

Fayetteville State University  
Faculty Handbook

FSU Faculty Senate

Revised: January 2015

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## FAYETTEVILLE STATE UNIVERSITY FACULTY HANDBOOK

### Foreword

Fayetteville State University (FSU) Faculty Handbook provides information for faculty about the university and other aspects of their employment and professional lives, and it is a repository of policies that affect faculty. The Faculty Handbook is intended to introduce new faculty to the university, and it is an ongoing resource for all faculty. Faculty should acquaint themselves with the handbook and in particular, chapters VI, VII, and VIII.

The online version is the official version of the Faculty Handbook. This handbook is the product of the Faculty Senate and the Office of Academic Affairs, and it is maintained by the Faculty Handbook Committee of the Faculty Senate. Substantive changes to the Handbook are approved by the Faculty Senate.

### Handbook History

Many people are responsible for this Handbook. The last full revision of the FSU Faculty Handbook took place in 2014. The Faculty Handbook Task Force was formed during the summer of 2012 by the Faculty Senate for the purpose to implement revisions and recommend changes to the Faculty Handbook. This writing team was convened to complete revisions to the Handbook, including the establishment of a Faculty Handbook website (<http://dss.uncfsu.edu/fayrt/faculty-handbook>). The Faculty Handbook website is the repository for the Faculty Handbook and links to policies pertaining to faculty. The last revised Faculty Handbook was approved by the Faculty Senate on **October 23, 2012** and presented to the Provost/Vice Chancellor for Academic Affairs and the Office of Legal Affairs on **December 6, 2012**. The **2015** revised Faculty Handbook was approved by the Faculty Senate on **January 16, 2015**, presented to the Provost/Vice Chancellor for Academic Affairs and the Office of Legal Affairs **March 2015**.

### Disclaimer

Although concerted efforts have been made to attain factual accuracy herein, no responsibility is assumed for editorial, clerical or printing errors or error occasioned by mistake. This handbook attempts to present information which, at the time of preparation for printing, most accurately summarizes the policies, procedures, regulations, requirements and programs of Fayetteville State University and the Faculty Senate. However, it does not establish contractual relationships. The policies, procedures, and regulations of the University should be consulted in their entirety and reliance should not be placed on summaries provided in this handbook. The content of this handbook is subject to an annual review in order to reflect upon the latest policy changes. Any questions regarding the most current policy should be directed to the Office of Legal Affairs.

## CHAPTER I

### 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 multi-campus state university encompasses 16 such institutions, as well as the NC School of Science and Mathematics, the nation's first public residential high school for gifted students. Chartered by the North Carolina General Assembly in 1789, the University of North Carolina 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.

Additional institutions of higher education, diverse in origin and purpose, began to win sponsorship from the General Assembly beginning as early as 1877. Five were historically black institutions, and another was founded to educate American Indians. Some began as high schools. Several were created to prepare teachers for the public schools. Others had a technological emphasis. One is a training school for performing artists.

The 1931 session of the 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 legislation was passed 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 (now the University of 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. In 1985 the NC School of Science and Mathematics was declared an affiliated school of the University; in July 2007 NCSSM by legislative action became a constituent institution of the University of North Carolina. All the schools and universities welcome students of both sexes and all races.

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 that student's designee is also a non-voting member. Each of the UNC campuses 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 university 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 UNC School of the Arts has two additional *ex officio* members; and the NC School of Science and Mathematics has a 27-member board as required by law.) Each board of trustees holds extensive powers over academic and other operations of its campus on delegation from the Board of Governors.

In addition to its teaching role, the University of North Carolina has a long-standing commitment to public service. The UNC Center for Public Television, the UNC Health Care System, the cooperative extension and research services, nine area health education centers, and myriad other University programs and facilities reap social and economic benefits for the state and its people.

### **Mission Statement**

The mission of the UNC is shaped in large measure by the constitutional and statutory mandates by which public higher education is established and maintained. Article IX of the Constitution of the State declares:

Sec. 8. Higher Education. The General Assembly shall maintain a public system of higher education, comprising the University of North Carolina and such other institutions of higher education as the General Assembly may deem wise . . . .

Sec. 9. Benefits of public institutions of higher education. The General Assembly shall provide that the benefits of the University of North Carolina and other public institutions of higher education, as far as practicable, be extended to the people of the State free of expense.

This constitutional mandate for a public system of higher education is effected by Chapters 115 and 116 of the General Statutes. Chapter 115A, enacted in 1963, provides for a statewide network of community and technical colleges and institutes which offer two-year college transfer and technical and vocational programs. Chapter 116 of the statutes, as amended by the General Assembly effective July 1, 1972, provides in Section 3 that:

The board of trustees of the University of North Carolina is hereby re-designated, effective July 1, 1972, as the Board of Governors of the University of North Carolina. The Board of Governors shall be known and distinguished by the name of 'the University of North Carolina' and shall continue as a body politic and corporate and by that name shall have perpetual succession and a common seal.

Section 4 of the statute provides for the University of North Carolina to be composed of the 16 public senior institutions in the state.

The Higher Education Reorganization Act of 1971, which placed those 16 institutions under one governing board, asserted the basic objectives and purposes for the University of North Carolina: to foster the development of a well-planned and coordinated system of higher education, to improve the quality of education, to extend its benefits, and to encourage an efficient and economical use of the state's resources.

Central to the process of strategic planning is the clarification of the overall mission of the University as a whole and the role and scope of the constituent institutions within that overall mission. As a part of the comprehensive mission review of 1992, the Board of Governors adopted a general mission statement for the University. This statement, with minor modifications, was given statutory status in 1995 when the General Assembly amended Chapter 116-1 of the General Statutes to include the following as the official mission statement of the University of North Carolina:

### President of The University of North Carolina

The president of the University of North Carolina has complete authority to manage the affairs and execute the policies of the University of North Carolina and its constituent institutions, subject to the direction and control of the Board of Governors and provisions of *The Code*, Section 501B.

### Equality of Opportunity

All constituent institutions of the University of North Carolina are committed to equality of opportunity, and rules are consistent with the provisions of state and federal law. In general, there shall be no discrimination within the University against applicants, students, or employees on the basis of race, national origin, color, creed, religion, sex, age, physical or mental disability, or veteran's status.

### Composition of The University of North Carolina

The University of North Carolina is a single, multi-campus university composed of the following constituent institutions. Table I below displays the charter or founding year of the institutions, along with the year of admission to the UNC System.

**Table I: Constituent Institutions of the University of North Carolina**

<b>Institutions Comprising the University of North Carolina</b>	<b>Chartered or Founded</b>	<b>Admitted to the UNC System</b>
Appalachian State University ( <i>Boone</i> )	1899	1972
East Carolina University ( <i>Greenville</i> )	1907	1971
Elizabeth City State University	1892	1971
<b>Fayetteville State University</b>	<b>1867</b>	<b>1972</b>
North Carolina Agricultural and Technical State University ( <i>Greensboro</i> )	1891	1972
North Carolina Central University ( <i>Durham</i> )	1909	1972
North Carolina School of the Arts ( <i>Winston-Salem</i> )	1963	1972
North Carolina School of Science and Mathematics ( <i>Durham</i> )	1980	2007
North Carolina State University ( <i>Raleigh</i> )	1887	1931
The University of North Carolina at Pembroke	1887	1972
The University of North Carolina at Asheville	1927	1969
The University of North Carolina at Chapel Hill	1789	1789
The University of North Carolina at Charlotte	1946	1965
The University of North Carolina at Greensboro	1891	1931
The University of North Carolina at Wilmington	1946	1969
Western Carolina University ( <i>Cullowhee</i> )	1889	1972
Winston-Salem State University	1892	1972

## CHAPTER II FAYETTEVILLE STATE UNIVERSITY

### History

In 1867, seven Black men - Matthew N. Leary, Andrew J. Chesnutt, Robert Simmons, George Grainger, Thomas Lomax, Nelson Carter, and David A. Bryant - paid \$136 for two lots on Gillespie Street and established themselves as a self-perpetuating Board of Trustees to maintain this property permanently as a site for the education of Black children in Fayetteville. General O. O. Howard of the Freedmen's Bureau, one of the best-known friends of Black education, erected a building on this site, and the institution became known as the Howard School. In 1877, the North Carolina General Assembly provided for the establishment of a Normal School for the education of Black teachers, based upon its successful record during the previous ten years. Later, its name was changed to the State Colored Normal School. Five Chief Administrative Officers served for relatively short periods until 1899: Robert L. Harris, Principal (1867-1880), Charles W. Chesnutt, Principal (1880-1883), Ezekiel Ezra (E. E.) Smith, Principal (1883-1888), George Williams, Principal (1888-1895), E. E. Smith, Principal (1895-1898), and the Rev. L. E. Fairley, Principal (1898-1899).

In 1899, Dr. Smith returned to the institution. Under his presidency, the school grew from three rooms in a small frame structure to a physical plant of ten buildings on a fifty-acre tract of land. In order to pay for the land, Dr. Smith, along with F. D. Williston, E. N. Williams, J. G. Smith and Dr. P. N. Melchor, endorsed a note for 3,000.00. The note was renewed several times and eventually paid off by Dr. Smith. He later deeded the land to the State. Dr. Smith retired in 1933 at the age of 80 with more than 40 years of service to the institution.

Dr. J. Ward Seabrook succeeded Dr. Smith and under his presidency the school became Fayetteville State Teachers College, thereafter being authorized to grant the Bachelor of Science degree in Education. The college received both state and regional accreditation in 1947. Dr. Seabrook retired in 1956 and was succeeded by Dr. Rudolph Jones. During Dr. Jones' administration, the curriculum was expanded to include majors in secondary education and programs leading to degrees outside the teaching field. The name of the school was changed to Fayetteville State College in 1963. Also, under Dr. Jones' leadership, six additions were made to the physical plant to accommodate a rapidly expanding enrollment.

In 1969, the institution acquired its present name, "Fayetteville State University," and Dr. Charles "A" Lyons, Jr. was elected president. By a legislative act in 1972, Fayetteville State University became a constituent institution of The University of North Carolina System. The Chief Executive Officer's position was re-titled to Chancellor, with Dr. Lyons becoming the first Chancellor of the University. During his tenure, the curriculum was expanded to include a variety of both baccalaureate and master's level programs. In addition, the Fort Bragg-Pope AFB Extension Center, in conjunction with the Week-End and Evening College, was established in order to provide military personnel and other persons employed full-time with the opportunity to further their education.

The general academic structure took its present configuration in 1985 when the University became a Comprehensive Level I Institution. In addition to expanding program offerings and services, eight buildings were added to the physical plant during this period to include the state-of-the-art Charles Chesnutt Library.

On January 1, 1988, Dr. Lloyd V. Hackley became the eighth Chief Executive Officer of the University. During his tenure, FSU's first doctoral program in Educational Leadership was established, and baccalaureate program offerings were also increased to include 36 disciplines in the arts and sciences, business and economics, and education. The addition for the ultra-modern Business and Economics building and the new Health, Physical Education and Recreation Complex underscored Dr. Hackley's commitment to FSU's continued expansion and growth. Chancellor Hackley strengthened FSU's community outreach to at-risk children in the public schools, establishing numerous scholarship and tutoring/mentoring programs. FSU's first major capital campaign was also completed during Dr. Hackley's tenure, and enabled FSU to increase the number of privately funded student scholarships to over 200. On December 31, 1994, Dr. Hackley left his post at FSU to become President of the North Carolina Department of Community Colleges, the first African-American to lead the state's system of 59 community colleges.

Dr. Donna J. Benson, Associate Vice President for Academic Affairs of the University of North Carolina, served as FSU's interim chancellor from January 1, 1995 to November 14, 1995.

Dr. Willis B. McLeod, a 1964 graduate of Fayetteville State University, was appointed Chancellor on November 15, 1995 bringing over 30 years of professional experience in the field of education. He was the ninth Chief Executive Officer of the 129-year-old institution, and the first alumnus to serve as chancellor since FSU became a constituent of the University of North Carolina. Several major initiatives were established by Dr. McLeod to lead FSU into the 21<sup>st</sup> century and included the "Freshmen Year Initiative" program, major campus improvements, a master plan for the revitalization of Murchison Road and several outreach efforts aimed at forging stronger community ties and regional partnerships with public school and university leaders. Dr. McLeod retired as chancellor on June 30, 2003 with emeritus status.

Dr. T. J. Bryan was appointed chancellor by the University of North Carolina Board Of Governors on June 18, 2003. Dr. Bryan started her duties on July 1, 2003, as the tenth Chief Executive Officer of Fayetteville State University and the first woman elected by the University Of North Carolina Board of Governors to lead the 136-year-old institution as chancellor. She was also the first African-American woman appointed as head of a University of North Carolina institution. During her four-year tenure, the university added ten new academic programs—undergraduate programs such as fire science, forensic science, management information systems, and generic nursing as well as master's programs in criminal justice and teaching. Full online baccalaureate programs in criminal justice, psychology, and sociology and a full online master's program in criminal justice were also added, and FSU's distance-education enrollments catapulted to third in the seventeen-institution system. Dr. Bryan mandated that all programs that are eligible for specialized accreditation pursue such stamps of approval, and accreditations were garnered from the Council on Social Work Education for the master's degree in social work, the Association to Advance Collegiate Schools of Business for business and accounting programs, and the Council on Collegiate Nursing Education for the generic nursing program. Cross Creek Early College High School and Fire Station 14 were established on the campus during her tenure, which ended on July 23, 2007.

Dr. Lloyd V. Hackley was named interim chancellor by UNC President Erskine Bowles and started his duties effective July 23, 2007. Dr. Hackley had been chancellor (interim) at North Carolina A&T State University from June 2006 to July 2007. He was president of the North Carolina Community College System, chancellor and tenured professor of both Fayetteville State University and the University of Arkansas at Pine Bluff, Vice President in the seventeen-campus University of North Carolina system, chair of the North Carolina Child Advocacy Institute, chair of the Arkansas Civil Rights Commission, and chair of the President's Advisory Board on Historically Black Colleges and Universities. Dr. Hackley was also a faculty member in the Government Executive Institute at the UNC-Chapel Hill School of Business. Dr. Hackley is chancellor emeritus of Fayetteville State University, chair of the NC Methodist Home for Children and Chair emeritus of the National Character Counts Coalition. Since January 1997, he has conducted seminars, workshops and lectures in ethics and character development throughout the United States and abroad

Chancellor James A. Anderson was chosen as Fayetteville State University's eleventh Chief Executive Officer on March 7, 2008, and he assumed his duties on June 9 of the same year. Before coming to FSU, Chancellor Anderson served as the University of Albany's Vice President for Student Success and Vice Provost for Institutional Assessment and Diversity, as well as a professor in the Department of Psychology. Dr. Anderson majored in psychology at Villanova University in Pennsylvania, graduating in 1970, and later earned a doctoral degree in the field (1980) from Cornell University in New York. Dr. Anderson chaired the Department of Psychology at Xavier University in New Orleans (1976-1983) before joining Indiana University of Pennsylvania as a professor of psychology. In 1992, he began an 11-year tenure as Vice Provost for Undergraduate Affairs at North Carolina State University where he was credited with leading a revision of the general education curriculum, as well as developing the First Year College, the Honors Programs, the Faculty Center for Teaching and Learning, the Minority Engineering Program, and the NC State Diversity Initiative, among others. In 2003, he was recruited to Texas A&M University as Vice President and Associate Provost for Institutional Assessment and Diversity until joining the University of Albany in 2005.

Dr. Anderson is the author or co-author of three books, a former American Council on Education (ACE) Fellow, Danforth Fellow, and National Learning Communities Fellow, and was honored with the Outstanding Contribution to Higher Education Award (2005) from the National Association of Student Personnel Administrators and the Outstanding Service Award (2004) from the Commission on Human Resources and Social Change of the National Association of State Universities and Land-Grant Colleges (NASULGC). He currently serves on the Board of Trustees of Villanova University and the advisory board of the International Center for Student Success and Institutional Accountability. Read more about Chancellor Anderson at <http://www.uncfsu.edu/chancellor>.



### **Mission Statement**

Fayetteville State University (FSU) is a public comprehensive regional university that promotes the educational, social, cultural, and economic transformation of southeastern North Carolina and beyond. The primary mission of FSU is to provide students with the highest quality learning experiences that will produce global citizens and leaders as change agents for shaping the future of the State. Awarding degrees at the baccalaureate and master's levels, and the doctorate in educational leadership, FSU offers programs in teacher education, the arts and sciences, health professions, business and economics, and unique and emerging fields. FSU is an institution of opportunity and diversity. Committed to excellence in teaching, research, scholarship, and service, the university extends its services and programs to the community, including the military, and other educational institutions throughout North Carolina, the nation, and the world (Approved FSU Board of Trustees, Oct. 31, 2008).

### **FSU Vision Statement**

Fayetteville State University is a leading institution of opportunity and diversity committed to developing learned and responsible global citizens.

### **FSU Strategic Priorities**

Retention and Graduation Rates  
 Economic Transformation  
 Intellectual and Cultural Center  
 Leaders and Global Citizens  
 Collaborations and Partnerships  
 Fiscal Resourcefulness and Sustainability

### **Core Identity Statement**

Fayetteville State University is a Historically Black University founded in 1867 as the Howard School by seven black men for the purpose of educating black children. FSU has a tradition of excellence in teacher education and is the second oldest state supported school in North Carolina. The student body, faculty, and staff today rank among the nation's most diverse campus communities. With program expansion, the university has strong undergraduate and graduate programs in teacher education, the arts and sciences, health professions, business and economics, and is developing programs in unique and emerging fields. FSU has a tradition of collaboration with the Fayetteville/Fort Bragg-Pope Air Force Base community, and renders services throughout southeastern North Carolina. FSU has a tradition of an affordable education and of preparing students to be life-long learners, to be responsible citizens, and to render selfless service to mankind.

## **FSU Core Values**

### ***Student Success and the Pursuit of Excellence***

We believe in student success and the obligation of the university to provide the highest quality learning experiences and academic programs to facilitate student success, intellectual and cultural growth, excellence in scholarship, leadership, and ethical standards.

### ***Shared Governance***

We believe in shared governance, fiscal responsibility, a commitment to life-long learning, and professional development for faculty, staff, and students.

### ***Global Responsibility***

We believe in respect for diversity, global responsibility, conservation of natural resources, and a commitment to sustainability.

### ***Collaboration***

We believe in outreach, partnerships with educational institutions, engagement with the military and the community, economic transformation of the state, and service to others.

### **CHAPTER III THE ADMINISTRATION OF FAYETTEVILLE STATE UNIVERSITY**

#### **Board of Trustees**

The 1971 General Assembly provided that, effective July 1, 1973, the Board of Trustees shall consist of thirteen members: (1) eight elected by the Board of Governors; (2) four appointed by the Governor; and (3) the President of the student government, ex-officio. The term of office of all trustees, except the ex-officio member, shall be four years. The Board of Trustees at Fayetteville State University is composed of thirteen members: eight elected by the Board of Governors; four appointed by the Governor; and the elected president of the student body serving ex-officio.

#### **The Powers and Duties of the Board of Trustees**

The Board of Trustees shall promote the sound development of the institution with the functions prescribed for it, helping it to serve the people of the State in a way that will complement the activities of the other institutions and enable it to perform at a high level of excellence in every area of endeavor. The Board of Trustees shall serve as advisor to the Board of Governors on matters pertaining to the institution and shall also serve as advisor to the Chancellor concerning the management and development of the Institution [The Code, 403.A].

#### **Chancellor**

The Chancellor is the Chief Executive Officer of Fayetteville State University, and exercises complete authority for the institution. The Chancellor is subject to the direction of the President of The University of North Carolina and is responsible for carrying out policies of the Board of Governors and the Board of Trustees. It is the duty of the Chancellor to keep the president, and through the president the Board of Governors, fully informed concerning the operations and needs of the institution. The Chancellor is a member of all faculties and other academic bodies of the institution and has the right to preside over the deliberations of any legislative bodies of the faculties of the institution. [*The Code*, 502] <https://www.northcarolina.edu/policy/index.php>. The Office of the Chancellor is staffed by assistants to the Chancellor. In addition to the Provost/Vice Chancellor for Academic Affairs, the following offices report to the Chancellor:

#### **Vice Chancellor and Chief of Staff**

The Vice Chancellor and Chief of Staff ensures that the vision of the Chancellor for Fayetteville State University is effectively implemented. This official is also responsible for the coordination of the Chancellor's staff with the other Vice Chancellors and their units. Visit website: <http://www.uncfsu.edu/chief-of-staff>.

