and a Vice Chancellor for Academic Affairs (Provost, Associate, or Assistant). If the student is still dissatisfied after this meeting, such student may then elect to file a formal appeal within fifteen (15) calendar days of the meeting.

#### **Step 4**

To file a formal appeal, the student must submit a written appeal statement to the Conciliator who will forward it to the Chairperson of the Campus Hearing Board with copies to the Associate Vice Chancellor for Academic Affairs and the faculty member. The written appeal must be specific, relevant, and concise, explaining precisely the student's justification for the grade appeal. The burden of proof will be on the student, to the extent reasonable, to clearly document pertinent evidence for the grade appeal (i.e., a copy of the syllabus; copies of graded exams and term papers as well as other substantiating evidence). The student should also provide a list requesting copies of items used for evaluation that cannot be directly documented (e.g., a professor may keep copies of old exams).

#### **Step 5**

The Campus Hearing Board has authority to screen out frivolous or unsubstantiated claims. The Chairperson will notify the Conciliator, the faculty member, the student and the departmental chair (or Vice Chancellor) in writing, explaining why the committee found a student claim sufficient or insufficient and, in the event of a sufficient claim, of the date of the appeal hearing.

#### Step 6

The Chairperson of the Campus Hearing Board shall convene a meeting of the Board at least once a semester, unless no sufficient appeals are forthcoming. In a closed hearing, the student shall produce documents and other relevant evidence to substantiate his or her claims. The student may address only those issues that are described in the appeal statement. Claims the Hearing Board has deemed frivolous or unsubstantiated may not be addressed. The instructor shall be given an opportunity to respond and discuss the concerns raised by the student. The Campus Hearing Board may ask questions of all parties and will deliberate after hearing the case. Two faculty members and two student members must vote in concurrence with the student's position in order for the appeal to be supported. The Board shall issue its decision within seven (7) calendar days of the hearing.

#### Step 7

Once the Campus Hearing Board reaches its decision, the following persons will be notified in writing about the findings of the Board: the Vice Chancellor for Academic Affairs, the Chair in the appropriate department, the faculty member, the Conciliator, and the student. All of the records of the case will be kept in a file maintained by the Associate Vice Chancellor for Academic Affairs. All records of the Board's deliberations shall be kept in a file maintained by the Associate Vice Chancellor for Academic Affairs in accordance with the University Records Retention and Disposition Schedule.

If the Board finds the original course grade to be inappropriate, the Board will recommend that the faculty member recalculate the grade and make the appropriate change in Registrar's Office within five (5) calendar days. Should the faculty member be unwilling or unable to do so, the Board will recalculate the grade and make the change in the Registrar's Office. The resulting grade is final and may not be further appealed.

#### FACULTY CONCILIATOR

The Faculty Conciliator will be chosen by the Student Government Association (SGA) from a list of four names of the full-time teaching faculty approved by the Faculty Senate and submitted by the Chair of the Faculty Senate. The SGA will also select one of the nominees from a different department than the Conciliator to serve as an alternate should the circumstances of a specific situation make involvement of the primary Conciliator impractical. Both the Conciliator and the alternate will serve one-year terms. The Faculty Conciliator shall be an ex officio, non-voting member of the Campus Hearing Board in final grade appeals deliberations.

#### CAMPUS HEARING BOARD

The Campus Hearing Board is defined in the UNCP Student Handbook. Hearing Board members are necessarily excluded from deliberations in which:

1. The board member is related to one of the two principals.
2. The board member is a departmental colleague of one of the principals.
3. The board member is currently enrolled in a course taught by one of the principals.
4. The board member is one of the two principals involved.

All questions of scheduling and satisfying deadlines shall be adjudicated by the Chairperson of the Campus Hearing Board.



Nothing in this policy should be construed as a violation of academic freedom expressed in *The Code* of The University of North Carolina.