#### **Provost and Vice Chancellor for Academic Affairs**

The Provost and Vice Chancellor for Academic Affairs (Provost) is the chief academic officer of Fayetteville State University, reporting directly to the Chancellor. The Provost has the broad responsibility for ensuring that the University's programs and faculty are of the highest quality.

This involves working with the Chancellor, deans, faculty, students and staff to promote academic excellence throughout the institution.

The Provost leads the University in its academic planning and in the setting of academic values, policies, and practices. S/He is responsible for providing guidance to the dean of each school and college, and is accountable for regularly evaluating the deans, associate and assistant vice Chancellors for academic affairs, as well as candidates for those positions. The Chancellor makes the final decision on senior administrative appointments in consultation with the Provost.

The Provost makes major resource allocation decisions relative to state funding and overhead funds. The Provost prepares budget requests for academic and capital projects that are forwarded to UNC General Administration for review and approval. The Provost provides oversight and assigns budgets to the dean of each school and college, and to the director of the library.

The Provost recommends and approves all promotions, retentions, special hires, tenure decisions, new appointments to the faculty, and helps the schools and college establish their own promotion and tenure policies. The Provost also authorizes, directly or through a representative, all salaries and leaves, and reviews faculty grievances.

The Provost is responsible for ensuring the quality of student learning by overseeing the curriculum and supporting educational initiatives, overseeing the conduct of research and scholarship, and stimulating a high level of scholarly productivity on the campus.

The Provost is responsible for oversight of the quality and practices associated with undergraduate, graduate, and professional study; honors and first-year programs; faculty affairs; global relations; and academic budget, planning and administration at the University. The Provost oversees the administrative practices associated with enrollment and graduation, course offerings, and of the policies and values which guide these endeavors. The Provost is responsible for compliance with institutional policies, system-wide policies and external regulations, including accreditations.

The Provost is responsible for working effectively with the Executive Committee of the Faculty Senate and the Faculty Senate on matters of general welfare to the university and faculty. Visit website: <http://www.uncfsu.edu/academic-affairs>

### **Vice Chancellor for Business and Finance**

The Vice Chancellor for Business and Finance is the chief financial officer and is responsible for the general financial operation of the university, including accounting of financial records, financial reporting, preparation of the university budget and the biennial (expansion budget), legislative appropriation requests and budget control. The Vice Chancellor for Business and Finance assists the Chancellor in allocating university funds, managing properties, capital improvement and debt financing, managing property acquisition, and representing the university's interests and relationships with state and other governmental agencies. The Vice Chancellor for

Business and Finance is also responsible for fiscal operations including accounting, auxiliary services, purchasing, and campus safety. The Division of Business and Finance operates under policies and procedures for consistent with state and federal laws and the University of North Carolina policies and procedures.

Under the Vice Chancellor for Business and Finance's leadership, staff is responsible for conducting training and assistance to the univeristy to ensure effective fiscal management. Visit website: <http://www.uncfsu.edu/fsubo>

### **Vice Chancellor for Information Technology and Telecommunications/Chief Information Officer**

The Vice Chancellor for Information Technology and Telecommunications is the chief information officer and is responsible for managing, strengthening and supporting the university's instructional, research, and administrative programs by providing central services and infrastructure for university-wide access to information technology and telecommunications resources. The vice Chancellor for information and technology and telecommunications is the primary architect for updating information technology. Other responsibilities include technical support for distance education and other alternative instructional technological delivery systems; development and management of fiscal operations for information technology and telecommunications; development of policies related to this area; and licensing and security of information technologies. Visit website: <http://www.uncfsu.edu/itts>

### **Vice Chancellor for Institutional Advancement**

The Vice Chancellor for Institutional Advancement is responsible for developing and securing philanthropic opportunities through alumni giving and partnerships with corporations and other public or private sources. The Vice Chancellor provides leadership for strategic planning and execution of major campaigns. The Vice Chancellor plays a vital role in building and maintaining relationships with donors. Creating a positive image of the University and managing publicity through media are important responsibilities of the Vice Chancellor for Institutional Advancement. Visit website: <http://www.uncfsu.edu/ia>

### **Vice Chancellor for Student Affairs**

The Vice Chancellor for Student Affairs is responsible for the supervision of all areas related to student life. The Vice Chancellor for Student Affairs' office provides programs and activities that complement the academic mission of the university and contributes to the intellectual, social, moral, cultural, and personal development of students. The Vice Chancellor for Student Affairs provides oversight and coordination of units such as residential life, counseling, health and medical services, services for students with disabilities, and career services. This administrator serves as an advocate for students to the administration and interprets university policies to students to assure and maintain quality student life. Visit website: <http://www.uncfsu.edu/studentaffairs>

### **General Counsel for Legal Affairs**

The General Counsel is the University's principal lawyer who manages the University's Office of Legal Affairs. The General Counsel is responsible for providing members of the University community, including the University's Board of Trustees, legal representation, advice, and opinions in all substantive areas of the law affecting the University. The General Counsel reports to the Chancellor and serves as a member of the Chancellor's Cabinet. Visit website: <http://www.uncfsu.edu/legal-affairs>

### **College and School Deans**

The deans of the constituent schools and colleges (the College of Arts and Sciences <http://www.uncfsu.edu/cas>, the School of Business and Economics <http://www.uncfsu.edu/sbe>, the School of Education <http://www.uncfsu.edu/soe>, and University College <http://www.uncfsu.edu/university-college>) report to the Provost/Vice Chancellor for Academic Affairs in the fulfillment of their responsibilities. The deans serve at the pleasure of the Chancellor.

As the chief academic officer of an academic school or college (unit), the dean serves as the academic leader of the unit and therefore must have credentials appropriate to be awarded tenure in a department within their respective College or School. The dean represents the unit to the university and other constituents and must be able to effectively communicate and advocate for the university's concerns to the unit. The dean manages the unit's resources in a fair and equitable manner. In consultation with department chairs and other leaders within the unit, the dean has the primary responsibility and authority for: (a) developing and articulating a vision, mission, and strategic plan which support the particular goals of the unit, the broader goals of the university and the University of North Carolina, and any relevant accrediting bodies; (b) articulating the budgetary needs of the unit, managing the budget allotted, prioritizing allocations, maintaining accurate records of expenditures, and ensuring adherence to university fiscal policies and procedures; (c) overseeing all personnel matters involving academic and non-academic employees including formulating performance criteria and monitoring their application to unit personnel during hiring, tenure, promotion, retention and performance evaluation processes; (d) recommending leaves and special assignments to the Vice Chancellor for Academic Affairs; (e) ensuring that faculty in the unit are fully engaged in departmental and general faculty duties; (f) reviewing student-related requests to maintain academic integrity while promoting student success, and providing additional support for student academic advising to the various academic units; (g) providing a key communication link between the university administration, faculty, staff, and students for purposes of information sharing as well as mediation when necessary; (h) promoting excellence in teaching, research, and service to include coordinating the assessment and development of academic programs, research and scholarship agendas, and service agendas within the unit; (i) acting as a mentor and facilitator for the department chairs as they carry out their mission, and evaluating department chairpersons, associate/assistant deans, administrative staff, and other direct reports according to university policy; (j) serving on university committees as requested by the Provost and the Chancellor; (k) coordinating development, advancement and fundraising activities at the unit level and promoting and participating in university level

fundraising; and (l) promoting the visibility of the college in the region, state, and nation.

#### **Associate/Assistant Deans**

The associate/assistant deans report to and support the dean in administration of the school/college programs.

#### **Academic Department Chairs**

The academic department chairs report to the deans of the designated college and schools. The academic department chair is responsible for the leadership and administration of the department and is responsible for the leadership and administration of the department and is responsible for engaging faculty in the strategic planning process. Each academic department chair is responsible for the leadership and administration of their departments and is responsible for engaging faculty in the strategic planning process. Each academic department chair is responsible for budget development, management and allocation. Primary responsibilities in personnel management include recruitment, hiring, faculty assignments and workload, evaluation, reward, development and professional guidance, and participation in the reappointment, promotion and tenure and post-tenure review process. The academic department chair oversees accreditation and curricular and program development, secures external funding, and supports faculty research, teaching and service.

The academic department chair, as the chief administrative officer of the department, serves at the pleasure of the Chancellor. Department chairs serve as liaisons between faculty and deans. The academic department chair is responsible for promoting high standards in teaching, research, and service. The academic department chair is expected to communicate with, and solicit the counsel and recommendations of, the faculty in the development of departmental programs and policies. In consultation with the faculty of the department, the academic department chair is responsible for recruiting and maintaining faculty with the proper competencies for implementing the programs of the department. Visit the website for Policy on the Selection and Retention of Academic Department Chairs: [www.uncfsu.edu/documents/policy/.../DeptChair.103108pdf.pdf](http://www.uncfsu.edu/documents/policy/.../DeptChair.103108pdf.pdf).

#### **Assistant Academic Department Chairs**

The assistant academic department chair supports the academic department chair, supervises academic programs, coordinates program assessment, coordinates academic advisement, recruitment and course scheduling, and is nominated by the department chair and voted on by the department faculty. The position is a one-year renewable term.

## CHAPTER IV CHARTER OF FACULTY GOVERNANCE

<http://www.uncfsu.edu/faculty-senate/documents>

The Faculty of Fayetteville State University, in concert with the Chancellor, adopts and implements this Charter of Faculty Governance in accordance with the Bylaws of the Faculty Senate. As such, this Charter establishes the general faculty as an organized, deliberative assembly and the Faculty Senate as its representative board.

### ARTICLE I: AUTHORITY

#### **Section 1 – Name**

The name of the Faculty Governance organization at Fayetteville State University shall be the Faculty Senate of Fayetteville State University hereinafter called the Faculty Senate.

#### **Section 2 – Purposes**

The general purposes of the Faculty Senate are as follows:

- a. To fulfill the requirements set out in Section 502 D (2) of the Code of the Board of Governors of the University of North Carolina (*The Code*) that allows for an elected, deliberative body of the faculty that gives effective advice to the Chancellor in matters of curriculum, degree requirements, instructional standards, grading criteria, and other matters of academic policy and institutional governance that impact the faculty.
- b. To serve the Chancellor by filling committees he or she deems necessary with members who are representative of the faculty.
- c. To act as a deliberative body for the faculty in the formulation and enactment of rules, policies, regulations and procedures of interest and concern to the faculty.

### ARTICLE II: DEFINITIONS

#### **Section 1 – Faculty Member**

Any person who is employed by Fayetteville State University on a full-time or part-time basis and holds the academic rank of Professor, Associate Professor, Assistant Professor, Instructor or Lecturer (including administrators holding faculty appointments).

#### **Section 2 – Senator**

Any tenured or tenure-track faculty member is eligible to be a Senator except the following administrators:

- a. The Chancellor.
- b. The Provost and Vice Chancellor of Academic Affairs (hereinafter referred to as “Provost”).
- c. Those faculty in which Provost or Vice Chancellor is part of their title.
- d. Those faculty in which Dean is part of their title.
- e. Those faculty in which Department Chair is part of their title.
- f. Any of the above who are serving on an interim basis.

### **Section 3 – Department**

Department as used in this document refers to an academic unit in which the chair reports directly to an academic Dean.

## **ARTICLE III: MEMBERS**

### **Section 1 - Senatorial Representation**

By amending the Bylaws, the Faculty Senate may choose to enact criteria as to the minimum or maximum number of faculty of any given rank or status. Additionally, the Bylaws may be amended as needed to change the ratio of Senators to faculty to insure that the Senate remains at a size that is representative of the general faculty and can work together effectively.

### **Section 2 - Ex Officio Members**

The *ex officio* members of the Faculty Senate shall be nonvoting and shall consist of the Chancellor, the Provost, all Vice Chancellors, all Deans, the immediate Past Chair of the Faculty Senate and the Chair of the Staff Senate. Undergraduate and graduate student representatives shall also be included as *ex officio*, nonvoting members. The number and method of choosing such student representatives shall be specified in the Bylaws.

### **Section 3 – Elections and Terms of Office**

Any faculty member eligible to be elected under Article II, Section 2, may serve a **three-year term** as Senator from his or her Department.

- a. Senators shall be elected at a department meeting.
- b. Senators shall be elected for a **three-year term**.
- c. No Senator may be elected to serve more than two consecutive terms. A faculty wishing to serve more than two terms should allow a minimum of one year out of office prior to seeking re-election.
- d. A Senator who has been duly elected shall serve the full term unless removed or recalled from office.
- e. If a department’s Senate seat should become vacant for any reason, that department shall hold a special election to fill that seat. If the remaining term for that seat is less than one

- year, this shall not count as a full term.
- f. Elections of Senators by department shall be held each calendar year during the month of March. The results of these elections shall be reported to the Secretary of the Senate not later than the first week of April of the same calendar year.
  - g. One Member shall be elected by the faculty of each academic department or unit, regardless of the number of faculty members. One additional member shall be elected for each six full-time faculty equivalents in a department.
  - h. A department, by two-thirds vote of its total voting membership, may recall any one or more of its Senators for good cause shown. In such a case, a special election shall be held as provided for in Article III, Section 3 (d).
  - i. Newly elected Senators will assume office in August of that year.

#### **Section 4 – Voting**

Each member of the Senate shall be entitled to one vote on all matters decided by the Faculty Senate. Voting by proxy shall not be permitted.

### **ARTICLE IV: OFFICERS AND DUTIES**

#### **Section 1 – Duties of Officers**

The Officers of the Faculty Senate shall consist of a Chair, Vice-Chair, Secretary, and Parliamentarian.

- a. The Chair should preside over the meetings of the Faculty Senate and may be asked to preside over a general faculty meeting. However, the Chancellor of the University shall have the right to preside over meetings of these bodies and all other meetings of deliberative bodies of the faculty of this University pursuant to those rights and duties given that office under Section 502D (2) of *The Code*. The Chair is the elected representative of the faculty. In this capacity, it shall be the responsibility of the Chair to carry out the general purposes of the Faculty Senate. The Chair shall also serve as one of the delegates to the UNC Faculty Assembly.
- b. In the absence of the Chair, the Vice-Chair shall perform the Chair's duties. In the event that the Office of Chair becomes vacant, the Vice Chair shall assume that office and shall have the authority to appoint a temporary Vice Chair until the election of officers
- c. The Secretary shall be responsible for recording the minutes of each Faculty Senate meeting, providing copies of the minutes to each member of the Senate by the next meeting (see Article V, Section 5) and maintaining a permanent file of the minutes for public inspection. The Secretary shall also maintain a list of the current membership of the Faculty Senate,

certify the presence of a quorum at the beginning of each meeting, obtain a list of the full-time faculty at Fayetteville State University in preparation for meetings of the general faculty, certify the presence of a quorum at such meetings, and perform any other duties.

- d. The Parliamentarian shall be responsible for advising the presiding officer on points of parliamentary procedure, calling for a point of order if proper procedure is not being followed, giving advice to any member who may request it during a meeting. The Parliamentarian shall also ensure that the procedures being followed by the Faculty Senate and its committees comply with the North Carolina Open Meetings Act.
- e. In the event of the absence of an officer for a meeting, the Chair shall have the authority to appoint a temporary officer to serve.

### **Section 2 – Qualifications of Officers**

- a. The Chair and Vice-Chair must be qualified to be Senators as specified in Article II, Section 2. In addition, they must be tenured faculty.
- b. The Faculty Senate elects the Secretary and Parliamentarian from its membership. If these officers cease to be Senators during their terms in office, their terms in office cease as well. The Secretary and Parliamentarian must be tenure-track faculty.

### **Section 3 - Election of Officers**

- a. Officers shall serve terms of **three years** not to exceed two consecutive three-year terms.
- b. The election of officers shall be held annually for a **three-year staggered** term. If the positions of the Chair and the Vice Chair are both being vacated at the time of their election, the new Vice Chair shall be elected to a one-year term. If the positions of the Parliamentarian and the Secretary are both being vacated at the time of their election, the Secretary shall be elected to a one-year term.
- c. The election of the Chair and Vice-Chair shall take place at a meeting of the Faculty Senate that occurs in April.

## **ARTICLE V: MEETINGS**

Because the Faculty Senate and its committees are public bodies under North Carolina law, all meetings of the Faculty Senate and its committees are public, and the conduct of such meetings shall comply with the North Carolina Open Meetings Law. Visit the website at:

[http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_143/Article\\_33C.html](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_143/Article_33C.html).

**Section 1 – Regular Meetings**

Regular meetings shall be held once each month from August through April of each academic year.

**Section 2 – Adjourned Meetings**

In the event the Senate is not able to conclude its business at a regular meeting, the adjourned meeting may be ordered by the Senate, scheduled before and in addition to the next regularly scheduled meeting. At the beginning of the adjourned meeting, the minutes of the regular meeting are read and approved, but the business of the adjourned meeting begins at the point of the agenda where the regular meeting ended with no additional agenda prepared for the adjourned meeting. To comply with the Open Meetings Act, the time and place of the adjourned meeting must be announced during the regular meeting, and noted in the minutes, with the exception of certain autonomous committees whose business includes confidentiality.

**Section 3 – Special Meetings**

Special (or called) meetings may be called at the discretion of any of the following: 1) the Chair of the Faculty Senate, 2) the Chancellor, 3) the members of the Faculty Senate during a regularly scheduled meeting, or 4) members of the Faculty Senate (at least 25%) outside a regularly scheduled meeting. Agenda items to be discussed at such a meeting are restricted to those mentioned in the written request for the called meeting.

**Section 4 – Quorum**

A quorum for conducting official business of the Faculty Senate shall consist of a majority of the members of the Senate.

**Section 5 – Notice and Agenda**

No meeting shall be called unless written notice of such meeting shall have been mailed or delivered to each Senator not fewer than three (3) nor more than thirty (30) working days prior to the meeting date, unless such notice requirement has been waived. The Executive Committee in preparing agenda for all Faculty Senate meetings shall consider the concerns of the faculty, staff, students, and administration. This Committee shall also be free to suggest resource persons who may be invited to come and inform the Faculty Senate on a specific subject. The invitation shall be approved by a majority of the Faculty Senate.

**Section 6 – Minutes**

Written minutes of all actions taken by the Faculty Senate during any meeting shall be provided to all Senators and faculty. All previous records that exist in electronic form shall be made available electronically to the general public on the website.

**ARTICLE VI: THE FACULTY HANDBOOK**

The Faculty Senate is responsible for maintaining and reviewing the Faculty Handbook on an annual basis to reflect the latest policy changes. A review of the Faculty Handbook

shall be completed by the end of July in the same academic year. The Chair of the Faculty Senate will appoint the Faculty Handbook Review Committee. The Chair of the Handbook Review Committee must be tenured, have served at least a year on the FSU Senate, served on the Faculty Senate Handbook Committee, and have knowledge of shared governance and the Senate Bylaws. Any recommended policy or procedural changes that arise from this review shall be submitted to the Administration in accordance with Fayetteville State University's Policy on Policies and Rules by August and submitted to the Faculty Senate for approval at the first scheduled meeting.

#### **ARTICLE VII: COMMITTEES**

The Faculty Senate may establish standing and ad-hoc committees and general criteria for membership in these committees in its Bylaws. The Senate shall also be responsible for the conduct of annual elections by the faculty at large for delegates to the UNC Faculty Assembly, as well as members of Fayetteville State University's autonomous committees.

#### **ARTICLE VIII: SENATE RESOURCES**

Resources necessary for the conduct of the affairs of the Faculty Senate shall be made available through the office of the Vice Chancellor for Academic Affairs. The Senate shall annually prepare and submit its operating budget to the Chancellor through the Provost.