**Grade Appeal Checklist**

STUDENT GRADE APPEAL FACULTY CONCILIATOR CHECKLIST

Conciliator Name:

Student Name:

Student Number:

Date of first contact:

Date of meeting of student &  
instructor:

Date Confirmed:

Date of meeting with Chair[AA]:

Written Appeal received by Conciliator:

Date forwarded to Chair of Campus Hearing  
Board:

Date of Receipt of Appeal Results:

## 13-6 UNCP Grievance Process For Students

### I. PURPOSE

The objectives of this Grievance Process for Students are to ensure that students have the opportunity to present a grievance to the University regarding a certain action or inaction by a member of the University community and to ensure that the University has a consistent process of resolving those grievances in a fair and just manner.

A student may pursue a grievance if he or she believes that a University employee (including faculty, staff, student employees and agents--hereafter, referred to only as the Employee) has violated his or her rights. This Grievance Process for Students applies to all problems arising in interactions between a student and a member of the University community that are not governed by other specific grievance proceedings. (e.g. Undergraduate Grade Appeal Process, available online at <http://www.uncp.edu/handbook/13sga.pdf> on page 67). Upon request from any student, the Judicial Affairs Officer will provide guidance about the appropriate process for redress of a particular complaint.

Grievances found to have intentionally dishonest or willful disregard of the truth is a violation of the **UNCP Student Code of Conduct**, item # 2, *Furnishing false information to the University with intent to deceive*. **Students violating this code will be subject to disciplinary action**. Any retaliation directed to the complainant as a result of the filing of a grievance is against state and federal laws and UNCP Policy.

#### What May Be Grieved:

An action or decision may be grieved only if it involves a violation of University policy or public law. Grievances may not be used to challenge policies or procedures of general applicability. In addition, this process may not be used to grieve:

- a. Claims based on purchases or contracts;
- b. Claims against an employee on matters that are unrelated to the employee's job or role at the University;
- c. Decisions covered by other University policies (e.g. Residency appeals)

#### Who May Grieve:

Grievances may be initiated by students currently enrolled at the University of North Carolina at Pembroke.

### II. INFORMAL RESOLUTION

The informal resolution process is designed to reach an understanding of the situation and to resolve the differences in an informal and cooperative manner.

#### Step 1

The student with a grievance with a member of the University community is encouraged to first attempt to resolve the matter by meeting with the Employee. The purpose of the meeting is to reach a mutual understanding of the student's situation and the Employee's actions. The student has seven calendar days from the incident or the date the student should have known about the incident to initiate this discussion.

**Step 2**

If the consultation with the Employee is not satisfactory, or if it is impractical to consult with the Employee, the student should seek the assistance of the Employee's immediate supervisor within seven calendar days of the meeting with the Employee or within fourteen calendar days of the incident. The purpose of this interaction is for the immediate supervisor to attempt to work with both parties to reach a resolution to the conflict.

**III. FORMAL RESOLUTION****Step 3**

If an informal resolution is not successful, the student may file a formal grievance by sending a request for a hearing by a fact finding panel along with the following information to the appropriate Vice Chancellor with supervisory authority over the person(s) named in the grievance as causing harm to grievant. The student must file this within fourteen calendar days of the meeting with the immediate supervisor.

All complaints must be in writing and signed by the student. The grievance must contain:

1. A clear and precise statement of the complaint.
2. State how the decision or action is unfair and harmful to the student and list the University policies or state and federal laws that have been violated, if known;
3. Name the respondent parties (the person(s) against whom the grievance is filed);
4. State how each respondent is responsible for the action or decision;
5. State the requested remedy; and
6. State whether a non-participating observer will be brought to the hearing.
7. Sign Grievance Statement of Authenticity Form.

If it is clear on the face of the written grievance, the complaint has not been filed according to this process (such as, but not limited to, timeframe, matter is not grievable under this process, the complaint is frivolous in the Vice Chancellor's judgment, or is from a person without grievance rights under this process) the Vice Chancellor shall so indicate in a letter to the grievant that the complaint is dismissed.

Otherwise, within fourteen calendar days the Vice Chancellor, or a designee (hereafter referred to as the Administrator), shall refer the grievance to the chair of the Student Grievance Committee, from which a fact-finding panel will be appointed. The Vice Chancellor will inform the employee in writing that a grievance has been received and refer the matter to the Student Grievance Committee.

The members of the Student Grievance Committee must be approved by the Chancellor and serve at the pleasure of the Chancellor. The composition of the Student Grievance Committee shall be made up of three faculty members (nominated by the Faculty Senate) three staff members (nominated by the Staff Council) and four student members (two SGA representatives and two nominated by SGA).

For the purpose of each grievance, the chair of the Committee will select four members of the Committee to serve with him/her as the fact-finding panel. A decision of the panel will be considered a decision of the Committee. In addition to the chair of the Committee, each fact-finding panel shall include two students, one faculty member and one staff member. The faculty and staff member cannot be part of the same office or immediate administrative unit as the Employee. Panel members should have no personal interest in the outcome of the process, and

should not have any personal involvement in earlier stages of the matter. The chair may designate another member of the Committee to serve as the fifth member of the Panel when the chair is unavailable due to emergencies.

The Panel members, parties and all persons involved in the grievance process are expected to maintain strict confidentiality regarding the grievance and all stages of this process. State and federal laws govern the privacy rights of students and employees. Any questions about the disclosure of information should be directed to the panel in writing, and the panel may consult with the Office of Legal Affairs. Once a formal resolution has been requested, there should be no ex parte communication between the parties and panel members concerning the merits of the case.

#### Step 4

The fact-finding Panel must convene within fourteen calendar days of being appointed. The chair of the Committee shall convene the panel and provide them with the written complaint and all supporting documents provided by either party. The Chair of the Committee will be responsible for facilitating the work of the Panel and to proceed in a timely manner.

The Panel shall notify the parties of a hearing date, time and place at least fourteen calendar days in advance of the hearing. During a hearing, the grievant and the accused shall have the following rights:

1. The right to have a non-participating observer present;
2. The right to present the testimony of witnesses and other evidence, relevant to the grievance;
3. The right to confront and cross-examine witnesses; and
4. The right to examine all submitted documents and other evidence.

A legal counsel may not participate in the proceedings unless the law or policy at issue provides for a broader right to counsel. The hearing must be taped recorded so that all persons can be heard clearly.

#### **IV. THE DECISION**

After hearing a student grievance, the Panel shall determine whether to recommend a finding that the preponderance of the evidence shows that the Employee has violated the law or policy at issue. When a majority of the Panel votes for a determination recommending a finding, the Panel shall provide a written report to the Vice Chancellor who received the complaint. The report should include a summary of the proceeding, recommendations, a copy of all correspondence with the parties, all evidence submitted to the panel, the recording or transcript of the hearing, and anything else considered by the panel in reaching its recommendation. A dissenting panel member may also file a minority report at this time.

The Vice Chancellor (or his/her designee) shall review the official report of the Panel and issue a written decision within fifteen calendar days of receiving the Panel's report. In the decision, the Vice Chancellor (or his/her designee) may either adopt the Panel report and recommendations in whole, modify it in part, or reject the report and reach different findings or conclusions for reasons expressly stated. The decision should be sent to all parties and a signed and dated receipt received.

**V. THE APPEAL**

The student who filed the initial grievance may appeal the decision of the Administrator to the Chancellor within fifteen calendar days of receiving the written decision. For grievances against Vice Chancellors, the Chancellor (or his/her designee) will make decisions based on the Committee's recommendation and that decision shall be final.

**14 MISCELLANEOUS FORMS****14-1 Report of Non-University Activities**

**The University of North Carolina at Pembroke  
Academic Staff  
Report of Non-University Activities**

The Report of Non-University Activities form is a part of the procedure for implementing The University of North Carolina at Pembroke's Policies and Guidelines Concerning Conflicts of Interest and Commitment Affecting University Employment. The purpose of the report is not to discourage outside activities, but to assist faculty in making sure that activities are compatible with University employment. Since outside professional activities of faculty and academic staff often enhance professional skills and serve the public, such activities are appropriate unless they give rise to a conflict of interest or commitment. Personal activities (those unrelated to professional skills) are generally not the University's concern unless they impinge upon service to the University.