#### **ARTICLE IX: REVIEW OF SENATE ACTION**

##### **Section 1 – General Faculty Review**

The general faculty may review the actions of the Faculty Senate as follows:

- a. The Faculty Senate shall promptly distribute after its meetings, a written report of its actions and recommendations.
- b. Non-Senators are invited to attend meetings of the Faculty Senate and have a voice, but they may not vote on matters brought before the Faculty Senate.
- c. The Faculty, by a written petition signed by at least one-third (1/3) of the total faculty members as defined in Article II, Section 1, and presented to the Chancellor, shall require presentation and discussion of any action of the Faculty Senate at either a special called-meeting or the next regular discussion, in an open meeting, a vote by secret ballot administered and with a majority vote of the total faculty members in order to reconsider any Faculty Senate action.

##### **Section 2 - Chancellor's Review**

When the Chancellor rejects recommendations of the Faculty Senate, the Chair of the Senate shall be notified in writing by the Chancellor of any such action and the reasons for such action within two (2) weeks of the decision.

### **ARTICLE X: AMENDMENT PROCEDURE**

This Charter of Faculty Governance may be amended as follows:

- a. After formulation, an Amendment proposal, approved by two-thirds (2/3) of the entire membership of the Faculty Senate may be presented by the Chair of the Faculty Senate for consideration.
- b. To become effective, the Amendment, including each and every provision thereof, must be passed by a two thirds (2/3) vote of the total faculty as defined in Article II, Section 1, voting in either a General Faculty Meeting or in meetings of their respective Schools or Colleges.

### **ARTICLE XI: RATIFICATION AND IMPLEMENTATION**

This Charter of Faculty Governance shall become effective as follows:

- a. This Document shall be presented to all members of the faculty as defined in Article II, Section I for consideration. When all of its provisions have been approved by a majority of faculty members, it shall then be presented to the Chancellor, and when it is thereby approved, this Charter shall become ratified and effective.
- b. Upon ratifications, this Charter shall be implemented by giving proper notice to the General Faculty, setting up the elections machinery and immediately proceeding to the election of Senators who shall, upon having been elected, meet and organize themselves to commence operations as herein provided.

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**CHAPTER V**  
**FACULTY SENATE BYLAWS**

[http://www.uncfsu.edu/documents/faculty-senate/Policies/fsen\\_bl.pdf](http://www.uncfsu.edu/documents/faculty-senate/Policies/fsen_bl.pdf)

The Faculty of Fayetteville State University, in concert with the Chancellor, adopts and implements the Bylaws of the Faculty Senate in accordance with Section 502D-2 of the *Code* of the University of North Carolina. As such, these bylaws govern the manner in which the Faculty Senate shall conduct its business.

**I. MEETINGS**

**A. Regular Faculty Senate Meetings**

**1. Quorum**

- a. A quorum shall consist of more than one half of the Senate members.
- b. When a meeting cannot be held or must adjourn because the quorum needed to conduct business is not present, a formal roll call shall be entered in the minutes.

**2. Order of Business**

- a. The Order of Business for each regular meeting shall be prepared by the Executive Committee.
- b. Any member of the Senate may submit an item for consideration for the Order of Business through a written request to the Secretary of the Faculty Senate not less than two weeks prior to the Executive Committee meeting.
- c. The Executive Committee shall meet no less than one week prior to each regular Faculty Senate meeting to prepare the Order of Business. Items will be placed on the Order of Business by a majority vote of the Executive Committee.
- d. An item may be added to or deleted from the Order of Business by a two-thirds majority vote of the Faculty Senate.
- e. The Order of Business of regular meetings shall include, but is not limited to the following:
  1. Call to Order
  2. Roll Call
  3. Approval of Minutes
  4. Adoption of Order of Business
  5. Remarks/Report of the Chair of the Senate
  6. Remarks/Report of the Chancellor and/or Provost
  7. Committee Reports
  8. Report of the Faculty Assembly Delegates
  9. Unfinished Business
  10. New Business (presentations, visitors, etc.)
  11. Good of the Order
  12. Announcements

3. **Order of Business** – Order of Business, notices, and minutes of Senate meetings shall be disseminated to the general faculty, the administration, Staff Senate, and student representatives of the Faculty Senate.
  4. **Conduct of Business**
    - a. In order to act on Order of Business items, a quorum must be present. In the absence of a quorum, Order of Business items shall be presented as information only.
    - b. Unresolved Order of Business items shall be referred to the Executive Committee for subsequent action.
    - c. When a committee recommendation is in consideration, the chair of the committee making the recommendation, or his/her designated representative, must be present. When reporting to the Senate, committee chairs or their representative will have the consent of the Senate to speak during the debate concerning that report.
    - d. Non-Senators are invited to attend meetings of the Faculty Senate and have a voice, but they may not vote on matters brought before the Faculty Senate (See Article IX, Section I).
  5. **Voting**
    - a. Voting in the Senate shall be either by voice vote, by division of the members (e.g., by show of hands), or by written ballot. When a vote is by written ballot, the Chair of the Faculty Senate or a presiding officer (when appropriate) shall appoint two tellers, and the record of the vote shall be announced by the Chair or the presiding officer and entered into the minutes. At the request of a member and with concurrence of a majority of Senators present within an established quorum, a roll-call vote shall be taken and entered immediately following the meeting at which the vote took place.
    - b. The presiding officer shall vote only in case of a tie.
    - c. All elections of officers within the Senate shall be by secret, written ballot, and the presiding officer shall appoint tellers for each election.
    - d. After the teller's report is read into the minutes by the Chair, the teller shall give the ballots to the Secretary for filing until the next regular meeting, after which the ballots will be destroyed.
  6. **Closed Session**
    - a. Closed sessions may be conducted by a majority of the Executive Officers.
    - b. Closed sessions are only permitted for reasons outlined in the University's Open Meeting Policy.  
<http://www.uncfsu.edu/documents/policy/general/OpenMeetingsGuidelines.Rev1.pdf>
- B. Special Faculty Senate Meetings**
1. All of the provisions of Article I, Section A above shall pertain to Special Meetings, except for 2a, 2b, and 2d. The Order of Business for a Special Meeting shall be specified by the person(s) requesting the meeting.

## II. DUTIES OF FACULTY SENATE MEMBERS

Faculty Senate members are expected to attend all meetings of the Faculty Senate, to participate in its deliberations, and to report periodically about the Faculty Senate's actions to the members of their respective departments. After missing three or more meetings in one academic year, at the discretion of the Faculty Senate Executive Committee, a Senator may be referred to their department.

## III. PARLIAMENTARY AUTHORITY

The most current revised edition of Robert's Rules of Order shall be the source of parliamentary authority for all Faculty Senate meetings and those of auxiliary bodies, unless the formulations contained in this work conflict with the Faculty Governance Document, Senate Bylaws, or the *University Code*.

## IV. AMENDMENT PROCEDURE

Amendments to the Bylaws shall require a two-thirds vote of the Senators present at a regular or special meeting of the Senate. Amendments may be proposed by any member of the Senate. Such proposals shall be submitted in writing to the Governance Committee, and shall be reported upon by that committee no later than the next regular meeting. The proposed amendment shall be distributed to Senators at least one week prior to the meeting in which the amendment proposal is to be acted upon.

## V. COMMITTEE ORGANIZATION

### A. Types of Committees

1. **Executive Committee** – The administrative committee within the Faculty Senate, which is made up of the Faculty Senate Chair, Vice-Chair, Secretary, Parliamentarian, Provost/Vice Chancellor, Standing Committee Chairs, and the immediate past Faculty Senate Chair. The chair of each standing committee is selected from the Senate membership by the chair of the Faculty Senate.
2. **Standing Committees** – These are committees required by the Senate to fulfill its purposes as stated in Article 1, Section 2 of the Charter of Faculty Governance Document. Committee chairs are selected by the Faculty Senate Chair. The committees report to and make recommendations directly to the Senate. These committees are:
  - a. Academic Affairs Committee
  - b. Budget and Planning Committee
  - c. Faculty Evaluation and Development Committee
  - d. Governance Committee
  - e. Student Affairs Committee
  - f. Information Technology and Telecommunications Services Committee
  - g. Faculty Welfare Committee
  - h. Faculty Handbook Review Task Force
3. **Autonomous Committees** – The mandates for these committees supersede the provisions of Article 1, Section 2 of the Faculty Governance Document in that these

committees report to and make recommendations directly to the Chancellor. These committees may report to and make recommendations to the Faculty Senate on matters not pertaining to a particular faculty member's challenge to an employment decision. Members are elected from and by the general faculty. These committees are the Faculty Grievance Committee and the Hearing and Reconsideration Committee. In order to maintain compliance with policies and/or state and federal regulations, these committees may seek advice from the Office of Legal Affairs and the Faculty Senate on matters related to procedures.

- a. **Membership Selection** – Members of these committees are elected from and by the full voting faculty. These committees shall consist of one representative from each school or college, and one full professor, two associate professors at large, and one alternate to serve in the absence of a committee quorum. Only tenured faculty members may serve on these committees.

No officer of the administration shall serve on these committees. "Office of the administration" in this context includes department chairs. Elections of members to these committees shall be conducted annually by the Faculty Senate. Nominations should come from the general faculty, excluding those faculty deemed administrators.

**Term of Office** – Members will serve three-year, staggered terms. No members shall serve more than two consecutive terms. No member shall serve simultaneously on two or more autonomous committees. For the first election only, at-large members and alternate of these committees will be elected for one-year terms. Office terms will begin the first day of the fall semester.

4. **Ad Hoc Committee** – An Ad Hoc committee is convened to perform a specific task for the Faculty Senate. When the objective is complete, the committee will be dissolved. **Faculty Handbook Review Task Force** – The duty of this committee is to convene annually to review the document, making recommendations for identified revisions. The Faculty Senate Chair will convene the committee in the summer.
5. **University Administrative Committees and Councils/Committees of the Chancellor** – These committees/councils report directly to the Chancellor or other administrative officers. It is expected that these committees consult the Faculty Senate whenever their duties or actions pertain to any of the areas specified by Article I, Section 2 of the Charter of Faculty Governance.

## **B. General Provisions**

### **1. Senate Committees**

- a. **Membership Selection** – All members of the Faculty Senate committees will be selected from either the Senate membership or the general faculty. The chairs of the committees must be Faculty Senators.
- b. **Term of Office** – The Provost and Vice Chancellor for Academic Affairs is a permanent member of the Executive Committee. The Chair, Vice Chair, Secretary, Parliamentarian, chairs of the Faculty Senate standing committees, and the

immediate past Faculty Senate chair are members of the Executive Committee and will serve for three years or until the expiration of their respective, current terms.

## **2. Faculty Committees of the Senate**

- a. **Membership Selection** – Criteria for membership on these committees shall be established with approval of the Faculty Senate.
- b. **Term of Office** – Committee members will serve three-year, staggered terms. No person should serve more than two consecutive terms on any one committee. Office terms will begin on the first day of the fall semester.

## **C. Conduct of Business** (See Article V of the Charter of Faculty Governance)

1. The chair of each committee shall convene the committee no later than September 30. The Faculty Senate Chair shall select a Senator to serve as chair. The purpose of the meetings is to review the committee's responsibilities and determine the conduct of committee business.
2. The number of members needed to conduct business shall be at least 51% of the membership of the committee.
3. Non-members of the committee may attend committee meetings, and, with the consent of the chair, may speak, but may not vote.
4. All committees may form subcommittees.

## **D. Description of Duties of Committees**

1. **Senate Committees** – See Article VII of the Charter of Faculty Governance
2. **Faculty Committees of the Senate:**
  - a. **Academic Affairs Committee** – Duties of this committee are:
    1. To review and make recommendations regarding all curricular reform.
    2. To review and make recommendations regarding policies and procedures that pertains to academic standards, as the grading and attendance policies.
    3. To review and make recommendations regarding the policies and procedures of units within the university that affect academic affairs, such as the Bookstore or the Library.
    4. To review and make recommendations regarding the long-range planning efforts of the university as they pertain to academic affairs.
  - b. **Budget Committee** – Duties of this committee are:
    1. To convey to appropriate administrative officials, through the Faculty Senate, concerns of faculty members regarding the budget.
    2. To review the budget-making process and the budgetary support of various academic programs and to recommend changes, when deemed necessary, in specific components of the above.
    3. To review and make recommendations regarding the policies governing the awarding of faculty salary increases.
  - c. **Faculty Evaluation and Development Committee** – Duties of this committee are:
    1. To review all existing evaluation forms and procedures pertaining to faculty

- evaluation of administrators and to recommend changes, when needed, in these forms and procedures.
2. To work in conjunction with the Tenure, Promotion, Appointments, and Reappointments Committee to ensure uniformity and fairness in the interpretation of evaluation forms.
  3. To review and recommend policies regarding the use of comprehensive evaluations in determining salary increases, promotion, and tenure.
  4. To plan and make recommendations for workshops and other development activities in conformity with perceived faculty needs.
  5. To review and make recommendations regarding policies and procedures for awarding Faculty Improvement Funds, and all other resource allocations for faculty development and professional activities.
  6. To review and oversee the annual administration of the evaluations of Provost and Academic Deans.
- d. **Governance Committee** – Duties of this committee are:
1. To mediate disputed interpretations of the Faculty Governance Document or Senate Bylaws.
  2. To review, and recommend amendments of, the Faculty Governance Document or Senate Bylaws.
  3. To review all policies and procedures that pertain to university governance and to recommend policies and procedures that ensures and increase the role of the faculty in university governance.
  4. To review and recommend policies and procedures for the production, collation, review, and editing of the Faculty Handbook.
- e. **Student Affairs Committee** – Duties of this committee are:
1. To monitor and recommend guiding policies and procedures related to: student recruitment, financial aid, academic scholarships, registration, admission of freshmen and transfer students, evaluation of transfer students, transcripts, student advisement, retention of students, and athletic programs.
  2. To advise administrative officers and committees on issues pertaining to student affairs that is of interest and concern to the faculty.
- f. **Faculty Welfare** – Duties of this committee are as follows:
1. To identify and make recommendations involving support of faculty in teaching, research, and service.
  2. To monitor and make recommendations to ensure due process in making decisions affecting faculty.
  3. To review and make recommendations regarding issues affecting faculty, including but not limited to employment, benefits, salary, professional concerns, collegial grievances, and work environment.
- g. **Information Technology and Telecommunications** – The duty of this committee is to identify faculty information and technology needs and to make appropriate recommendations. The chair of this committee, in consultation with the Faculty

Senate Secretary, maintains the Faculty Senate website.

- h. **Faculty Handbook Review Committee**- The Faculty Senate is responsible for maintaining and reviewing the Faculty Handbook on an annual basis in order to reflect upon the latest policy changes. A review of the Faculty Handbook shall be completed by the end of July in the same academic year. The Chair of the Faculty Senate will appoint the Faculty Handbook Review Committee. The Chair of the Handbook Review Committee must be tenured, have served at least a year on the FSU Senate, served on the Faculty Senate Handbook Committee, and have knowledge of shared governance and the Senate Bylaws. Any recommended policy or procedural changes that arise from this review shall be submitted to the Administration in accordance with Fayetteville State University's Policy on Policies and Rules by August of the following academic year.
3. **Autonomous Committees**
- a. **Faculty Grievance Committee** – 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 chair, 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. "Grievance" within the province of the committee's power shall include matters directly related to a faculty member of employment status and institutional relationships within the university. However, no grievance that grows out of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by the committee. The duties are:
1. To collect/hear the evidence
  2. To make findings of fact/recommendations to the Chancellor
  3. To establish an official record
  4. To maintain confidentiality
  5. To seek advice from the Office of Legal Affairs on procedural issues or questions relating to legal standards.
- b. **Hearing and Reconsideration Committee** – The duties of this committee are:
1. To determine if requests for reviews of decisions not to reappoint in accordance with Section 604 of the *Code* of the University of North Carolina and Section V of the Fayetteville State University Tenure and Promotion Policies, Procedures and Regulations are appropriate for review and if so, to hear such matters.
  2. To hear requests for reviews of decisions to discharge/suspend a faculty member who is the beneficiary of institutional guarantees of tenure in accordance with Section IV of the *Code* of the University of North Carolina and Section IV of the Fayetteville State University Tenure and Promotion Policies, Procedures and Regulations.
  3. To collect/hear the evidence.

4. To make findings of fact/recommendations to the Chancellor.
5. To establish an official record.
6. To maintain confidentiality.
7. To seek advice from the Office of Legal Affairs on procedural issues or questions relating to legal standards.

**E. Faculty Assembly Delegates/Representatives**

Representation in the Faculty Assembly is apportioned among the constituent institutions of the University of North Carolina (UNC) with regard to the number of full-time faculty and professional staff members in the service of each institution. Currently, the Fayetteville State University faculty elects two (2) delegates and one (1) alternate to the UNC Faculty Assembly. The terms of office are three (3) years. Specific requirements regarding term length and number are governed by the bylaws of the Faculty Assembly. The Faculty Senate is responsible for the process of election of the FSU Faculty Assembly delegates. The delegates are expected to make periodic reports to the Faculty Senate.

**F. University Administrative Committees and Councils/Committees of the Chancellor –**  
Duties of these committees are assigned by the Chancellor.

**CHAPTER VI**  
**TENURE AND PROMOTION**  
**POLICIES, REGULATIONS AND PROCEDURES**  
**OF FAYETTEVILLE STATE UNIVERSITY**  
<http://www.uncfsu.edu/policy/policies-listed-alphabetically>

<b>Authority:</b>	Issued by the Chancellor. Changes or exceptions to this policy may only be made by the Chancellor with approval by the Fayetteville State University Board of Trustees and the President of the University of North Carolina.
<b>Category:</b>	EPA Faculty
<b>Applies to:</b>	●Administrators      ●Faculty
<b>History:</b>	Revised_ January 16, 2015 Revised – September 20, 2011 Revised – March 24, 2010 Revised – December 10, 2009 Revised – June 14, 2007 Originally Approved – February 28, 2007
<b>Related Policies:</b>	<i>The Code</i> of the Board of Governors of the University of North Carolina [UNC Policy #101.1] <i>Review of Nonreappointment Decisions under Section 604 of The Code</i> [UNC Policy #101.3.1]
<b>Contact for Info:</b>	Provost and Vice Chancellor for Academic Affairs (910) 672-1460 General Counsel (910) 672-1145

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## **SECTION I FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY**

Fayetteville State University 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.

Fayetteville State University shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth. 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.

## **SECTION II ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY**

It is the policy of Fayetteville State University to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staff of this institution. 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 spokesmen for Fayetteville State University. Fayetteville State University will not penalize or 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.

## **SECTION III APPOINTMENT, REAPPOINTMENT, PROMOTION AND TENURE**

### **A. CATEGORIES OF APPOINTMENTS**

#### **1. Appointments with Permanent Tenure**

- a. An appointment with permanent tenure is a continuing appointment to a professorial rank that is not affected by changes in such rank and continues until ended by resignation, by retirement, or by approved procedures as provided in Section IV and VI of this document and Sections 602, 603, and 605 of *The Code* of the University of North Carolina ("*The Code*").
- b. Only faculty members at the ranks of assistant professor, associate professor, and professor are eligible for permanent tenure. Administrative personnel with professorial rank shall be eligible for permanent tenure in rank as faculty members, but not in their administrative positions.
- c. Although criteria may vary, an administrative officer shall be recommended for permanent tenure by the same procedure prescribed for faculty members; i.e., a recommendation must originate within the faculty member's academic department and receive consideration by the appropriate dean and the Vice Chancellor for Academic Affairs. Faculty members with permanent tenure who are appointed to administrative positions shall retain tenure in their academic rank.

**2. Probationary (Tenure-track) Appointments**

A probationary appointment is a trial-period appointment which has as its major purpose the determination of the suitability of the faculty member for an appointment with permanent tenure. The maximum probationary period shall not exceed seven (7) years of continuous full-time service at Fayetteville State University.

**3. Tenure Upon Appointment**

Tenure status (only for Associate and Full Professors) may be recommended upon appointment. Faculty appointed in this manner shall not be required to serve a period of probationary service.

**4. Fixed-Term Appointments**

Fixed-term appointments are for a specified term of service and are automatically terminable when they expire. A fixed-term contract shall set forth in writing the length of the appointment and the ending date of the contract period. The contract itself shall be deemed to constitute full and timely notice of non-reappointment.