For additional assistance, please contact the department chair or office director and the Office for Academic Affairs.

Name \_\_\_\_\_ Date \_\_\_\_\_

Title and Rank \_\_\_\_\_ Unit \_\_\_\_\_

I HAVE NO ACTIVITIES THAT I AM REQUIRED TO REPORT  
(Please check ONLY if you have no possible conflicts of interest or commitment. Then proceed to Part II, and submit to your department chair or office director).

**Part I Conflict of Interest Screening Questions**

1. Do you or a member of your family have a managerial role or a significant financial relationship with a company that does business with the University?  
 Yes (If so, please list and explain in an attached statement.)  No
2. Do you have non-University professional activities involving University students, staff, or facilities?  
 Yes (If so, please list and explain in an attached statement.)  No
3. Do you or any other member of your family have any other relationships, commitments, research, activities, or significant financial or fiduciary interest that might present or appear to present a conflict of interest with your The University of North Carolina at Pembroke appointment?  
 Yes (If so, please list and explain in an attached statement.)  No
4. Do any of the above activities result in providing income?  
 Yes (If so, please complete the Notice of Intent to Engage in External Activities for Pay.)  No

In submitting this form, I affirm that the above information is true to the best of my knowledge and that I have read the University's policies and procedures on conflicts of interest contained in the Faculty Handbook.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit to your department chair or office director for administrative review and approval.



**14-2 Administrative Review and Approval**

If No Activity is Reported

No activity is reported and to the best of my knowledge no conflict of interest or commitment exists.  
(Sign form. Retain one copy in departmental files and send one copy to the Office for Academic Affairs.)

If Any Activity is Reported  
(Please complete the Conflict of Interest Review section.)

Conflict of Interest Review

Based on the activity reported, and to the best of my knowledge and in my judgment:

No conflict of interest exists

A conflict of interest may exist, but does not appear to be significant (If so, please attach an explanation and forward to Associate Vice Chancellor.)

A conflict of interest may exist that warrants further review  
(If so, please attach an explanation and forward to Associate Vice Chancellor.)

Please complete if question 2 on the front of the form is answered affirmatively:  
As described by the academic staff member, the involvement of the University students and/or staff in his/her non-University activities does not appear to be detrimental to those individuals.

Agree  Disagree  
(If so, please attach an explanation and forward to Associate Vice Chancellor.)

**14-3 Engaging in External Professional Activities For Pay****14-3.A Notice Of Intent To Engage In External Professional Activities For Pay**

Date \_\_\_\_\_

Name \_\_\_\_\_

intends to engage in external professional activity for pay under the following conditions:

1. Name and address of contracting organization:
  
2. Nature of proposed activity:
  
3. Beginning date and anticipated duration of activity:
  
4. On average, how many hours per week will be devoted to this activity?
  - a. For 12-month employees, for the anticipated duration of the activity, within the current fiscal year ending June 30:
  
  - b. For 9-month employees, for each component part of the academic year, as applicable, within the current fiscal year ending June 30 (see Policy section 3.b.):
    - (1) Second summer session (post July 1)
    - (2) Fall semester
    - (3) Spring semester
    - (4) First summer session (pre July 1)
  
5. Total number of hours to be devoted to activity:
  
6. Identify any classes, meetings or other University duties that will be missed because of involvement in the proposed activity (respond separately for each applicable component part of the academic calendar if 9-month employee) and state what arrangements have been made to cover any such duties:

Duties Missed

Arrangements to Cover

7. Use of University resources in connection with proposed activity:
  - a. Will the activity entail the use of any University resources (see discussion at section 2.e. of Policy)?
   
 Yes                       No
  - b. If yes, describe what resources will be used.

8. To your knowledge, does the contracting organization above provide funding which directly supports any of your University duties or activities?  
 Yes                       No
  
9. To be completed if the contracting organization is a private firm:
  - a. Do you or any member of your immediate family own an equity interest in the contracting organization?  
 Yes                       No
  - b. Do you hold an office in the contracting organization?  
 Yes                       No
  
10. Performance of the above described activity is consistent with the Board of Governors Policy on External Professional Activities.