**B. TENURE IN RELATION TO FACULTY RANK**

1. Tenure, as herein described, pertains exclusively to the employment of faculty members by appointment to specified faculty ranks. Such appointments may be for stated terms of employment, automatically terminable when they expire (fixed-term appointment); or they may be for probationary terms (tenure-track appointment); or they may be continuous until retirement, death, resignation, termination, or discharge (appointment with permanent tenure).
2. Discharge, suspension, or demotion in rank by Fayetteville State University of a faculty member who has permanent tenure or a faculty member without permanent tenure whose fixed term has not expired may be based only upon incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to serve as a member of the faculty. (See Section IV of these policies and Section 603 of *The Code*.) *Termination* refers to separation from employment of a faculty member with permanent tenure or faculty members without permanent tenure whose probationary or fixed-term appointment has not expired for reasons of financial exigency or major curtailment or elimination of teaching, research, or public-service programs.

**C. PERMANENT TENURE**

1. In accordance with Section 602 (5) of *The Code*, permanent tenure may be conferred only by action of the President of the University of North Carolina or by such other agencies or officers as may be delegated such authority by the Board of Governors. The tenure conferred on a faculty member is held with reference to employment by Fayetteville State University and not to employment by the University of North Carolina.

2. Permanent 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 permanent tenure may be withheld on any grounds except those specifically stated to be impermissible under Section V of these policies, the general considerations upon which reappointment, promotion, and permanent tenure are to be recommended include an assessment of at least the following: (1) demonstrated professional competence, (2) potential for future contribution, and (3) institutional needs and resources.

#### **D. PROBATIONARY (TENURE-TRACK) FACULTY**

Probationary faculty ranks to which appointments may be made and the incidence of permanent tenure applicable to each are assistant professor and associate professor.

##### **1. Assistant Professor**

The rank of assistant professor is appropriate for an individual who is in his or her initial appointment and has completed requisite expectations, or one whose professional credentials warrant such an appointment.

- a. The initial appointment to the rank of assistant professor shall be for a probationary term of two (2) years. At least one hundred and eighty (180) calendar days prior to the expiration of the assistant professor's initial two-year probationary term, the assistant professor shall be notified of one of the following:
  - i. A decision to recommend that the faculty member be reappointed to a second two-year probationary term; or
  - ii. A decision not to recommend reappointment to a second two-year probationary term. A decision not to reappoint shall be made in accordance with the procedures outlined in Section III.G.4 of this policy.
- b. If the faculty member is reappointed to a second two-year probationary term, at least twelve (12) months prior to the expiration of the assistant professor's term, the assistant professor shall be notified of one of the following:
  - i. A decision to recommend that the faculty member be reappointed to a three-year probationary term; or
  - ii. A decision to recommend that the faculty member be reappointed with tenure at the rank of associate professor; or
  - iii. A decision not to recommend reappointment to a three-year probationary term. A decision not to reappoint shall be made in accordance with the procedures outlined in Section III.G.4 of this policy.
- c. If the faculty member is reappointed to a three-year probationary term, at least twelve (12) months prior to the expiration of the assistant professor's term, the assistant professor shall be notified of one of the following:

- i. A decision to recommend that the faculty member be reappointed with tenure at the rank of associate professor; or
  - ii. A decision not to recommend reappointment with permanent tenure. A decision not to reappoint shall be made in accordance with the procedures outlined in Section III.G.4 of this policy.
- d. If the department has fewer than three (3) tenured faculty members to give a representative view of departmental opinion, the department's tenure committee chair shall select additional tenured faculty members from another academic department within the department's school or college.
  - e. Failure to give the required notice of a decision not to reappoint has the same effect as a decision to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in Section III.F of these policies.
  - f. If an untenured assistant professor declines the review for reappointment to an additional probationary term or reappointment with tenure, as required in sections (a), (b) and (c) above, the faculty member shall write to the department chair in advance of the review period indicating that s/he will not prepare any materials for review and that s/he understands that employment will end at the conclusion of the current term appointment. Failure to participate in the review, as specified above, will be deemed to constitute the resignation and withdrawal of any request for reappointment at the end of the current probationary term. The department head shall acknowledge the resignation and withdrawal in writing, with a copy to the dean and Vice Chancellor for Academic Affairs.
  - g. After the faculty member completes his or her initial two-year term, the faculty member may apply for tenure and promotion. Permanent tenure must be finally approved by the President of the University of North Carolina unless the faculty member has previously been granted tenure at Fayetteville State University. If the faculty member has been previously granted tenure, final approval of any request for promotion will be made by the university's Board of Trustees.
  - h. Assistant professors who apply for tenure must also apply for promotion. Faculty applying for a personnel action cannot be tenured at the rank of assistant professor.

## **2. Associate Professor**

The rank of associate professor is appropriate for an individual whose professional credentials warrant such an appointment. With appropriate justification, an initial appointment at the rank of associate professor may be with permanent tenure.

- a. The initial appointment to the rank of associate professor shall be for a probationary term of two (2) years. At least one hundred and eighty (180) calendar days prior to the expiration of the associate professor's

- initial two-year probationary term, the associate professor shall be notified of one of the following:
- i. A decision to recommend that the faculty member be reappointed to a three-year probationary term or
  - ii. A decision to recommend that the faculty member be reappointed with permanent tenure at the same or higher rank or
  - iii. A decision not to recommend reappointment to a three-year probationary term. A decision not to reappoint shall be made in accordance with the procedures outlined in Section III.G.4 of this policy.
- b. If the faculty member is reappointed to a three-year probationary term, at least twelve (12) months prior to the expiration of the associate professor's term, the associate professor shall be notified of one of the following:
- i. A decision to recommend that the faculty member be reappointed with tenure at the same or higher rank or
  - ii. A decision not to recommend reappointment with permanent tenure. A decision not to reappoint shall be made in accordance with the procedures outlined in Section III.G.4 of this policy.
- c. If the department has fewer than three tenured faculty members to give a representative view of departmental opinion, the department's tenure committee chair shall select additional tenured faculty members from another academic department within the department's school or college to participate in the development of a recommendation.
- d. Failure to give the required notice of a decision not to reappoint has the same effect as a decision to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in Section III.F of these policies.
- e. After the faculty member completes his or her initial two-year term, the faculty member may apply for tenure or promotion. A promotion at any time from the rank of associate professor to that of professor confers permanent tenure. Tenure must be finally approved by the President of the University of North Carolina unless the faculty member has previously been granted tenure. In such a case, final approval of a promotion will be made by the university's Board of Trustees.

#### **E. PROMOTION FROM ASSOCIATE TO FULL PROFESSOR**

Faculty members whose professional credentials warrant that they be recommended for tenure, upon appointment, are not required to serve a period of probationary service prior to being recommended for tenure. Such individuals may be appointed to professorial ranks of associate professor or professor.

The rank of professor represents the highest academic achievement which can be attained. This rank should be reserved for those individuals who are demonstrably outstanding among their peers, and are expected to have achieved distinction clearly above that of an associate professor.

The university's workload policy assumes regularly assigned duties in the areas of teaching, scholarly activity, and service. All parties are encouraged to regard these three areas as interrelated.

A candidate's professional record will be reviewed as a whole, according to individual assigned workloads, which may be weighted more heavily in one area than another. Whatever the candidate's discipline, the university expects high quality in all three areas. A candidate might demonstrate outstanding performance in a particular area. All candidates, though, must demonstrate consistently strong records that indicate the professional contributions will continue in quality and quantity, as determined by department standard, in all three areas: teaching, research, and service.

Outstanding performance in one area does not compensate for unsatisfactory performance in another. While prior accomplishments will be recognized, emphasis shall be on activities conducted during the candidate's employment at Fayetteville State University.

Candidates for promotion to professor must have three years of full-time experience in the associate professor academic rank at Fayetteville State University, but promotion is not automatic after any time period.

An individual may apply for promotion to professor no earlier than during his or her fourth full year of employment as a tenured associate professor at Fayetteville State University, except under extraordinary circumstances.

Candidates must demonstrate commitment and support of the department's educational mission, providing evidence that they have worked with other department members to achieve department goals in teaching, research, and service.

1. Denial of promotion to professor in one year does not limit the candidate's right to request promotion in a subsequent year.
2. Candidates for promotion should consult their department chair for required dates and deadlines.

## **F. AREAS OF EVALUATION**

### **1. Teaching**

Teaching and advising are critical roles of faculty. Effective and outstanding teaching should be recognized as essential for promotion to the rank of professor.

- a. The term *teaching* is broadly defined and includes activities both inside and outside the classroom that support and meaningfully assess student learning and development. Effective teaching is characterized by qualities such as:
  - i. Up-to-date knowledge of the subject
  - ii. Interest in the subject
  - iii. Clear, organized classroom presentation appropriate to the level of instruction and nature of the discipline

- iv. Bringing to the classroom the latest discoveries or techniques
- v. Preparing students for graduate study
- vi. Training students at the highest level of the department
- vii. Ability to inspire students
- viii. Maintenance of an appropriate classroom atmosphere
- ix. Thoughtful design and development of courses
- x. Willingness to be current in the use of appropriate technology
- xi. Responsible grading
- xii. Clear and willing response to students
- xiii. Availability for out-of-class student assistance.

In addition, candidates for promotion to professor should demonstrate activities such as successful mentoring of junior faculty, leadership in curriculum development and assessment, and innovative pedagogy. Department promotion procedures should be designed to assess such qualities.

- b. Teaching typically includes offering courses, seminars, field experiences, and workshops through university entities. Teaching activities may also, depending on departmental guidelines, include the following:
  - i. Offering non-credit seminars and workshops
  - ii. Advising and mentoring undergraduate and graduate students by providing guidance on academic programs, student clubs, honors societies, graduate school applications, and the like
  - iii. Involving undergraduate and graduate students in faculty scholarly and creative activities
  - iv. Directing undergraduate and graduate scholarly and creative activities (exhibitions, performances, field experiences, internships, theses, dissertations, independent studies, honor projects, service learning, and the like)
  - v. Serving on master and doctoral committees
  - vi. Contributing to curricular development, interdisciplinary programs, and collaborative learning projects
  - vii. Studying curricular, mentoring, and pedagogical issues; sharing the information with others; and incorporating findings into instructional and advising programs
  - viii. Receipt of grants in support of teaching and/or curriculum development
- c. Candidates should submit selected but comprehensive evidence of their teaching activities that exemplify the university's commitment to engaging students in community-based learning, integrating theory and practice, and integrating teaching and research.
- d. Departmental assessment should accommodate individual differences in teaching style and should allow for reliable, objective peer observation and evaluation. Faculty should submit documentation of teaching effectiveness. At least one member of the department promotion committee shall observe and evaluate the candidate's teaching as part of the promotion application. Additional evaluations may be solicited from other members of the department or through the Office of Faculty

Professional Development. Evaluations should be based on familiarity with specific aspects of the candidate's teaching, not on hearsay.

- e. Each department may establish a faculty committee to implement a rating instrument for student evaluations that is responsive to the unique needs of the department. All faculty members must be evaluated by students in their classes a minimum of once per academic year. For purposes of promotion, faculty may choose not to include evaluations conducted for classes outside their normal teaching loads.

## **2. Research: Scholarship and Creative Activity**

- a. Successful candidates for promotion to professor must clearly demonstrate outstanding performance and commitment to research (which covers both scholarship and creative activity). The university requires clear indications that success in research will continue and expand.
- b. Measures of excellence in research remain important and vary from discipline to discipline. Departments shall develop appropriate methods of assessing research and should regularly review their guidelines with the aim of producing a document that reflects a comprehensive and up-to-date understanding of research and methods of evaluation.
- c. Department guidelines should provide both candidates and the College/School committees with clear indications of research expectations for promotion to professor in their programs, and of how the discipline evaluates research activities. (How, for example, does the discipline factor in things like peer-review, competitive grant awards, invited presentations, juried exhibitions, venue, status as principal investigator, work in new media, etc.)?
- d. Promotion to professor normally depends upon successful peer-review of research, as attested by publications, citations, grant success, patents, external letters, etc. Emphasis shall be on research conducted during the candidate's Fayetteville State employment. Research activities may be either individual or collaborative and may (depending on department guidelines) include the following:
  - i. Publication of books, monographs, articles, chapters, and creative writing
  - ii. Presentations in new media
  - iii. Performances, exhibitions, master classes and readings
  - iv. Translations, editorial work, and substantive book reviews
  - v. Collaborative research efforts that involve community or other external partners
  - vi. Practical application of research activities
  - vii. Publication within the scholarship of teaching and learning
  - viii. Receipt of external funding, grants or awards
  - ix. Presentation of research at scholarly conferences
  - x. Receipt of patents or contracts
  - xi. Professional consulting or adjudicating

Departments are encouraged to recognize candidate's cultural and intellectual exchange with the community and to encourage integration of research with teaching and learning.

### 3. Service Activities

The university will recognize three areas of service:

- a. Professional service in the faculty's discipline, public or community service
- b. Sustained, effective service, beyond that expected for promotion to associate professor. Promotion portfolios should demonstrate how that service is related to university, college/school or department goals.
- c. The college/school recognizes that some forms of service (community engagement work, service learning, etc.) blur the traditional distinctions between teaching, research, and service.

Portfolios should not be needlessly repetitive. Candidates should provide in their portfolios clarification of the connection between service and other areas of evaluation. Departments should offer guidance on appropriate categories for particular activities.

### 4. Professional Service – Professional service in the discipline includes contributions to discipline-related organizations at the local, regional, national, and international levels. Such activities may include the following:

- a. Holding office in a professional organization, organizing conferences, chairing sessions;
- b. Editorial or referee activities undertaken in the context of work done by professional organizations or by other academic institutions (for example, editing a professional journal; serving as external reviewer for promotion, tenure, or scholarship applications; administering cyber infrastructure; preparing educational or popular media materials aimed at a broad audience);
- c. Adjudicating performances or exhibitions for national or professional organizations.

### 5. Institutional Service – Institutional service may include administrative, committee, student recruitment, and advising work done on the department, college/school, and university levels.

### 6. Public or Community Service – Public or community service may include work that grows out of institutional programs and has the potential for positive effects on the community, the region, or beyond. Public or community service activities may include the following:

- a. Community engagement activities that involve the candidate in partnerships with the community (for example, jointly developed, financed, and administered projects that address issues of mutual concern and contribute to regional growth and development)

- b. Consulting work (paid or unpaid) that benefits the Fayetteville State University, the discipline community outreach (for example, discipline-related work in public education or awareness; refereed work for community museums, galleries, publications, or competitions; discipline-related work with local schools; serving on local task forces or boards)
- c. Community-based service learning projects that are not listed under the Teaching section.

## **G. PROCEDURE**

### **1. Eligibility for Promotion to Professor**

Faculty is normally eligible to apply for promotion to professor during the fourth year of full-time experience in the academic rank of associate professor.

A candidate applies for promotion to Professor by submitting a promotion portfolio electronically through SharePoint that documents performance in Teaching, Research, and Service. Portfolio documentations must include the information listed below, in the order given.

- a. Curriculum vitae, including full bibliographic citations for publications and pertinent information regarding exhibitions, presentations, and performances
- b. Annual evaluations by the department chair for all years since appointment as associate professor
- c. Recommendation of department chair
- d. Recommendation of college tenure and promotion committee
- e. Recommendation of dean
- f. Summary of official student teaching evaluations for all courses for at least the last three academic years; do not include individual evaluation forms
- g. Cover letter by candidate that provides context for the materials included in the portfolio
- h. Copy of Letter of Appointment, including information about any credit given for prior service
- i. Copy of guidelines outlining expectations for promotion to professor
- j. Recommendations of department promotion committee
- k. Evidence of research/creative activity
- l. Evidence of teaching effectiveness and commitment to teaching (require inclusion of specific evidence about teaching). Candidates should be certain that their portfolios respond to that policy.

### **2. Evidence** – In addition, candidates should include evidence of the following:

- a. Teaching effectiveness
  - i. All student evaluations for all courses in the candidate's normal teaching load evaluated during the three previous academic years.

- ii. Reports of efforts to increase teaching effectiveness: for example, through use of innovation in teaching design, learning activities, or technology use.
- b. Commitment to teaching
  - i. Flexibility in accepting teaching assignments
  - ii. Continuing professional development: for example, participation in teaching conferences and workshops, development of technology skills pertinent to teaching, or visiting comparison institutions.
  - iii. Academic advising or other services to teaching and students above and beyond classroom instruction.

The candidate has the option of submitting additional documentation in SharePoint before the deadline.

### **3. Department Review**

- a. Once the deadline for submitting materials to the department has passed, additional items may NOT be added. Candidates will not have editing access to the portfolio or SharePoint account until it is returned to the department chair at the conclusion of the entire review process.
- b. The department promotion committee shall consist of full professors only. In the event that the department has fewer than three full professors, the chair of the department's tenure and promotion committee will invite a full professor from another department.
- c. Following review of the candidate's portfolio according to Fayetteville State University guidelines, the department promotion committee must submit to the department chair a recommendation to grant or to deny promotion. Upon receipt of this recommendation, the department chair shall make his or her own recommendation and forward to the candidate copies of both recommendations. Each of these documents shall also be included in the candidate's portfolio.

- 4. Institutional Review and Procedures** – College/school promotion committees shall consider only materials submitted in the candidate's portfolio. Informal or unsolicited opinions, written or unwritten, shall not be considered. The candidate retains the option of withdrawing the application at any point of the review process.

## **H. TENURE UPON APPOINTMENT**

Faculty members whose professional credentials warrant that they be recommended for tenure, upon appointment, are not required to serve a period of probationary service prior to being recommended for tenure. Such individuals may be appointed to professorial ranks of associate professor or professor.

## **I. SPECIALTY (FIXED-TERM) FACULTY APPOINTMENTS**

- 1. General Provision** – Faculty members who are appointed as visiting faculty members, adjunct faculty, lecturers, artists-in-residence, writers-in-residence or

other special categories are regarded as “special faculty members.” Special faculty members may be paid or unpaid.

- a. Paid specialty faculty appointments – Special faculty members who are paid shall be appointed for a specified term of service, as set out in writing in a fixed-term contract. The term of appointment of any paid special faculty member concludes at the end of the specified period set forth in the fixed-term contract. Each fixed-term contract is considered an initial appointment and not a reappointment, except as noted below for instructors. Appointments may be for a fixed term of from one to three years. The total number of years in direct succession may not exceed six total years. Fayetteville State University is not obligated to give any notice before a current fixed-term contract expires for the fixed term contract constitutes full and timely notice that a new term will not be granted when that term expires. Fixed-term appointments do not lead to the consideration of the individual for the conferral of permanent tenure or for promotion.
- b. Unpaid specialty faculty appointments – Special faculty members who are not paid may be appointed for a specified term of service or at will. Their compensation and appointment status shall be set out in a letter of appointment.

**2. Classifications of Specialty (Fixed-term) Appointments – Fixed-term**

appointments may be made to the following special faculty classifications:

- a. Adjunct, lecturer, part-time, artist-in-residence, writer-in-residence – An appointment, using any of the foregoing descriptions or title designations, is appropriate for one who has qualifications for teaching, research, academic administration, or public service but for whom neither the professorial ranks nor the instructor rank is appropriate.
- b. Instructor – The instructor rank is reserved for assistant-professor candidates who are completing terminal-degree requirements. An instructor shall be appointed for a period of one year and may be reappointed successively in the same rank for a maximum of two additional one-year terms. Upon the recommendation of the department chair, an instructor’s rank may be changed to assistant professor at the beginning of the academic year following the completion of the terminal-degree requirements. If an instructor is appointed to the rank of assistant professor, the time served as instructor shall not be counted as part of the probationary service toward the attainment of permanent tenure.
- c. Visiting faculty – 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.” The rank designation shall be appropriate to the individual’s status in his or her regular employment.

**3. Guidelines for Clinical Faculty** – Conditions for use of “clinical faculty” title:

- a. The title “clinical” will be used exclusively for faculty members who teach credit-bearing courses for FSU and whose work includes the clinical or applied aspects of an academic program. The salary of the faculty member may be paid by Fayetteville State University (FSU) or as a part of an agreement with FSU and a third-party.
- b. Clinical faculty members serve with the consent of the appropriate departmental faculty and must meet the qualifications required by FSU, the Southern Association of Colleges and Schools – Commission on Colleges (SACSCOC) and relevant specialized accreditation bodies.
- c. Clinical faculty members are appointed as clinical lecturers, clinical assistant professors, clinical associate professors, or clinical professors. Clinical faculty members are considered “fixed-term specialty faculty” as defined by Section III.F of the Tenure and Promotion Policies, Regulations and Procedures of Fayetteville State University. Hence, such appointments do not lead to the consideration of the individual for the conferral of permanent tenure or for promotion.
- d. Clinical faculty members are appointed based on the recommendation of the contracting agency and the specific FSU academic department. The appointment letter will specify the duration of the appointment and will designate rank as recommended by the appropriate departmental faculty. A clinical faculty member who seeks a tenure track or any other full-time position at FSU must apply for the position; he or she will be reviewed according to the usual FSU selection process. In accordance with Section II. Procedure for Appointment of Clinical Faculty Members Involving a Third-Party Contractor, appointment of clinical faculty will proceed according to the following outline:
  - i. The contracting agency will submit the name and dossier of each individual recommended for hiring. The dossier must include documentation of education, relevant professional experience and accomplishments, and any other information – such as honors, recognitions, and awards – that demonstrate the applicant’s qualifications to hold a faculty position in the program.
  - ii. The FSU departmental faculty and department chair shall make a recommendation as to whether the individual should or should not be recommended for hiring. If the recommendation is to hire the candidate, based upon the candidate’s credentials the Guidelines for Appointment of Clinical Faculty; departmental faculty shall recommend the candidate for one of the following ranks: clinical lecturer, clinical assistant professor, clinical associate professor, and clinical professor.
    - a. The recommendation must be approved by the dean and the provost.
    - b. The letter of appointment will indicate whether the appointment is full-time or part-time.

- c. If the clinical faculty member is being considered to teach graduate-level courses, the dossier will be sent to the Graduate Council for approval.

**4. Criteria for Initial Appointment and Determination of Rank and Title –** Appointment to all ranks is based on the faculty member's academic and professional qualifications. In addition, all appointees must meet the requirements of SACSCOC and the relevant specialized accrediting body. Each department that appoints clinical faculty will establish guidelines that delineate the criteria for appointment at each rank. These guidelines must be approved by the faculty, department chair, dean, and provost.

**5. Annual Evaluation of Clinical Faculty**

- a. Clinical faculty member will be evaluated each year according to procedures mutually agreed upon by FSU and the contracting agency.
- b. Student and peer evaluations will be considered in the annual evaluation.
- c. Recommendations as to whether a new appointment will be offered to a clinical faculty member will include, but not be limited to, information from the most recent evaluation.
- d. A clinical faculty member may be discontinued with mutual consent by the third-party contractor and/or FSU.

**6. Grievances**

- a. During the term of their employment, specialty faculty members are entitled to seek recourse under Section VIII of this policy (relating to faculty grievances).
- b. Specialty faculty members, whether paid or unpaid, are not covered by Section V of this *Policy* or Section 604 of *The Code*, and these sections do not accord such faculty members rights to additional review of a decision by the university not to grant a new appointment at the end of their specified fixed term.

**J. GENERAL PROVISIONS**

- 1. Confidentiality –** Any deliberations by a department or college review committee concerning an appointment, reappointment, promotion, or the conferral of permanent tenure for a particular faculty member shall be held in closed session, with only those present whom the committee deems necessary to its deliberations.

All documents submitted or created in connection with the process of review for appointment, reappointment, promotion, or the conferral of permanent tenure, and the information contained therein, as well as information derived from any discussions that are part of the formal review, are considered confidential personnel information. All persons participating in the process of review for initial appointment, reappointment, promotion, or the conferral of permanent tenure shall treat such information as confidential. Such confidential records and

information shall not be disclosed to or discussed with any person except: (1) review committee members; (2) those persons required or permitted to be consulted in accord with the requirements of university policies; or (3) those persons permitted access to such documents by law. Violations of this section may expose any faculty member, including an administrator, to the imposition of serious sanctions.

2. **Statement on Collegiality** – Faculty members at Fayetteville State University are expected to be effective teachers, to be practicing scholars in their disciplines, and to provide meaningful service to the university and the community. Overarching expectations of faculty include professionalism and collegiality. Collegiality represents a reciprocal relationship among colleagues and a value system that views diverse members of a university community as critical for the progress and success of its academic mission. Collegiality among faculty also involves appreciation of and respect for differences in expertise, ideas, and background, in addition to mutual trust. The concept of collegiality, however, should be distinguished from congeniality; to be congenial is parallel with sociability and agreeableness, while collegiality is a positive and productive association with colleagues. A person need not be congenial to be collegial. *Approved by the Faculty Senate on January 17, 2013.*

3. **Terms and Conditions of Appointment**

- a. The general terms and conditions of each appointment and each reappointment to the faculty shall be conveyed in writing. A copy of the terms signed by the Chancellor and faculty member shall be delivered to the faculty member, and the Vice Chancellor of Academic Affairs shall retain a copy. Any other terms and conditions 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. Each document of appointment shall state that the appointment is subject to these tenure policies and regulations and *The Code*.
- b. 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 with the general terms and conditions stated herein. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment shall be with department chair who recommends the appointment.

4. **Review and Approval of Tenure, Promotions, and Reappointments** – Each promotion in rank and each reappointment of an assistant professor, associate professor, or professor, whether or not the reappointment recommends the conferral of permanent tenure, shall be initiated by recommendation of the departmental tenured faculty.

- a. Departmental recommendations – The department's chairperson shall cause to be assembled the Departmental Tenured Faculty Committee (DTFC). The DTFC shall be composed of all tenured faculty in the

department who shall review requests for reappointment, promotion, and/or permanent tenure. If the department has fewer than three (3) tenured faculty members to give a representative view of departmental opinion, the department tenure committee chair shall select additional tenured faculty members from another academic department within the department's school or college to participate in the development of a recommendation.

- i. The DTFC shall select a committee coordinator who shall conduct meetings and be responsible for communicating recommendations to the department's chair.
  - ii. The chair shall forward the DTFC's recommendation together with her or his recommendations to the dean.
- b. College/School Recommendations – Annually, the Chair of the Faculty Senate shall ensure that an election is held for the selection of the members of the College/School Tenured Faculty Committee (CTFC). The CTFC shall be composed of one (1) tenured faculty member from each department and one (1) tenured associate professor and one (1) tenured professor within the college/school. The CTFC shall review requests for reappointment, promotion, or permanent tenure. If there are no tenured faculty members in a department, then the department will have no representation on the CTFC. The CTFC shall select a committee coordinator who shall conduct the meetings and be responsible for communicating the CTFC's recommendations to the dean. The members of the committee shall serve three-year terms and may not serve more than two (2) consecutive terms. Members shall serve overlapping terms. All terms shall commence on August 1. For the first election, one-third (1/3) of the committee members shall be elected to a one-year term; one-third (1/3) to a two-year term; and one-third (1/3) to a three-year term.
  - i. Upon receipt of the recommendations from the chair, the dean shall cause to be assembled the CTFC who shall review requests for reappointment, promotion, or permanent tenure. Upon the completion of its review, the CTFC shall forward its recommendations to the dean.
  - ii. Once the dean has received the CTFC's recommendations, the dean shall forward all recommendations received, together with her or his recommendation to the Vice Chancellor for Academic Affairs (VCAA).
- c. VCAA/Chancellor Recommendations – The VCAA shall attach her or his recommendation and then forward all recommendations to the Chancellor. If the Chancellor concurs in a recommendation that will confer permanent tenure, s/he shall consult with the university's Board of Trustees (Trustees) and, unless dissuaded, forward the recommendation to the President of the University of North Carolina for final approval. All other favorable recommendations by the Chancellor in regard to reappointments and promotions shall be forwarded by the

Chancellor to the Trustees for final approval unless the Trustees delegate such authority to the Chancellor.

- d. Communication of a Recommendation/Final Decision – Each recommendation and the final decision shall be communicated for information through the channels prescribed for review. The communication shall be in the form of a simple, unelaborated written statement. A copy of the communication shall be provided to the affected faculty member.

#### **5. Decision Not to Reappoint Upon Expiration of Probationary Terms**

- a. A decision not to reappoint upon the expiration of a probationary term, except as provided in paragraph d. below, shall not be made until the faculty member has received two (2) negative decisions from two of the following five groups or individuals: DTFC, dean, and VCAA.
- b. The process shall begin with the review by the DTFC, followed by reviews by the department chair, CTFC, dean, and VCAA. When there have been two (2) negative decisions, the review process shall cease and the decision not to reappoint shall be final except as it may be later reviewed in accordance with the provisions of Section V. The administrator or committee coordinator who made the second negative decision shall notify the faculty member of the decision not to reappoint by a simple unelaborated statement. Such statement shall be provided to the faculty member within five (5) days of the administrator's or committee coordinator's decision.
- c. Each decision not to reappoint shall be communicated for information through the same administrative channels prescribed for review had the decision been to reappoint.
- d. If the initial decision not to reappoint is made by the Chancellor, the faculty member who is not to be reappointed may seek review of that decision in accordance with the procedure set out in Section 604D of *The Code*.

#### **6. Continued Availability of Special Funding**

- a. 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 following exceptions to the foregoing contingency requirements may be made:
  - i. 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 was attached to the tenure; or
  - ii. That such a contingency shall not be attached to the faculty member's contract if the faculty member held permanent tenure in

the institution on July 1, 1975 and her or his contract was not then contingent upon the continuing availability of sources other than continuing state-budget or permanent-trust funds.

- b. If a faculty member's appointment is terminated because of the non-availability of these funds, every reasonable effort will be made to give notice as set forth in Section VI.B.2.a. This notice shall include the pertinent data upon which the termination is based.

### **7. Provision for Less Than Full-Time Employment**

- a. Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specified period, may be included in an appointment or reappointment to any faculty rank or may be added by a written appointment during the term of an appointment. Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are on the basis of a full-time employment obligation and confer the full incidence of academic tenure pertinent to the particular appointment.
- b. These provisions do not apply to informal temporary adjustments 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.

### **8. Resignation** – A faculty member shall give prompt written notice of her or his resignation with its effective date to the department chair.

Wherever it is used in this document, 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.

## **SECTION IV 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 from employment, suspended, or demoted in rank for reasons of:
  - 1. Incompetence, including significant, sustained unsatisfactory performance after the faculty member has been given an opportunity to remedy such performance and fails to do so within a reasonable time;
  - 2. Neglect of duty, including sustained failure to meet assigned classes or to perform other significant faculty professional obligations; or
  - 3. Misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, including violations of professional ethics, mistreatment of students or other employees, research misconduct, financial

fraud, criminal, or other illegal, inappropriate, or unethical conduct. To justify serious disciplinary action, such misconduct should be either (a) sufficiently related to a faculty member's academic responsibilities as to disqualify the individual from effective performance of university duties, or (b) sufficiently serious as to adversely reflect on the individual's honesty, trustworthiness or fitness to be a faculty member.

These sanctions 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 non-reappointments (Section V) or terminations of employment (Section VI).

- B.** The Provost and Vice Chancellor for Academic Affairs shall send the faculty member a written statement of intention to discharge the faculty member or impose a serious sanction together with a written specification of the reasons. The notice and specification of reasons shall be sent 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 a hearing by the faculty Hearing and Reconsideration Committee (H & R Committee).
- C.** If, within fourteen (14) calendar days after receiving the notice and written specifications referred to in paragraph (B) above, the faculty member makes no written request for a hearing, the faculty member may be discharged or serious sanction imposed without recourse to any institutional grievance or appellate procedure.
- D.** If the faculty member makes a timely written request for a hearing, the Chancellor shall ensure that the hearing is accorded before the H & R Committee. The hearing shall be on the written specification of reasons for the intended discharge or imposition of a serious sanction. The H & R Committee shall accord the faculty member thirty (30) calendar days from the time it receives the faculty member's written request for a hearing to prepare a defense. The H & R Committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member. The H & R Committee should endeavor to complete the hearing within ninety (90) calendar days, except under unusual circumstances such as when a hearing request is received during official university breaks and holidays and despite reasonable efforts the H & R Committee cannot be assembled<sup>1</sup>. Autonomous Committees must meet and follow timelines for a requested hearing irrespective of summer breaks or legal holidays.

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<sup>1</sup> To meet this deadline, the H & R Committee is encouraged to consider scheduling hearings during the evening, weekend, or other non-class time. It is strongly recommended that several days and times be established for the hearing when scheduling the first day, for the eventuality that the hearing may require two or more sessions.

- E.** The hearing shall be closed to the public unless the faculty member and the H & R Committee agree that it may be open. The faculty member shall have the right to legal 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.
- F.** The Provost and Vice Chancellor for Academic Affairs, or designee and/or legal counsel, may participate in the hearing to present evidence, cross-examine witnesses, examine all documents and other evidence and to make arguments.
- G.** In reaching decisions on which its written recommendations to the Chancellor shall be based, the H & R Committee shall consider only the evidence presented at the hearing and such written or oral arguments as the H & R Committee in its discretion may allow. The university has the burden of proof. In evaluating the evidence, the H & R Committee shall use the standard of "clear and convincing" evidence in determining whether the university has met its burden of showing that permissible grounds for discharge or serious sanctions exist and are the basis for the recommended action. The H & R Committee shall make its written recommendations to the Chancellor within fourteen (14) calendar days after its hearing concludes or after the full transcript is received, whichever is later.
- H.** If the Chancellor concurs in a recommendation of the H & R Committee that is favorable to the faculty member, the Chancellor's decision shall be final. If the Chancellor either declines to accept the H & R Committee's recommendation that is favorable to the faculty member or concurs in the H & R Committee's recommendation that is unfavorable to the faculty member, the faculty member may appeal the Chancellor's decision to the university's Board of Trustees (Trustees). This appeal shall be transmitted through the Chancellor and be addressed to the chair of the Trustees. Notice of appeal must be filed within fourteen (14) calendar days following the faculty member's receipt of the Chancellor's decision.
- I.** The appeal to the Trustees shall be decided by the full Board of Trustees. However, the Trustees may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three (3) members. The Trustees, or its committee, shall consider the appeal on the written transcript of the hearing held by the H & R Committee, but it may, in its discretion, hear such other evidence as it deems necessary. The Trustees' decision shall be made as soon as reasonably possible 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 fourteen (14) calendar days after receiving the Trustees' decision, file a written notice of appeal by certified mail, return receipt requested, or by another means that provides proof of delivery with the UNC 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 appeal to the Board of Governors shall be transmitted through the president.

- J.** When a faculty member has been notified of the university's intention to discharge the faculty member, the Chancellor may reassign the faculty member to other duties or suspend the faculty member 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 V NONREAPPOINTMENT OF FACULTY MEMBERS WITH PROBATIONARY APPOINTMENTS

### **A. PERMISSIBLE AND IMPERMISSIBLE GROUNDS FOR NONREAPPOINTMENT**

The decision whether to reappoint a faculty member when a probationary (tenure-track) term 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, 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; (2) discrimination based upon the faculty member's race, color, creed, gender, religion, age, national origin; disability as defined by law, or veteran status or other forms of discrimination prohibited under policies adopted by the Fayetteville State University Board of Trustees or (3) personal malice. For purposes of this section, the term "personal malice" means dislike, animosity, ill-will, or hatred based on personal characteristics, traits or circumstances of an individual. (See UNC Board of Governors Policy 101.3.1 – *Review of Non-reappointment Decisions under Section 604 of The Code* for details on the definition of personal malice.)

### **B. INTERVIEW WITH ADMINISTRATOR OR COMMITTEE COORDINATOR**

A probationary faculty member who is notified of a non-reappointment decision, pursuant to Section III.G.4 shall be granted, upon request, an interview to discuss the decision with the administrator or committee coordinator who made the initial decision not to reappoint. The faculty member shall request the interview, within fourteen (14) calendar days of receiving a written notice of non-reappointment, with either the administrator or committee coordinator who made the initial negative decision. The interview shall be held within five (5) days after receipt of the request, if possible. Within five (5) days after the interview, the administrator or committee coordinator shall give the faculty member a simple, unelaborated, written statement of whether the original decision remains in effect.

**C. SUBSEQUENT INTERVIEW**

If the initial decision not to reappoint remains the same, the faculty member shall also, upon request, be granted a subsequent interview to discuss the decision with the administrator or committee coordinator who made the second negative decision not to reappoint. The faculty member shall request the interview within fourteen (14) calendar days of receiving the decision of the administrator or committee coordinator referenced in paragraph V.B, and the interview shall be held within five (5) days after receipt of the request, if possible. Within five (5) days after the interview, the administrator or committee coordinator shall give the faculty member a simple, unelaborated, written statement as to whether the original decision will remain in effect.

**D. NO REQUEST FOR INTERVIEW MADE BY THE FACULTY MEMBER**

If, within fourteen (14) calendar days after the faculty member receives the notice of non-reappointment the faculty member makes no written request for an interview, the faculty member's employment shall be terminated at the date specified in the notice and without recourse to any institutional grievance or appellate procedure.

**E. SCOPE OF REVIEW BY HEARING AND RECONSIDERATION COMMITTEE**

If, after holding the interviews described in paragraphs V.B and V.C above, the original decision not to reappoint remains in effect, the faculty member has the right to have the case considered for review by the Hearing and Reconsideration Committee (H & R Committee). In order for the faculty member's case to be considered by the H & R Committee, the faculty member must contend that the decision not to reappoint was based upon one of the impermissible grounds listed in paragraph A above. This review shall be limited solely to determining whether the decision not to reappoint was based upon any of the aforementioned impermissible grounds, and (2) whether the procedures followed to reach the decision materially deviated from prescribed procedures such that doubt is cast on the integrity of the decision not to reappoint.

If a hearing is granted, the H & R 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 faculty member shall have the burden of proof. In evaluating the evidence the H & R Committee shall use the standard of preponderance of the evidence (which is the same as the greater weight of the evidence).

**F. REQUEST FOR REVIEW BY HEARING AND RECONSIDERATION COMMITTEE**

The request for review by a faculty member to the H & R Committee shall be written and addressed to the chairman of the committee. The request shall be made within fourteen (14) calendar days of receiving the administrator's or committee coordinator's decision referenced in paragraph V.C above. The request shall specify the grounds upon which the faculty member contends that the decision was impermissibly based. Review of the faculty member's request for a hearing shall be conducted in accordance with the process

outlined in the document entitled *Procedures Pertaining to the Conduct of Faculty Hearings*.<sup>2</sup>

## **G. PROCEDURES FOLLOWING THE CONCLUSION OF THE HEARING**

### **1. Committee's Decision**

If the H & R Committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify the faculty member and administrators/committee coordinators who made the initial and final decision not to reappoint. Such a determination confirms the decision not to reappoint. If the H & R Committee determines that the faculty member's contention has been satisfactorily established, it shall submit a 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.

### **2. Chancellor's Decision**

The Chancellor must base his or her decision on a thorough review of (i) the record evidence from the hearing and (ii) the report of the H & R Committee. While the Chancellor should give appropriate deference to the advice of the H & R Committee, the final campus-based decision is the Chancellor's. If the Chancellor concurs in a recommendation of the H & R Committee that is favorable to the faculty member, the Chancellor's decision shall be final. If the Chancellor is considering taking an action that is inconsistent with the recommendation of the H & R Committee, the Chancellor should communicate or consult with the H & R Committee, either in person or in writing, regarding her or his concerns before making a decision. The Chancellor shall notify the faculty member and relevant administrators of the Chancellor's decision in writing.

### **3. Notice of Appeal Rights**

A faculty member who has adequate grounds for appeal may appeal the Chancellor's decision not to reappoint the faculty member to the UNC Board of Governors (Board) within fourteen (14) calendar days following receipt of the Chancellor's decision. The Chancellor's notice to the faculty member of the decision concerning the faculty member's case shall inform the faculty member: (a) of the time limit within which the faculty member may file a notice of appeal with the President requesting review by the Board, (b) that a simple written notice of appeal with a brief statement of its basis is all that is required within the fourteen (14) calendar day period and, (c) 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. The notice of the decision shall be conveyed to the faculty member by a method which produces adequate evidence of delivery.