Signature

Department

Academic Rank or Job Title

Administrative Title (if any)

**14-3.B Activity During Past Fiscal Year**

Provide the following information for each External Professional Activity for Pay in which you engaged during the last fiscal year preceding the date of filing of this "Notice of Intent."

1. Contracting organization:
  
2. Beginning and ending date of activity (if completed):
  
3. Average hours per week devoted to this activity:
  
4. Total number of hours devoted to this activity:
  
5. Nature of Professional Activity:
  
6. Date of Notice of Intent was filed:

**14-3.C Administrative Action On Notice Of Intent**

- 1. Reviewed; activity determined to be consistent with University policy.

Date Department Head

Other action (as required):

Date Dean or Other Administrative Officer\*

\*Approval by Dean or other administrative officer to whom Department Head reports is required if question 8 or question 9.a. or 9.b. is answered in the affirmative.

- 2. Reviewed; activity determined not to be consistent with University policy.

Date Department Head

Action on appeal (if any):

Date Action taken

Dean or Other Administrative Officer

Date Action taken

Chancellor

Any administrative action approving a "Notice of Intent" shall be effective only for the remaining balance of the fiscal year (in the case of 12-month employees) or for the balance of the academic year (for 9-month employees); see Policy Section 3.b.

**14-4 UNCP Syllabus Checklist**

To ensure that we are in line with good practice in higher education, with UNC Pembroke syllabus guidelines as stated in the Faculty Handbook (6-3 Course Syllabi), and with Southern Association of Colleges and Schools Commission on Colleges (SACS) guidelines for providing written information to students about course expectations, Academic Affairs has devised a checklist form to assist chairs in reviewing course syllabi. Departments may want to add questions to the checklist to reflect departmental syllabus requirements. For example, several departments add a statement about the Academic Honor Code.

Professor's Name \_\_\_\_\_  
(please print)

Course Title and Number \_\_\_\_\_

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Is this syllabus for a course in the General Education curriculum? If Yes, please go to question 2. If No, please go to question 3.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Does the syllabus have a "statement of rationale as to how the particular course assists in meeting the objectives of general education at the University" (Faculty Handbook, Section 6-3)?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Does the syllabus include your office address, hours, telephone number, and email address?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Does the syllabus contain clearly identifiable statements of goals or objectives for the course?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Does the syllabus provide a description of course content?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Does the syllabus clearly state a variety of methods to evaluate student performance?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Are grading policies clearly indicated on the syllabus?   |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Is the attendance policy clearly stated on the syllabus?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Is the syllabus for a cross-listed course (a course that is listed in at least two different departments)? If No, please continue. If Yes, please ensure that the syllabus says, "Cross-listed as" and then provides the cross-listed course title and number. Then please continue with this Checklist.      |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Is the syllabus for a dual-listed course (a course that includes both undergraduate and graduate students)? If No, please ensure that any deficiencies you have found by using this Checklist are corrected before you give the Checklist and syllabus to your Chair. If Yes, please respond to question 11. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Does the syllabus properly discern levels of student performance between undergraduate and graduate students?  |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Does the syllabus contain the required statement from the Office of Disability Support Services?   |

NOTE: Please ensure that any deficiencies you have found by using this Checklist are corrected before you give the Checklist and syllabus to your Chair.