### **4. Appeal to the UNC Board of Governors**

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<sup>2</sup> Procedures related to the process for hearing appeals of non-reappointment, termination and grievance decisions, at the campus level, are contained in the document entitled Fayetteville State University's *Procedures Pertaining to the Conduct of Faculty Hearings*.

A faculty member who wishes to appeal the Chancellor's decision must file written notice of appeal with the UNC Board of Governors, by submitting such notice to the President, by a method of mail or delivery that requires a signature for delivery, within fourteen (14) days after the faculty member's receipt of the Chancellor's decision. The notice must 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 President, subject to any instructions received from the committee or sub-committee of the Board which has jurisdiction of the subject matter of the appeal. If the faculty member fails to comply with the schedule established for perfecting and processing the appeal, the Board in its discretion may extend the period for complying with the schedule or it may dismiss the appeal. The UNC Board of Governors will issue its decision as expeditiously as is practical.

The purpose of appeal to the Board is to assure the following: (1) that the campus-based process for reviewing the decision was not materially flawed, so as to raise questions about whether the faculty member's contentions were fairly and reliably considered, (2) that the result reached by the Chancellor was not clearly erroneous, and (3) that the decision was not contrary to controlling law or policy. A faculty member seeking a review of the decision of the Chancellor not to reappoint should consult UNC Board of Governors' Policy 101.3.1 – *Review of Nonreappointment Decisions under Section 604 of The Code* for details on the Board's appellate process.

If the Board agrees to consider the appeal, it will do so on a schedule established by the President, subject to any instructions received from the committee or sub-committee of the Board which has jurisdiction of the subject matter of the appeal. If the faculty member fails to comply with the schedule established for perfecting and processing the appeal, the Board in its discretion may extend the period for complying with the schedule or it may dismiss the appeal. The Board will issue its decision as expeditiously as is practical.

## **SECTION VI TERMINATION OF FACULTY EMPLOYMENT**

### **A. REASONS JUSTIFYING TERMINATION AND CONSULTATION REQUIRED**

#### **1. Reasons for Terminating Employment**

The employment of a faculty member with permanent tenure or of a faculty member appointed to a fixed or probationary term may be terminated by Fayetteville State University 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 VI.A.2. This determination is subject to concurrence by the President and approval by the UNC Board of Governors. 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 the institutional procedures set out in subsection B below.

#### **2. 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 or the Chancellor's delegate shall first seek the advice and recommendations of the academic administrative officers and faculty of the departments or other units that might be affected.

### **B. TERMINATION PROCEDURES**

#### **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 subsection A.1, consideration shall be given 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.

#### **2. Timely Notice of Termination**

- a. **Curtailment or Elimination of a Program.** When a faculty member's employment is to be terminated because of a 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:

- i. One who has permanent tenure shall be given not less than twelve (12) months' notice; and
  - ii. 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 604A of Chapter Six of *The Code* of the University of North Carolina.
- b. Financial Exigency. 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 VI.B.2.a.

### **3. Type of Notice to be Given**

The university's chief academic officer shall send the faculty member whose employment is to be terminated a written statement of this fact by a method of delivery that requires a signature for delivery. 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; and a disclosure of pertinent financial or other data upon which the decision was based. This notice shall also include a statement of the faculty member's right, upon request, to a reconsideration of the decision by the Hearing and Reconsideration Committee if the faculty member alleges that the decision to terminate the faculty member was arbitrary or capricious and shall include a copy of the *Procedures Pertaining to the Conduct of Faculty Hearings*<sup>3</sup>.

### **4. Termination if Reconsideration Not Requested**

If, within ten (10) days after the faculty member receives the termination notice required by Section VI.B.3, the faculty member makes no written request for a reconsideration hearing, the faculty member's employment shall be terminated at the date specified in the notice given pursuant to Section VI.B.3 and without recourse to any institutional grievance or appellate procedure.

### **5. Request for Reconsideration Hearing**

Within ten (10) days after receiving the notice required by Section VI.B.3, the faculty member may request by a method of delivery that requires a signature for delivery, a reconsideration of the decision to terminate his or her employment if the faculty member alleges that the decision was arbitrary or capricious. The request for review by the Hearing and Reconsideration Committee shall be written and addressed to the chair of the committee. The request shall specify the grounds upon which the faculty member contends that the decision to terminate the faculty member's employment was arbitrary or capricious and shall include a

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<sup>3</sup> Procedures related to the process for hearing appeals of non-reappointment, termination and grievance decision, at the campus level, are contained in the document entitled Fayetteville State University's *Procedures Pertaining to the Conduct of Faculty Hearings*.

short, plain statement of facts that the faculty member believes support the contention. Submission of such a request shall constitute on the part of the faculty member: (1) a representation that the faculty member can prove the contention, and (2) an agreement that the institution may offer in rebuttal of the faculty member's contention whatever relevant data it may have. Review of the faculty member's request for a hearing shall be conducted in accordance with the hearing process outlined in the *Regulations Pertaining to the Conduct of Faculty Hearings*.

## **C. PROCEDURES FOLLOWING THE CONCLUSION OF THE HEARING**

### **1. Committee's Decision**

If the Hearing and Reconsideration Committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify the faculty member and the university's chief academic officer. Such a determination confirms the decision to terminate the faculty member's employment. If the Hearing and Reconsideration Committee determines that the faculty member's contention has been satisfactorily established, it shall submit a 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.

### **2. The Chancellor's Decision**

The Chancellor must base his or her decision on a thorough review of (i) the record evidence from the hearing and (ii) the report of the Hearing and Reconsideration Committee. While the Chancellor should give appropriate deference to the advice of the faculty committee, the final campus-based decision is the Chancellor's. If the Chancellor is considering taking an action that is inconsistent with the recommendation of the Hearing and Reconsideration Committee, the Chancellor should communicate or consult with the Hearing and Reconsideration Committee, either in person or in writing, regarding his or her concerns before making a decision. The Chancellor shall notify the faculty member and relevant administrators of the Chancellor's decision in writing.

### **3. Notice of Appeal Rights**

A faculty member who has adequate grounds for appeal may appeal the Chancellor's decision to terminate the faculty member to the Board of Trustees. The Chancellor's notice to the faculty member of the decision concerning the faculty member's case shall inform the faculty member: (i) of the time limit within which the faculty member may file a notice of appeal with the Chancellor requesting review by the Board of Trustees, (ii) that a simple written notice of appeal with a brief statement of its basis is all that is required within the ten (10) day period and, (iii) 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. The notice of the decision shall be conveyed to the faculty member by a method which produces adequate evidence of delivery.

#### **4. Appeal to the Board of Trustees**

A faculty member who wishes to appeal the Chancellor's decision must file written notice of appeal with the Board of Trustees by submitting such notice to the Chancellor, by a method of mail or delivery that requires a signature for delivery, within ten (10) days after the faculty member's receipt of the Chancellor's decision. The notice must 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 committee or sub-committee of the Board which has jurisdiction of the subject matter of the appeal. If the faculty member fails to comply with the schedule established for perfecting and processing the appeal, the Board in its discretion may extend the period for complying with the schedule or it may dismiss the appeal. The Board of Trustees will issue its decision as expeditiously as is practical.

### **D. ASSISTANCE FOR FACULTY MEMBERS AND RIGHTS TO NEW POSITIONS**

1. The institution, when requested in writing by a faculty member whose employment has been terminated, shall give the faculty member reasonable assistance in finding other employment.
2. For two years after the effective date of termination of a faculty member's contract for any of the reasons specified in Section VI.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 mail or delivery that requires a signature for delivery, to the address last given by the faculty member, and the faculty member shall have thirty (30) calendar days, calculated from the date of attempted delivery of the notice, to accept the offer.

## **SECTION VII 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"). Tenure ceases on the effective date of retirement or resignation.

### **EMERITUS FACULTY**

[http://www.uncfsu.edu/documents/policy/academic\\_affairs/EmeritusFaculty.pdf](http://www.uncfsu.edu/documents/policy/academic_affairs/EmeritusFaculty.pdf)

Authority: Issued by the Board of Trustees. Changes or exceptions to administrative policies issued by the Board of Trustees may only be made by the Board of Trustees.

History: Approved – March 22, 2012

## **I. INTRODUCTION**

The conferral of emeritus/emerita (“Emeritus”) status is an honorary title that shall only be granted by the Fayetteville State University Board of Trustees to fully retired Fayetteville State University (“University”) faculty who hold the rank of professor at retirement. Emeritus status shall be the University’s way of recognizing past service and contributions of retiring faculty while allowing such faculty the opportunity to continue making contributions to the University. The purpose of this Policy is to outline the selection criteria and approval process for Emeritus status and the privileges associated with such status.

## **II. CRITERIA FOR CANDIDACY**

Emeritus status is not considered as automatic. To be **considered** for Emeritus status, the following criteria must be met:

- A.** The faculty member must have at least ten (10) successive years of full-time employment at the University prior to retirement.
- B.** The faculty member must hold the rank of Professor and be tenured at the time of retirement.
- C.** The faculty member must have a consistent record quality performance as demonstrated by one or more of the following:
  1. A substantive record of scholarly achievement commensurate with state, national and international standards within the faculty member’s specific discipline;
  2. A recognized record of outstanding teaching and educational contributions; or
  3. Clear evidence of outstanding service to the University beyond what is required to obtain tenure and/or promotion at the various ranks.
- D.** The faculty member must present evidence or a plan of continuing outstanding activity of service to the University.

## **III. SELECTION AND APPOINTMENT**

In considering a faculty member for Emeritus status, a department chair must first consult with the tenured faculty in the department. After such consultation, the department chair may initiate the application process by submitting comprehensive curriculum vitae along with supporting documentation that details how the faculty member meets the criteria outlined in Section II above.

Thereafter, the department chair shall forward the department chair’s recommendation along with the faculty member’s vitae and supporting documentation to the dean of the respective school or college. After considering the department chair’s recommendation and the supporting documentation, the dean shall forward the dean’s recommendation to the Provost and Vice Chancellor for Academic Affairs. After considering the recommendations and reviewing the supporting documentation, the Provost shall forward the Provost’s recommendation to the Chancellor. The Chancellor shall determine whether the recommendation will be forwarded to the University’s Board of Trustees for consideration. The Board of Trustees shall have the final decision on whether to honor a faculty member with Emeritus status. If such status is approved by the Board of Trustees, the faculty member will be notified, in writing, by the Chancellor.

#### IV. PRIVILEGES

Faculty approved for Emeritus status shall receive the following privileges:

- Listing indicating Professor Emeritus status in appropriate University catalogues and directories.
- Full library privileges.
- E-mail address and support including listings in FSU directories.
- Access privileges to the University's physical fitness facilities.
- Invitation to attend and/or participate in University public ceremonies.
- Parking pass (faculty must request pass from the Office of the Provost).
- Athletic pass (faculty must request pass from the Office of the Provost).

If a Professor Emeritus is engaged in scholarly and/or educational activities, the University may consider allowing the Professor Emeritus the use of University facilities and equipment, if such is available. Such usage must be preceded by written recommendations and justifications by the department head and the dean to the Provost. The Provost shall determine whether such usage is appropriate.

### SECTION VIII FACULTY GRIEVANCES

- A. Section 607 of *The Code* of the University of North Carolina provides a process for faculty members to seek redress concerning employment-related grievances. 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.
- B. Grievances shall include matters directly related to a faculty member's employment status and institutional relationships within the constituent institution, including matters related to post-tenure review. 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.
- C. The faculty grievance process is a process available to current members of the faculty of the university. A faculty member whose employment ends during the pendency of a grievance proceeding is not entitled to continue to pursue the grievance. If the employment of a faculty member is terminated after the grievance is filed the Chancellor may, however, in the Chancellor's discretion, determine that it is in the best interest of the institution to continue the grievance process.
- D. As a prerequisite to accessing the formal grievance process outlined in Section 607 of *The Code*, a faculty member must utilize the mediation process delineated in the university's *Mediation Policy for Faculty and EPA Non-Faculty Employees*

([www.uncfsu.edu/policy/.../MediationPolicyFinal.pdf](http://www.uncfsu.edu/policy/.../MediationPolicyFinal.pdf)). Following the termination of mediation for any reason other than a settlement, the faculty member will have twenty (20) days to petition the Grievance Committee for redress.

- E.** In petitioning the Grievance Committee for redress, the faculty member shall set forth in writing the nature of the grievance and against whom the grievance is directed. It shall contain any information that the faculty member considers pertinent to the case. The Grievance 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. If, after reviewing the petition, the Grievance Committee determines that a hearing should not be granted, it shall so advise the faculty member, the dean, department chair, or other respondent administrator and the Chancellor. If a decision is made to grant a hearing, the process outlined for conducting a hearing in the *Procedures Pertaining to the Conduct of Faculty Hearings* ([www.uncfsu.edu/.../Procedures-for-the-Conduct-of-Hearings-in-Faculty-Grievance-Cases-10-12.pdf](http://www.uncfsu.edu/.../Procedures-for-the-Conduct-of-Hearings-in-Faculty-Grievance-Cases-10-12.pdf)) shall be followed.
- F.** 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.

## **G. PROCEDURES FOLLOWING THE CONCLUSION OF THE HEARING**

### **1. Grievance Committee's Decision**

If, after hearing the matter, the Grievance Committee determines that no adjustment in favor of the faculty member is appropriate, it shall so advise the faculty member, the dean, department chair, or other respondent administrator and the Chancellor. If, after hearing the matter, the Grievance Committee determines that an adjustment in favor of the aggrieved faculty member is appropriate, the Grievance Committee shall so advise the faculty member, department chair, dean or other respondent administrator. If the relevant administrator does not make the recommended adjustment or a different adjustment satisfactory to the faculty member, within a reasonable period of time, the Grievance Committee shall advise the Chancellor of its recommendation that an adjustment is appropriate.

### **2. The Chancellor's Decision**

The Chancellor shall base his or her decision on the recommendation of the Grievance Committee and the record from the faculty grievance hearing. The Chancellor may, in his or her discretion, consult with the Grievance Committee before making a decision. The decision of the Chancellor is the final administrative decision. The Chancellor shall notify the faculty 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 is appealable, it shall contain the information specified in paragraph VII.F.3 below.

### **3. Notice of Appeal Rights**

A faculty member who has adequate grounds for appeal may appeal the Chancellor's decision to the Board of Trustees. The Chancellor's notice to the faculty member of the decision concerning the faculty member's case shall inform the faculty member: (a) of the time limit within which the faculty member may file a notice of appeal with the Chancellor requesting review by the Board of Trustees, (b) that a simple written notice of appeal with a brief statement of its basis is all that is required within the ten (10) day period and, (c) 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. The notice of the decision shall be conveyed to the faculty member by a method of mail or delivery that requires a signature for delivery.

### **4. Grievance Decisions Which May be Appealed**

- a. If the Grievance Committee's decision 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 Grievance Committee in favor of the aggrieved faculty member, then the faculty member may appeal to the university's Board of Trustees. The decision of the Board of Trustees is final.

### **5. Appeal to the Board of Trustees**

A faculty member who wishes to appeal the Chancellor's disposition of his or her grievance must file written notice of appeal with the Board of Trustees, by submitting such notice to the Chancellor, by a method of mail or delivery that requires a signature for delivery, within ten (10) days after the faculty member's receipt of the Chancellor's decision. The notice must 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 committee or sub-committee of the Board which has jurisdiction of the subject matter of the appeal. If the faculty member fails to comply with the schedule established for perfecting and processing the appeal, the Board in its discretion may extend the period for complying with the schedule or it may dismiss the appeal. The Board of Trustees will issue its decision as expeditiously as is practical.

## **SECTION IX EFFECTIVE DATE**

- A. Section III.D of these policies and regulations are applicable only to faculty appointed to probationary terms on or after July 1, 2007. All other sections of these policies and regulations supersede all other institutional documents governing the matters covered herein.

**B.** The effective date of these policies and regulations shall be July 1, 2007.

The Chancellor shall review these policies and regulations periodically, but at least every five (5) years, and shall report to the President of the University of North Carolina whether or not amendments or revisions are appropriate. The Chancellor shall involve the faculty in this review.

## CHAPTER VII

### GUIDELINES FOR PROFESSIONAL CONDUCT AND ANNUAL EVALUATION PROCESS

In order to pursue its purpose with vigor and implement its educational programs with optimal effectiveness, Fayetteville State University subscribes to the belief that there should be mutual understanding between administration and faculty on the question of faculty responsibilities and professional ethics. These statements are not intended to be exhaustive: Instead, they provide a framework for employment conditions and professional behaviors at Fayetteville State University. These statements also address faculty expectations for employment and obligations.

#### A. GENERAL EXPECTATIONS OF EMPLOYMENT

Initial faculty appointments are explained in Chapter V of the Faculty Handbook entitled *Tenure and Promotion Policies and Procedures of Fayetteville State University*. All full-time permanent faculty members are paid on the last day of each month in twelve equal installments.

Persons on a nine-month contract who are to be employed in the summer school are issued a separate summer school contract and are paid on a separate basis.

All full-time employees are required to participate in the retirement and social security programs. Insurance plans for hospitalization, disability, or life are provided under a group plan on a voluntary basis.

If, for any reason, the person does not begin his/her term of employment as indicated on the contract, payment shall be made for the time of actual service. Also, where an employee, for any reason, ceases his/her service with the University prior to completing his/her term of employment, payment will not be made for the uncompleted term.

Fayetteville State University is committed to equality of educational opportunity and employment and does not discriminate against applicants, students, or employees based on race, color, national origin, religion, gender, sexual orientation, age, or disability. Moreover, Fayetteville State University values diversity and actively seeks to recruit talented students, faculty and staff from diverse backgrounds. Any individual with a concern, grievance or complaint of discrimination or retaliation should utilize the internal grievance procedures available under the *Code of Student Conduct*, the SPA Grievance Policy, or the grievance procedures for faculty and EPA non-faculty employees.

No academic or personnel decision shall be made on the basis of a granting or a denial of sexual favors. See the following website regarding Fayetteville State University sexual harassment **policy: <http://www.uncfsu.edu/humres/sexualharassmentpolicy.htm>**

It is misconduct, subject to disciplinary action, for a faculty member to neglect or abuse 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.

No employee of Fayetteville State University should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction, or incur any obligation of any nature, that is in substantial conflict with the proper discharge of his/her duties in the public interest.

Faculty who wish to engage in external professional activity for pay shall submit the completed form, "Notice of Intent to Engage in External Professional Activity for Pay," to his/her department head for approval in advance of undertaking the activity. The Notice of Intent should be submitted not less than ten calendar days before the date the proposed activity is to begin. Faculty is also required to submit a Conflict of Interest Disclosure Form annually. Consult the University's *Conflict of Interest and Commitment and External Professional Activities for Pay* policy for additional details.)

<http://www.uncfsu.edu/documents/policy/employment/ConflictsofInterestandCommitment>

<http://www.uncfsu.edu/documents/legal-affairs/ConflictsofInterestandCommitmentForm.pdf>

The conditions of employment and the policies governing promotion and tenure of the faculty are described fully in Chapter VI, Tenure and Promotion.

## **B. Ethical Conduct** (*Approved August 28, 2011*)

### **I. PURPOSE**

Fayetteville State University (University) is committed to maintaining the highest ethical standards in all of its academic and administrative operations and in promoting such standards among its administrators, faculty, staff, and students. In so doing, the University expects all members of the University community to execute their duties and responsibilities with the highest level of integrity, objectivity, and prudence, avoiding acts or the appearance of acts that may be interpreted as improper or unethical.

The purpose of this policy is to ensure that members of the University community are knowledgeable of the policies, regulations and laws that govern the conduct of University employees as such applies to accountability and ethical conduct. This policy applies to all University employees whether full-time, part-time, temporary or permanent.

### **II. PERSONAL CONDUCT**

Employees are expected to exhibit personal integrity and honesty in all of their actions. Personal interactions among employees and other members of the University community or members of the public should be characterized by mutual respect, openness to new ideas, collaboration, and consideration of the rights of others. Each employee is also obliged to respect the right of others to freedom of thought, opinion, speech, and association.

Employees are expected to report and strictly follow the University's policy on the *Misuse of State Property* and notify the University's police department and/or internal auditors when circumstances reasonably indicate fraud or theft of University funds or property has occurred. See policy on misuse of state property at: <http://www.uncfsu.edu/policy/policies-listed-alphabetically#E>

### III. CONTRACTS, GIFTS AND FAVORS

University employees shall conduct their duties with contractors, suppliers, agencies, and other persons transacting or seeking to transact business with the University in a completely impartial manner, without showing favor or preference. Decisions regarding these individuals or companies must be based upon what is in the best interest of the University. Thus, employees should become familiar and act in accordance with the following prohibitions:

#### A. Benefiting from Contracts

1. No employee who is involved in *making or administering* a contract on behalf of the University may *derive a direct benefit* from the contract except as provided in this section, or as otherwise allowed by law.
  - a. An employee is involved in *administering a contract* if he or she does either of the following:
    - i. oversees the performance of the contract or has authority to make decisions regarding the contract or to interpret the contract; or
    - ii. participates in the development of specifications or terms or in the preparation or award of the contract.
  - b. An employee derives a *direct benefit* from a contract if any of the following pertains to the employee or his or her spouse:
    - i. has more than a ten percent (10%) ownership or other interest in an entity that is a party to the contract;
    - ii. derives any income or commission directly from the contract; or
    - iii. acquires property under the contract.
2. No employee who will derive a direct benefit from a contract with the University, but who is not involved in making or administering the contract, shall attempt to influence any other person who is involved in making or administering the contract.
3. No employee *may solicit or receive* any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the University.
4. No employee who is also an employee or agent of a business entity shall attempt to influence the University to enter into a contract with the business entity that secondarily employs or retains the employee.

#### B. Gifts and Favors

No employee shall accept a gift or favor from any contractor, subcontractor, or supplier who (1) has a contract with the University; (2) has performed under such a contract within the past year; or (3) anticipates bidding on such a contract in the future, if the employee is responsible for either of the following:

- preparing plans, specifications, criteria or estimates for the contract; awarding,
- approving, negotiating, or administering the contract; or inspecting or supervising
- the contract.

The above is not intended to prohibit customary gifts or favors between employees and their friends and relatives or the friends and relatives of their spouses, minor children, or members of their household where it is clear that it is that relationship rather than the business of the individual concerned, which is the motivating factor for the gift or favor. However, all such gifts knowingly made or received are required to be reported by the employee to the Chancellor if the gifts are made by a contractor, subcontractor, or supplier doing business directly or indirectly with the University. The value of the gift does not matter. There is no de minimis or small gift exception.

#### **IV. CONFIDENTIAL INFORMATION**

University employees shall preserve and respect the confidentiality of University records (i.e., personnel records and student educational records) and recognize the responsibilities of preserving the security and confidentiality of such records. Employees who have access to such confidential information are prohibited from doing the following:

- Making or permitting unauthorized use of confidential information or files;
- Seeking a personal benefit or permitting others to benefit personally by any confidential information which has come to the employee through the employee's work assignment;
- Exhibiting or divulging confidential information to any person except in the conduct of the employee's regular work assignment; and
- Removing any official record of report (or copy) from the office where it is kept except in performance of regular duties or with prior approval.

#### **V. STATE GOVERNMENT ETHICS ACT**

Certain University officials (members of the Board of Trustees, Chancellor and Vice Chancellors) are governed by the State Government Ethics Act. The purpose of the Act is to ensure that elected and appointed State agency officials exercise their authority honestly and fairly, free from impropriety, threats, favoritism, and undue influence. To this end, the State Government Ethics Act was enacted to ensure that standards of ethical conduct and standards regarding conflicts of interest are clearly established for elected and appointed State agency officials that the State continually educates these officials on matters of ethical conduct and conflicts of interest, that potential and actual conflict of interests are identified and resolved, and that violations of standards of ethical conduct and conflicts of interest are investigated and properly addressed.

## **VI. CONSEQUENCES OF FAILURE TO COMPLY WITH THE ETHICAL CONDUCT POLICY**

Each employee is responsible for ensuring that the employee's own conduct and the conduct of anyone reporting to the employee fully complies with this policy. Violations will result in appropriate disciplinary action up to and including discharge from employment. Conduct representing a violation of this policy may, in some circumstances, also subject an individual to civil or criminal charges and penalties.

## **VII. COLLEGIALITY AND RESOLVING DISPUTES BETWEEN COLLEAGUES**

*(Approved by Faculty Senate November 15, 2012)*

- A.** Faculty members at Fayetteville State University are expected to be effective teachers, to be practicing scholars in their disciplines, and to provide meaningful service to the University and the community. Overarching expectations of all faculty include professionalism and collegiality. Collegiality represents a reciprocal relationship among colleagues and a value system that views diverse members of a university community as critical for the progress and success of its academic mission. Collegiality among faculty also involves appreciation of and respect for differences in expertise, ideas, and background, in addition to mutual trust. The concept of collegiality, however, should be distinguished from congeniality; to be congenial is parallel with sociability and agreeableness, while collegiality is a positive and productive association with colleagues. A person need not be congenial to be collegial.

### **B. Resolving Disputes between Faculty Colleagues**

*(Approved by Faculty Senate November 15, 2012)*

It is recognized that faculty occasionally experience conflict in the course of their everyday work. Such conflicts may involve colleagues in the faculty member's department or other departments. Faculty conflicts may center on matters of communication breakdowns, entrenched patterns of interaction, philosophical differences, cultural and gender miscommunications, and contests of will, power and being right. Recognizing that there may be times when faculty members need assistance in resolving disputes with their colleagues, the Faculty Senate has established a Faculty Senate Welfare Committee. Members of the Faculty Senate Welfare Committee will be faculty members who are professionally trained in dispute resolutions. A member or members of the Committee will act as an impartial third party to assist faculty in discussion of their conflict, the identification of issues, the generation of possible alternatives, and the creation of a resolution. The process which is to be used to resolve disputes between faculty colleagues is voluntary and confidential, and is outside of any established University grievance/mediation process.

However, this process in no way prohibits a faculty member from seeking assistance from a department chair or other administrator in resolving a dispute involving a colleague. This process may not be used to resolve disputes between faculty members and chairpersons, deans, office staff or students.

This process cannot be used in an effort to resolve the following:

- a. Determining fault and punishment
- b. Determining the truth of what happened
- c. Addictive behaviors
- d. Pathological or abusive behaviors
- e. Difference in power between the parties
- f. Matters affecting a faculty member's employment
- g. Discriminatory actions (e.g., sexual, racial)
- h. Harassment or bullying concerns

Faculty members interested in utilizing this process in an effort to resolve a dispute with a colleague should contact either the chair of the Faculty Senate or the chair of the Faculty Senate Welfare Committee.

## **C. POLICY ON HANDLING DISPUTES BETWEEN COLLEAGUES**

### **I. Policy and Procedure for Handling Disputes**

In the course of performing duties, faculty members sometimes face peer-on-peer challenges. While a bureaucratic grievance process is available for supervisor–faculty disputes, there is no policy outlining a procedure that is a faculty-governed formal process for handling peer-to-peer non-employment related disputes or acts of (perceived) non-collegial conduct. Toward that disposition, this policy will explain what ‘collegiality’ is, what steps to take to resolve peer-to-peer conflicts, make available a form on which to request mediation and/or conflict resolution, provide an explanation of ‘mediation’ and what it may accomplish, offer suggestions on reaching a resolution, and finally what steps to take if a resolution is impossible.

#### **A. Purpose:**

In an effort to provide faculty with an informal, university-wide, faculty generated and faculty-governed process to use for reporting, discussing, and, hopefully, resolving disputes between faculty members, the Faculty Senate proposed the creation of a Faculty Collegiality and Welfare Committee (FCWC). This committee will function as an autonomous, University-wide faculty committee with elected members.

#### **B. Overview of Definitions**

The operational definitions of “collegiality,” and “dispute,” used here are derived from the following source documents:

1. Fayetteville State University’s Statement on Collegiality as per 2012-13 Faculty Handbook: STATEMENT ON COLLEGIALITY (Approved by Faculty Senate November 15, 2012)

Faculty members at Fayetteville State University are expected to be effective teachers, to be practicing scholars in their disciplines, and to provide meaningful service to the University and the community. Overarching expectations of faculty include professionalism and collegiality. Collegiality represents a reciprocal relationship among colleagues and a value system that views diverse members of a university community as critical for the progress and success of its academic mission. Collegiality among faculty also involves appreciation of and respect for differences in expertise, ideas, and background, in addition to mutual trust. The concept of collegiality, however, should be distinguished from congeniality; to be congenial is parallel with sociability and agreeableness, while collegiality is a positive and productive association with colleagues. A person need not be congenial to be collegial.

[http://www.uncfsu.edu/Documents/Legal-Affairs/Faculty-Handbook-\(December-6-2012\).pdf](http://www.uncfsu.edu/Documents/Legal-Affairs/Faculty-Handbook-(December-6-2012).pdf)

2. The Fayetteville State University's Guiding Principles for Professional Conduct:

"All faculty members of Fayetteville University are expected to:

- a) Respect the opinions of colleagues and exercise high professional judgment in relationships with the faculty.
- b) Foster a productive collegial environment among professionals."

3. American Association of University Professors (AAUP), Statement on Professional Ethics:

"As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution."

<http://www.aaup.org/AAUP/pubsres/policydocs/contents/statementonprofessionalethics.htm>

4. The Fayetteville State University's Faculty Senate expounds on its discussion on Collegiality to include the following excerpt on disputes between colleagues.

RESOLVING DISPUTES BETWEEN FACULTY COLLEAGUES Approved by Faculty Senate  
November 15, 2012)

[http://www.uncfsu.edu/Documents/Legal-Affairs/Faculty-Handbook-\(December-6-2012\).pdf](http://www.uncfsu.edu/Documents/Legal-Affairs/Faculty-Handbook-(December-6-2012).pdf)

It is recognized that faculty occasionally experience conflict in the course of their everyday work. Such conflicts may involve colleagues in the faculty member's department or other departments. Faculty conflicts may center on matters of communication breakdowns, entrenched patterns of interaction, philosophical differences, cultural and gender miscommunications, and contests of will, power and being right. Recognizing that there may be times when faculty members need assistance in resolving disputes with their colleagues, the Faculty Senate has established a Faculty Senate Welfare Committee. Members of the Faculty Senate Welfare Committee will be faculty members who are professionally trained in dispute resolutions. A member or members of the

Committee will act as an impartial third party to assist faculty in discussion of their conflict, the identification of issues, the generation of possible alternatives, and the creation of a resolution. The process used to resolve disputes between faculty colleagues is voluntary and confidential, and is outside of any established University grievance/mediation process. However, this process in no way prohibits a faculty member from seeking assistance from a department chair or other administrator in resolving a dispute involving a colleague. This process may not be used to resolve disputes between faculty members and chairpersons, deans, office staff or students.

This process cannot be used in an effort to resolve the following:

- 1) Determining fault and punishment
- 2) Determining the truth of what happened
- 3) Addictive behaviors
- 4) Pathological or abusive behaviors
- 5) Difference in power between the parties
- 6) Matters affecting a faculty member's employment
- 7) Discriminatory actions (e.g., sexual, racial)
- 8) Harassment or bullying concerns

[http://www.uncfsu.edu/Documents/Legal-Affairs/Faculty-Handbook-\(December-6-2012\).pdf](http://www.uncfsu.edu/Documents/Legal-Affairs/Faculty-Handbook-(December-6-2012).pdf)

### **C. Working Definitions:**

1. Disputes Between Colleagues: Non-legal working definition of disputes between colleagues: Disputes between colleagues are characterized by "peer-to-peer" conflict, severe misunderstandings, recurrent problems, provocations, insults, behaviors that may cause potential defamation of the complainant's character - (slander or libel), and other perceived malicious, uncivil, and hurtful behaviors that the complainant may deem personally harmful to her/him. The conflicts may result in creating what the complainant perceives as uncomfortable or potentially 'hostile' environments. The terms used here are not used in the legal sense that they may have been used in any other documents in this institution or elsewhere.

Any behavior which does not observe the requirements of collegiality may be brought before the FCWC for the purposes of mediation and recommended resolution.

2. Mediation: A process of conflict management, often resulting in conflict termination, through negotiation engaging a third party who has limited decision making capabilities. Mediation has the following beneficial characteristics:

- a) It is provided at no cost to the clients;
- b) It is confidential (mediation is held in a private room);
- c) Appropriate "ground rules" of discussion are laid out that thereby provide a chance for clients to be heard without interruption;
- d) It can lead to not only closure to a dispute, but participants may acquire more complete understanding of the dispute, self, and other, resulting in increased productivity for all.

#### **D. Faculty Collegiality and Welfare Committee Membership**

1. Suggested Composition:
  - a) Representation from each school.
  - b) One member from a previous FCWC (at least one of the founding members should remain on this committee as an ex-officio or policy consultant).
  - c) Representation from the Office of Legal Counsel as an ex-officio consultant.
2. Suggested Specific Composition:
  - a) This committee recommends two members (a minimum of one member) from each of the three schools.
  - b) Members do not have to be faculty senators.
  - c) Members must be tenured faculty.
  - d) Members will be elected from the general faculty, but in order to be eligible for election, candidates must have successfully completed mediation training.
  - e) The Chair of the Faculty Senate Welfare Committee and at least one other member of the latter will be automatic members of FCWC committee.
  - f) In judicial situations, stipulating an odd number of members is meant to eliminate stalemates. Because this committee will not engage in judging or adjudicating, it is not essential that the total number of members be odd.

## II. FACULTY COLLEGIALITY and WELFARE COMMITTEE PROCESS

### **A. Committee Reporting and Conversation Process**

1. The FCWC is an advisory committee of faculty peers whose goal is to assist conflicting parties discuss reported disputes, facilitate civil discourse (as implied in the term conversation) between and among peers thereby providing those in conflict with a safe, non-threatening, and non-judgmental environment moderated by trained neutral peers in order to help parties resolve differences in a civil and collegial manner reflective of the collegiality imperative and culture that FSU promotes.
2. The FCWC offers suggestions for actions intended to minimize/eliminate similar or continued conflicts while attempting to avoid any misinterpretation as a committee that conducts ‘hearings’ and makes binding, official judgments; hence the use of the term ‘conversation’ as opposed to more legally recognized speech.

### **B. Process Steps:**

1. **Electronic Filing of Complaint:** The Complaint (see Appendix A) is electronically filed with the Chair of the Faculty Senate Faculty Welfare Committee ([FWC]also a member of the FCWC) who will forward the form directly to the Chair of the FCWC.
2. **Acknowledgement of Receipt:** The Faculty Welfare Committee (FWC) chair acknowledges receipt of the complaint within five (5) business days and:
  - a) advises that the complaint is being forwarded to the FCWC Chair,
  - b) conveys that the complaint will be processed in accordance with the FCWC Process (posted on the Faculty Senate website), and,

c) informs the complainant that the Chair of the FCWC will contact all parties mentioned in the complaint in writing within ten business days. (Number of days applies to submissions made during regular fall and spring semesters as faculty may be away during the summer.)

3. Notification of Filed Complaint to the named involved party:

- a) The Chair of the FCWC acknowledges in writing the receipt of the complaint filed to the complainant.
- b) If the complaint involves more than one other faculty member, all named parties should be notified similarly. Exceptions may be made to accommodate situations where named participants allegedly played different roles in the incident(s).
- c) The Chair of the FCWC notifies any other named participant(s) of the complaint leveled against him/her with a copy also being sent to the filer of the complaint. The letter will assert the complaint in a succinct and neutral manner defining the filed complaint/issue.
- d) Each participant receives an invitation to the Chair of the FCWC via Email a written response to the complaint(s) within ten business days.

#### **4. Case Review by the FCWC**

- a) The FCWC meets to discuss the complaint. The committee will review submitted documents (including, but not limited to the form in Appendix A) to ascertain what, if any, additional documentation may be required to assist in facilitating a productive conversation among participants in the conflict.
- b) Setting Date for Collegial Conversation/Mediation:
  - i. The FCWC Chair provides involved parties with possible dates for mediation to allow disputing participants to discuss any reported dispute. Parties are asked to select one date for their meeting. Written responses or calendar event acceptances are required to confirm any mediation date.
  - ii. Involved parties gather documentation to support assertions during the conversation/mediation.
  - iii. Parties are asked to email and bring hard copies of any supporting documents needed for the mediation dialogue. Parties are also notified of any specific documents that may be required by committee members.
  - iv. The committee confirms a mediation date with all involved parties.

#### **5. FCWC Meeting with Disputing Parties**

The FCWC meets to hear all disputing parties and to facilitate a civil, productive, and collegial conversation to:

- a) develop a better understanding of the conflict;
- b) clarify any misunderstandings or misinterpretations;
- c) suggest a resolution to the current dispute;
- d) discuss ways to avoid similar continued issues in the future.

#### **6. FCWC Recommendations Following Mediation**

- a) Following the meeting with disputing parties, the FCWC privately deliberates in order to make recommendations on the most practical and actionable resolution(s) or further necessary action.

This may include, but are not limited to: additional meetings for dialogue, more structured and formal mediation, or other options.

- b) The FCWC notifies each participant of the recommendations. Copies could be sent to the respective chairs of the involved parties. The committee may recommend possible consequences, but recommendations are not binding.
- c) The committee may recommend further action including using recommendations in reappointment, tenure, promotion, and post-tenure review decisions.

#### **7. Repeated Non-collegial Behavior Process and Consequences:**

- a) The FCWC recommends further consequences or action in the case of repeated and/or severe malicious non-collegial behavior.
- b) Examples or characterizations of such repetitious behavior may include, but are not limited to:
  - i. Continued behavior by one or both parties that continues or escalates the conflict that was addressed by the FCWC.
  - ii. Continued breaches of collegiality (as distinct from congeniality; see p. 1) by any party to a conflict that was identified by the FCWC to be in significant breach of collegiality in a dispute the committee addressed.
  - iii. Misuse of the FCWC process in repeatedly bringing charges against colleagues that the FCWC finds to be based mainly on damaging others' professional reputations rather than a good-faith effort to resolve material conflicts.

#### **Steps for Faculty Collegiality and Welfare Committee (FCWC)**

1. Electronic Filing of Complaint
  2. Acknowledgement of Receipt of Filed Complaint by the Chair of the FCWC.
  3. Acknowledgement of Receipt of Filed Complaint by the Chair of the FCWC
  4. Notification of Received Filed Complaint to the names mentioned in the complaint.
- 
- A. Initial Case Review of the FCWC
  - B. Setting of Meeting Date for Collegial Conversation
  - C. FCWC Meeting with Disputing Parties
  - D. FCWC Recommends Future Actions
  - E. Meeting Report/Results Filed
  - F. Repeated Non-collegial Behavior Process and Consequences

APPENDIX A  
COMPLAINT FORM

Employee Name: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
Department: \_\_\_\_\_ Job Title: \_\_\_\_\_  
Banner ID: \_\_\_\_\_ Date of Hire: \_\_\_\_\_  
Office Location: \_\_\_\_\_ Email: \_\_\_\_\_

Date(s), time(s) and place(s) of event(s) leading to the conflict:

Detailed account of occurrence (include names of persons involved, if any):

Please state any policies, procedures, or guidelines you feel have been violated:

Desired proposed solution to your complaint:

The complainant should retain a copy of this form for his/her records. The signature below indicates that you are requesting a dialogue to discuss your complaint with all parties involved, and that any information on this form is truthful.

\_\_\_\_\_  
Employee Signature Date

\_\_\_\_\_  
Received by: Date

## **VIII. ANNUAL EVALUATIONS PROCESS**

### **A. Evaluation of Academic Administrators**

Academic administrators (provost, deans, associate deans, assistant deans) will undergo an extensive evaluation every year by the faculty and staff in their respective units. The electronic survey is designed to collect data for the use of evaluating the performance of academic administrators. The information obtained through this survey will be included in the evaluation of the administrator and in the development of action plans for needed improvement. Responses are confidential and participation is voluntary. The evaluation process is initiated by the Faculty Senate Chair, Chair of the Faculty Evaluation Committee, and administered through the Office of Institutional Research and is anonymous through the random electronic numerical assignment to protect the identity of individual respondents. Each academic dean's results shall be reported in a collective summative format for the purpose of continuous improvements and distributed to the faculty by the Provost. No individual's personal identification will be revealed.