Date \_\_\_\_\_ Professor's Signature \_\_\_\_\_

14-5.A Cover Sheet

**Coversheet**  
**University of North Carolina at Pembroke**  
**Request for Review of Human Subjects Research**

Principal Investigator: \_\_\_\_\_ Department: \_\_\_\_\_

Faculty Advisor(s): \_\_\_\_\_ Department: \_\_\_\_\_

\_\_\_\_\_ Department: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Funding Source: \_\_\_\_\_ (if applicable)

Check any that apply:

Thesis project: \_\_\_\_ Classroom project: \_\_\_\_ Grant proposal: \_\_\_\_ Research project: \_\_\_\_

Faculty: \_\_\_\_ Staff: \_\_\_\_ Graduate Student: \_\_\_\_ Undergraduate Student: \_\_\_\_ Contract Org: \_\_\_\_

Initial Request: \_\_\_\_ Annual Review: \_\_\_\_ Protocol Change: \_\_\_\_

**Title of Project and Brief Description:**

---

Date Received by IRB: \_\_\_\_\_

**Initial recommendation:**

Exempt from board review: \_\_\_\_\_

Expedited review: \_\_\_\_\_

Full board review: \_\_\_\_\_

**Final IRB Recommendation:**

Approved as submitted: \_\_\_\_\_

Approved with noted conditions \_\_\_\_\_

Not approved: \_\_\_\_\_

**Signature of Chair or Designee:**

\_\_\_\_\_

Date: \_\_\_\_\_

This approval expires in one year from the date above. If significant changes are made to the protocol, prior approval must be obtained from the IRB. If you disagree with this decision you have the right to appeal.

**14-5.B Proposal Format**

**University of North Carolina at Pembroke  
Institutional Review Board  
Request for Review of Human Subjects Research**

Your request should include all of the information below. Please do not try to respond on this form. An original and two copies of the request should be sent to the current IRB chair. Membership of the IRB can be found on the IRB website <http://www.uncp.edu/irb>. You may submit your request for review electronically to [irb@uncp.edu](mailto:irb@uncp.edu). One signed copy must be sent to the chair of the IRB.

Please be brief and non-technical in your description. Individuals from a variety of academic and professional disciplines will read this request.

**PART 1**

1. Name of Investigator (If PI is a student, include the name of the supervising faculty member, course number and title)
2. Telephone and Email Contacts (for investigator and advisor, if applicable)
3. Project Title

**PART 2**

1. Purpose of Proposed Research
2. Project Description: Give a brief description of your research including hypotheses or research questions and procedures that will be used (include copies of all surveys and questionnaires and cover letters.)
3. Participants: Include number of participants, age, sex, method of recruitment, inclusion and exclusion criteria and any inducements for participation. If ads are to be used, include copy. Please indicate if minor children, pregnant women, fetuses or prisoners are to be used as subjects.
4. Are the participants at risk for psychic, legal, physical or social harm or any risk that is more than minimal? (Please note that "minimal risk" is defined as harm or discomfort that is "no greater" than that encountered in daily life or during the performance of routine physical or psychological tests.) If risk is greater than minimal, describe steps taken to minimize risk. If appropriate, attach a justification for the procedures based upon current scientific literature. What provisions are to be taken to insure that appropriate facilities and professional attention for health and safety of the participants will be available?
5. Are any illegal activities involved? This includes drug use, truancy, or underage drinking. Describe the nature of these activities.
6. Is deception involved? If so describe nature of deception, necessity and subsequent debriefing procedures. Deception cannot involve the falsification or withholding of information that may affect the willingness of participants in this study.



7. What are the anticipated benefits of this research? This question is optional unless you answered yes to question 4. The description of benefits must clearly outweigh the potential risks.
8. How will prior consent be obtained? A consent is required for all studies involving greater than minimal risk. For minimal risk research consent may be implicit or oral. However, a written statement regarding consent must be given to all participants. A copy of the consent form must be attached. Please see guidelines for preparation of consent forms on the IRB website.
9. How will results be reported or used?
10. How will records and/or results be stored? For what period will individual data be retained? How will data be destroyed?

I have read the Policies and Procedures adopted by the University of North Carolina at Pembroke regarding human subjects research and I will abide by them. I will report to the IRB any changes in procedure or instruments that relate to human subjects. I agree to report any significant participant complaints to the IRB chair as soon as possible.

Principal Investigator Signature

\_\_\_\_\_

Date: \_\_\_\_\_

Faculty Advisor(s) Signature

\_\_\_\_\_

Date: \_\_\_\_\_

**15 SUMMARY OF SERVICES AND RESPONSIBILITIES**

Absences and Attendance (Students) Office for Student Affairs	Individual Professors;
Academic Advising	Office of Assistant Vice Chancellor for Academic Affairs; Chair of Appropriate Department Director of Advisement and Retention
Academic Programs Office for Academic Affairs; Chair of Appropriate Department	Dean of College/School
Admissions New students and transfers Readmission of students in good standing Readmission of students not in good standing (for academic reasons) Readmission of students not in good standing (for non-academic reasons)	Office of Admissions
Advisement and Retention	Office of Advisement and Retention
Affirmative Action	Human Resources Director
Alumni	Office of Alumni Relations
Americans with Disabilities	Disability Support Services
Athletics Intercollegiate Intramurals	Director of Athletics Director of Intramurals
Books, purchase of	Campus Bookstore
Budgets	Director of Financial Planning & Budgets
Calendar of Events	Office for Student Affairs Office for Academic Affairs Givens Performing Arts Center Office for University & Community Relations
Career Counseling	Career Services Center
Catalog, preparation of	Office of University Relations
Catalogs of other colleges and universities	Counseling & Testing Center Career Services Center Office of the Registrar

Central Stores	Business Services
Certification (teacher)	School of Education
Chancellor's List	Office for Academic Affairs
Cheating	Instructor Office for Academic Affairs Office for Student Affairs
Class schedules	
Coordination	Office for Academic Affairs
Preparation	Appropriate Department Chair
Distribution	Office of the Registrar
Classroom Assignment and Changes	Office of the Registrar
College Opportunity Program	Office of Director of COP
Commencement Activities	Office of University Relations
Community Service	Office of Leadership and Community Service
Computer Center (Academic and Administrative)	Director of University Computing and Information Services
Correspondence Credits	Office of the Registrar
Counseling and Advising	Under supervision of Associate Vice Chancellor for Student Affairs
Career	Career Services Center
Personal	Counseling and Testing Center
Cultural Programs	Performing Arts Center Office Multi-Cultural Center
Degree Programs	Chair of Appropriate Department
Disciplinary Problems (Students)	Office for Student Affairs
Employment (student)	
Campus part-time jobs	Office of Financial Aid
Off-campus, part-time jobs, full-time jobs, Internships	Career Services Center
Resume Referral Service	Career Services Center
Enrollment Statistics	
Current	Office of the Registrar
Historical	Office of Institutional Research & Planning

Evening Courses and Schedules	Office of Director of Continuing Education
Examination Schedules	Office for Academic Affairs
Exchange Programs	International Programs Office of the Chancellor
Facilities See Space	Director of Physical Plant
<u>Faculty Handbook</u>	Office for Academic Affairs
Faculty Travel	Chair of Appropriate Department Office for Academic Affairs
Fees - Accounts	Student Accounts Office
Field Trips and Excursions, Scheduling of	Office for Student Affairs
Financial Aid to Students	Office of Financial Aid
First Aid	Student Health Services
Food Service	Manager of Sodexo-Marriott Food Service Office for Business Affairs
Fraternities	Office for Student Activities
Fundraising	Office for Advancement
Gifts	Office for Advancement
Government: Student	Office of Director of Student Activities President, Student Government
Grades and Academic Records	Office of the Registrar
Graduation Requirements	Office of the Registrar
Graduate Studies	Office of Dean of Graduate Studies
Grants (Proposals)	Office of Sponsored Research & Programs
Grants (Accounting)	Controller's Office
Grants and Fellowships for Graduate & Professional Study	Office for Academic Affairs Department Chairs; Advisors Office of Career Services Center

Health Professions Advisors	Biology, Health, PE & Rec., Nursing, and Chemistry and Physics Depts. Special Services
Health Services and First Aid	Student Health Services Office for Students Affairs
Homecoming	Office of Student Affairs Office of Alumni Relations
Honors List	Office for Academic Affairs
Honor System	Office for Student Affairs
Honors College	Honors College Office
Housing, Student	Office for Student Affairs
Human Subjects Review Board (IRB)	Office for Academic Affairs
Insurance - Health, Life, Preferred Health Overseas	Human Resources Office Student Health Services
International Student Activities	International Programs Multi-Cultural Center
IRB (Human Subjects Review Board)	Office for Academic Affairs
Jones Athletic Complex, scheduling of	Facility Manager of Jones Athletic Complex
Judicial Procedures, student	Office for Student Affairs
Learning and Physical Disabilities	Disability Support Services ADA Coordinator
Library Services	University Librarian
Lost and Found	Office for Student Affairs
Mail	University Post Office
Maintenance and Janitorial	Director of Physical Plant
Majors, changing of	Academic Advisor Chairs of Academic Depts. Office of Advisement & Retention
Media Center Services	Director of Media Center
Minority student activities and services	Multi-cultural Center

Musical Organizations and Programs	Department of Music
Native American Resource Center	Director/Curator of Native American Resource Center
News Releases	Office of University & Community Relations
Nursing Program	Director of Nursing Program
Parking	University Police Office
Payroll	Controller's Office
<u>Pembroke Magazine</u>	<u>Pembroke Magazine</u> Editor Department of English, Theatre & Languages
Performing Arts Center, scheduling of	Director of GPAC Office for Student Affairs
Physician for Students	University Physician, Student Health Services
Printing and/or Duplicating	Printing Department Manager
Publications ( <i>UNCP Catalog</i> , <i>UNCP Today</i> )	Office of University Relations
Public Relations	Office of University & Community Relations
Purchasing	Office of Business Services
Records (student)	Office for Student Affairs Office of the Registrar Student Health Services
Registration	Office of the Registrar
Religious Life Activities	Office for Student Affairs
Residence Halls and Student Housing	Office for Student Affairs Housing Office
Residence Status	Office of Admissions
Resignation of Faculty	Office for Academic Affairs
Resignation of Staff	Human Resources Office
Retirement Benefits, Faculty and Staff	Human Resources Office

ROTC Programs	
Air Force ROTC Program	Director of AFROTC
Army ROTC Program	Director of AROTC
Security	University Police Office
Social Activities, scheduling of and arranging for facilities	Office of Director of Student Activities
Solicitation approvals	Office for Student Affairs
Sororities	Office of Student Activities
Space	
Reservations (on-campus groups)	Office of the Registrar
Reservations (off-campus groups)	Office for Student Affairs
Sports Information	Office of Sports Information
Student Activities	Office of Director of Student Activities
<i>Student Handbook</i>	Office for Student Affairs
Student Publications	Under supervision of Associate Vice Chancellor for Student Affairs
Newspaper and Yearbook	Office for Student Affairs
Study Abroad	International Programs Multi-Cultural Center
Summer Orientation Registration	Office for Enrollment Management Office of the Registrar
Summer School Programs and Bulletin	Associate Vice Chancellor for Academic Affairs and Summer Session
Supplies	Central Stores; Bookstore
Teacher Certification/Licensure	School of Education
Teaching Fellows	Office of Director of Teaching Fellows
Technical Institute Liaison	Office for Academic Affairs
Telephone Service	Office of University Computing and Information Services
Tests (ACT, SAT, MAT)	Counseling and Testing Center
Transcripts	Office of the Registrar
Transfer Credit	Office of the Registrar

Tutoring	Student Support Services Office
Typing Services	College Opportunity Program Office
	Respective Department Secretary
UNCP Endowment Fund	Vice Chancellor for Advancement
UNCP Foundation, Inc.	Vice Chancellor for Advancement
Upward Bound	Trio Programs Office
Vandalism	Police and Public Safety Office
	Office for Student Affairs
	Office for Business Affairs
Vehicles	Physical Plant Director, Motor Pool
Veterans' Benefits, Information	Office of Financial Aid
Visual Aids, ordering of films and scheduling use of projection room	Director of Media Center
Withdrawal from the University	Office of the Registrar
Workers' Compensation	Human Resources Office
WNCP-TV	Mass Communications Department