All evaluations must be completed no later than April 15th of each year and should be included on the academic calendar. The results of the evaluations, in order to identify strengths and areas needing improvement, shall be discussed annually with the academic administrator, in consultation with their immediate supervisor and will be a part of the academic administrator's annual evaluation documents.

### **B. Faculty' Evaluation of Academic Department Chairs**

The academic department chair is a senior academic officer who serves at the pleasure of the Chancellor. Each Chair shall be evaluated annually based upon the results of the university's academic chairs' evaluation instruments and student input. Each chair shall be evaluated by the departmental faculty. With the administration and the tabulation of the evaluation being conducted by two (2) departmental faculty members. One of the departmental faculty members shall be selected by the Dean and the other by the departmental faculty. The faculty members shall summarize the results from the departmental faculty evaluation and share the results with the Dean, the Chair and the departmental faculty only. The departmental faculty are to use the evaluation form provided by the faculty senate.

The departmental faculty evaluations must be completed no later than April 15th of each year. The results of the evaluations shall be discussed annually with the department chair in order to identify strengths and weaknesses. More information on the selection and evaluation of department chairs is available at the following link:

<http://www.uncfsu.edu/documents/policy/employment/DeptChair.103108pdf.pdf>

### **C. Annual Faculty Evaluation**

All full-time faculty are expected to undergo and complete the faculty annual evaluation process. The process is an annual review of the achievements and activities in the areas of research/creativity, teaching and service. The evaluation documents the activities faculty have undertaken in their goals of being excellent teachers, outstanding scholars, and citizens of the academic community. Annual assessment in the AFE by self, peers, and the Chair of the department should guide faculty toward reappointment, promotion, tenure, post-tenure, and assist in deciding award recognitions.

Faculty should be aware of the following tenets of the AFE:

- a. Information submitted in the annual faculty evaluation is documented for review by peers and the Chair in a hard copy portfolio or an electronic version.
- b. The current university policies and procedures for the annual evaluation and how the evaluation impacts reappointment, promotion, tenure and post-tenure.
- c. The current expectations for reappointment, promotion, tenure, post-tenure according to department, school or college.
- d. The impact the AFE has on the consideration of university awards.
- e. The Class Climate Evaluation is the university-wide accepted assessment tool.

Record teaching, research, and service in Digital Measures. Login to:

<http://www.digitalmeasures.com/login/uncfsu/faculty/>

#### **D. Forms for Personnel Action Requests**

The policy and required forms can be accessed at the following website:

<http://www.uncfsu.edu/academic-affairs/faculty-information-and-forms>

### **IX. POST-TENURE REVIEW**

Fayetteville State University (FSU) considers excellence in faculty performance a necessary condition for achieving the university's mission and goals and ensuring institutional effectiveness.

Since faculty members who enjoy the benefits of permanent tenure have an especially important role in helping the university fulfill its mission, FSU has established post-tenure review to ensure ongoing faculty development and promote faculty vitality among tenured faculty. Post-Tenure Review (PTR) is a comprehensive, formal, periodic, and cumulative review that supports and encourages excellence among tenured faculty by the following:

1. Recognizing and rewarding exemplary faculty performance;
2. Supporting increasing effectiveness in teaching, services, and research/creative activities and ongoing contributions to the department, school/college, and university;
3. Providing for a clear plan and timetable for improvement of performance of faculty found deficient; and
4. For those whose performance remains deficient, providing for the imposition of appropriate sanctions, which may, in the most severe cases, include a recommendation for discharge, consistent with the criteria and procedures established in Chapter VI of *The Code* of the University of North Carolina.

The policy can be accessed at the following website:

[http://www.uncfsu.edu/policy/employment/Post-Tenure\\_Review\\_Rev1.pdf](http://www.uncfsu.edu/policy/employment/Post-Tenure_Review_Rev1.pdf)

<http://www.uncfsu.edu/acadaff/pdf/POSTENREV.pdf>

## **X. AWARDS AND RECOGNITIONS**

Departments, school/colleges annually recognize the achievements of faculty with awards for research, scholarship, creative achievement, teaching and service.

### **1. Teacher of the Year:**

Teachers of the Year are recognized annually in departments. The portfolios of the Departmental Teachers of the Year are submitted to the school/college committees for Teacher of the Year. The results of the awards culminate with one member receiving the Teacher of the Year award for the entire university. Teacher of the Year is recognized during the spring commencement. See the following website:  
**<http://www.uncfsu.edu/acadaff/pdf/teachersaward.pdf>**

### **2. UNC Board of Governor's Award for Excellence in Teaching:**

Each year nominations are requested for the UNC Board of Governor's Award for Excellence in Teaching. The faculty member who earns this prestigious award represents Fayetteville State University as one of the 16 campuses in the UNC system earning this honor. Guidelines can be accessed at the following website:  
**<https://www.northcarolina.edu/bog/awards.htm>**

## **XI. SPONSORED FACULTY DEVELOPMENT AND TRAINING**

Fayetteville State University has sources to fund support for research, creative achievement and special projects for faculty. In addition, workshops are offered throughout the year to assist faculty in their teaching, service objectives, new faculty orientation and in the area of technology.

### **1. Office of Sponsored Research and Programs**

The Office of Sponsored Research & Programs serves as the university's official coordinating office to assist faculty and staff in locating funding support for research, instruction, public service, and other special projects. Information on the Office of Sponsored Research & Programs can be accessed at the following website:  
**<http://www.uncfsu.edu/research>**

Travel requests and reimbursements funded by Title III must be sent to the Title III office for approval prior to submission to the business office. Information on Title III can be accessed at the following website:  
**<http://www.uncfsu.edu/titleiii/forms.htm>**

### **2. Office of Faculty Development**

The goal of the Office of Faculty Development is to provide faculty the support necessary to carry out their teaching, research, and service objectives. Staff is available

to assist faculty and workshops are regularly conducted throughout the academic year in the following areas: tools and methods for teaching, online teaching and distance education resources, instructional technologies, and classroom resources.

Information on the Office of Faculty Development can be accessed at the following website: <http://www.uncfsu.edu/facultydevelopment/>

### **3. Office of Online Education**

The mission of the Office of Online Education is to promote quality and integrity in the online course environment by providing high quality services and support to faculty and students. We support high quality online courses and programs that provide access and educational opportunities to students wherever they are located. Further information can be accessed at the following website: <http://www.uncfsu.edu/facultydevelopment/>

## **XII. INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS SERVICES**

ITTS provides training in the form of workshops, one-on-one consultations, and online training. ITTS provides computer instruction to members of the faculty who would like to learn new technological skills or improve their existing ones.

Information Technology and Telecommunication Services can be accessed at the ITTS website: <http://www.uncfsu.edu/itts/index.htm>

## **XIII. TUITION and FEE WAIVER PROGRAM**

A tuition waiver may be available to full-time members of the faculty.

Procedures and Tuition Waiver Application Deadlines can be found on the Human Resources website:

<http://www.uncfsu.edu/documents/policy/employment/PolicyTuitionWaiversFinal.pdf>

## **XIV. FACULTY-STUDENT RELATIONS**

### **1. Freedom in the Classroom**

The instructor in the classroom and in conference should encourage free discussion, inquiry, and expression. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

### **2. Academic Evaluation**

Students should have protection through orderly procedures against prejudices or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established by the instructor at the beginning of each course in which they are enrolled.

### **3. Improper Disclosure and Student Confidentiality**

Protection against improper disclosure is an important professional obligation. Information about students' views, beliefs, political association and grades which faculty members

acquire in the course of their work as instructors, advisors, and counselors is considered confidential under the Federal Education Rights and Privacy Act (FERPA). Anyone who improperly discloses confidential information shall be subject to disciplinary action.

Information about FERPA can be accessed at the following website:

**[http://www.uncfsu.edu/policy/students/Student\\_Education\\_Records-FE](http://www.uncfsu.edu/policy/students/Student_Education_Records-FE)**

#### **4. Unrealistic and Excessive Academic Requirements**

It is the responsibility of students to know the major requirements of their curriculum. If a student elects to meet the requirements of a catalogue other than the one in force at the time of original entrance, the student must meet all requirements of the catalogue elected.

Students cannot be held to requirements other than those in the catalogue.

#### **5. Student Exploitation and Student Involvement in Experiments**

A student shall not be asked to serve as an assistant to a faculty member or as a subject for research except on a voluntary basis or when the research activity is directly related to the course. Whenever a student is to be a subject for research, prior approval must first be obtained from the Institutional Review Board Committee on Human Subjects. Students, graduate and undergraduate, shall not teach classes unless prior approval has been given by the academic dean of the school/college concerned.

#### **L. Graduate Faculty Status**

Graduate Faculty status is conferred to members of the general faculty who, by their scholarly attainments in their fields of specialization have demonstrated high competence and commitment to offer graduate instruction. Visit the Graduate School website for detailed information on Graduate Faculty application guidelines, evaluation criteria and selection process: **[http://www.uncfsu.edu/graduateschool/forms/GRAD\\_FAC\\_APPLICATION](http://www.uncfsu.edu/graduateschool/forms/GRAD_FAC_APPLICATION)** (Rev2011).pdf

#### **M. Collegiate Learning Assessment (CLA)**

Fall 2013, the FSU Faculty Senate approved a proposal “to establish university-wide requirement for FSU graduating seniors to complete one of the following: the national Collegiate Learning Assessment (CLA) or university-developed CLA-like assessment.” The purpose of the requirement was “to provide consistent university-wide assessment data about student learning”. The graduating senior assessment requirement completes a system of assessment that begins with the entering freshman assessment and continues with the Rising Junior Exam. Each department is required identify capstone courses to include the university-wide CLA as a requirement in the senior-level courses. The CLA is a requirement and faculty should have the assessment included on all capstone course syllabi.

The CLA is an exam used by colleges and universities throughout the nation to assess critical thinking, analytical reasoning, written communication, and decision making. It is important to assess the skills among all FSU graduates to demonstrate to external agencies that FSU makes a difference, as for example was the case with the 2008-2012 longitudinal CLA, which showed

FSU students' learning gains was in the 90<sup>th</sup>+ percentile. The most important result of this requirement is that all departments would have data that could help them improve student learning in these important areas.

## CHAPTER VIII UNIVERSITY REGULATIONS

### A. ACADEMIC REGULATIONS

#### 1. Academic Regalia

Faculty members are required to wear appropriate academic regalia at commencement exercises and for all formal convocations sponsored by the University. Rental or purchase of academic regalia may be secured through the FSU University Bookstore.

#### 2. Admission to Class

Members of the faculty shall permit only those students who have completed official registration to attend classes. Official registration is determined by official class rosters available on Banner.

#### 3. Attendance at Professional Meeting

Members of the teaching, research, administrative, and extension staffs are encouraged to attend professional meetings deemed beneficial to both the individual and to the University. Brief leaves from official duties will be granted for attendance at such meetings when circumstances permit. Applications for leave for attendance at professional meetings must be approved in advance by the appropriate administrative personnel. When funds are available, the University will budget funds for travel of faculty members to professional meetings.

#### 4. Auditing Courses

Full-time members of the faculty and staff may audit, free of charge, courses offered by the University. Registration is not necessary to audit a course by full-time faculty and staff. Approval to audit a course must be granted by faculty or staff unit head and the instructor of the class.

#### 5. Commencement

Faculty and staff are expected to participate in commencement exercises.

#### 6. Conducting Classes – Faculty

Members of the faculty are expected to convene assigned classes on a timely basis. A member of the faculty who finds it necessary to be absent from class will notify his/her department chair or dean. Department chairs who are absent will notify their deans.

Deans who are absent will notify the Provost and Vice Chancellor for Academic Affairs. Students are expected to wait at least fifteen (15) minutes for an instructor who is late for class. Faculty must conduct classes according to official designation as face to face, online, or hybrid. A faculty member is not permitted to convert a face to face class to an online class without approval from department chair.

## **7. Office Hours**

Faculty members teaching full-time are expected to reserve a minimum of eight (8) office hours per week for conferences with students. Office hours should be flexible to accommodate students' needs. Faculty members who teach online should observe a minimum of eight (8) real or virtual office hours per week as warranted by the class taught.

## **8. Research and Creative Activities**

The University recognizes the importance of teaching and public service in carrying out its mission. Research (funded and/or non-funded) and creative activities constitute another significant aspect of the program of the institution. Faculty members are encouraged and expected to engage in research and creative endeavors that will enhance their effectiveness as teachers.

## **9. Service to the University**

It is expected that all faculty members will devote sufficient time to fulfill the teaching assignments, committee work, advisement, research and related activities deemed appropriate as service to the University.

## **10. Faculty Teaching Re-Assignments**

### **Guidelines for Faculty Teaching Re-Assignments**

Department chairs, in collaboration with departmental faculty and with approval by the dean, are responsible for faculty teaching assignments. The maximum teaching load for faculty members is 12 credit hours per semester. Faculty members may be assigned fewer than the maximum credits for one or more of the following reasons:

1. serving in administrative roles as assigned by dean and/or provost;
2. conducting research, creative activities, service, and faculty development projects as approved by the dean;
3. teaching graduate courses and active involvement in the graduate program, such as directing graduate theses or dissertations, and/or grading comprehensive exams;
4. teaching courses with more than the usual number of contact hours or with unusually high enrollments.

Deans are responsible for ensuring that teaching assignments in his/her respective units are distributed equitably among faculty, meet the needs of students to make timely progress toward degree completion, and meet enrollment funding requirements consistent with the UNC funding model.

In all cases, the annual comprehensive faculty evaluation will include an assessment of the work for which the faculty member was assigned fewer than the maximum credits and this assessment will guide future teaching reassignments.

Teaching assignments for clinical experiences are based on guidelines from professional organizations. Teaching assignments for endowed professors will be determined by the dean. Extra-duty assignments for faculty during the regular academic year must be approved by the dean and provost.

Faculty members who teach more than 12 credits in a semester will either receive a reduced load in the next semester or they will receive additional compensation.

Faculty members may voluntarily teach more than 12 credits in a semester without compensation to facilitate student degree completion, but will not be required to do so. Paid faculty overloads must be approved by the dean and provost. (*Approved by the Fayetteville State University Faculty Senate, August 21, 2014*).

**11. Title IX Statement on Sexual Misconduct (To be included on all syllabi)**

Fayetteville State University (University) is committed to fostering a safe campus environment where sexual misconduct — including sexual harassment, domestic and dating violence, sexual assault, and stalking - is unacceptable and is not tolerated. The University encourages students who may have experienced sexual misconduct to speak with someone at the University so that the University can provide the support that is needed and respond appropriately. The Sexual Misconduct policy can be found at the following link:

<http://www.uncfsu.edu/Documents/Policy/students/SexualMisconduct.pdf>

**Reporting an Incident of Sexual Misconduct** - The University encourages students to report incidents of sexual misconduct. Unlike the Licensed Professional Counselor or the Director, Student Health Services, the Deputy Title IX Coordinator is legally obligated to investigate reports of sexual misconduct, and therefore cannot guarantee confidentiality, but a request for confidentiality will be considered and respected to the extent possible. Students are also encouraged to report incidents of sexual misconduct to the University's Police and Public Safety Department at (910) 672-1911.

**B. ADMINISTRATIVE REGULATIONS**

The Office of Legal Affairs maintains an alphabetical listing of policies that relate to university wide and academic affairs, business and other administrative services, employment, research, students, university relations and development and the UNC Policy Manual. For the alphabetized list, visit the following website:

<http://www.uncfsu.edu/policy/subject.htm>

## CHAPTER IX UNIVERSITY SERVICES AND SUPPORT

Fayetteville State University offers development programs, services and support to faculty members, including individual, group or departmental training, and online training materials and resources. The programs, services and support provided to faculty include the following:

### **Section I. Faculty Development Training Opportunities**

#### **Workshops**

The Office of Faculty Development offers individual, group and online training on different topics ranging from face to face, web enhanced, hybrid and online pedagogy.

A training calendar is maintained on the Office of Faculty Development website (<http://www.unctsu.edu/facultydevelopment>) where faculty members can view upcoming sessions and sign up for the development opportunities.

#### **Online Training Resources**

Numerous resources including a training library with PDF documents and videos, lists of available software, tools and technology, and links to external resources for teaching and learning are available on the **Office of Faculty Development website** (<http://www.unctsu.edu/facultydevelopment>) that enable faculty to learn at their convenience and pace.

The Office of Faculty Development also maintains a **Blackboard** (OFD) site that contains past webinar recordings and hand-outs, along with other teaching and learning resources, allowing faculty members to view them at their convenience and pace.

#### **Online Instructor Certification**

The certification process allows instructors to demonstrate appropriate levels of competency in developing and teaching online courses. Certification is comprised of two courses. Blackboard 101 covers the basics of using Blackboard; Blackboard 102 covers important issues related to online teaching pedagogy and course development. Certification involves two steps: 1) training and 2) initial course development. Once all coursework and exams are successfully completed, an instructor will begin the development of a new online course. After the development and successful review of the course, the instructor receives a certificate of completion and is considered a certified online instructor.

#### **Hybrid Instructor Certification**

Hybrid Instructor Certification Training is designed to introduce you to the best practices in hybrid course design and teaching by providing faculty with the information and tools needed to be successful in this environment. This training consists of the **Blackboard Basics** (BB 101) which focuses on learning the common functions of Blackboard from the instructor's

perspective; and **Hybrid Pedagogy** (HYB 102), which focuses on the best practices for developing and teaching high quality hybrid courses. Faculty will gain exposure to a student's perspective by completing assignments, tasks and assessments.

To become certified, faculty members complete all assignments, tasks, assessments and competency exams in BB 101 and HYB 102, develop a hybrid course and complete the course review process.

### **New Faculty Orientation**

Each August, the Provost's Office conducts an orientation for new faculty members. The orientation is for all new faculty, irrespective of rank, who have been at the university during the past twelve months.

## **Section II. Faculty Support Services**

### **Quality Assurance**

To ensure quality and integrity in new and existing online courses, the Office of Faculty Development utilizes two rubrics based on industry standards for best practices in hybrid and online course development and teaching. The Quality Matters rubric is used in the development of new online or hybrid courses. The Online Evaluation Rubric is used for existing online and hybrid courses.

Deans, Department Chairs and individual faculty may contact The Office of Faculty Development to request to have a Quality Assurance Evaluation completed.

### **Exam Proctoring**

The UNC Academic Services Portal (ASP) is a web-based centralized database of approved proctors who facilitate the distribution and collection of exam materials for proctored exams for **online courses**. It provides for automated exam distribution, automated reminder messages to students and enables professors to track student's scheduling activities.

### **Faculty Mentoring Program**

The Faculty Mentoring Program (FMP) is a voluntary, university-wide program designed to facilitate the professional development of tenure track faculty members. Through FMP, senior faculty members will share knowledge and skills with tenure track faculty relationship in which the mentor helps the mentee to adjust to life at FSU. This relationship should be monitored by the department chair. In addition, the mentor will assist the mentee to develop professional plans at the early stages of his/her academic career at FSU.

### **Student Orientation to the Online Environment**

The Office of Faculty Development seeks to prepare students for the online course environment by offering an orientation to the basics of Blackboard and a variety of relevant services, and resources at FSU. The course is offered in an online and face to face format and is available at the request of faculty members and/or individual students.

### **Section III: Curricular and Instructional Development**

#### **Curriculum Development Support**

The process of curriculum changes can be initiated by institutional administration through the office charged with curriculum development, the department, or by individual faculty or a group of faculty members. The Office of Faculty Development staff can support any of the groups formally or informally in the process of curriculum development.

#### **Online Program Development Support**

The University of North Carolina's General Administration (UNC-GA) website provides instructions and documents for planning new online programs and requesting authorization in compliance with the Commission on Colleges of the Southern Association of Colleges and Schools (SACS). For more information, visit UNC-GA on the web: [http://www.northcarolina.edu/aa\\_planning/de/index.htm](http://www.northcarolina.edu/aa_planning/de/index.htm)

#### **Course Design/Redesign**

The goal of Instructional Development is to support faculty in face to face, web enhanced, hybrid and online course design; developing appropriate goals and objectives; identifying student characteristics; selecting the appropriate instructional strategies, media and technology; and the use of relevant assessment strategies. This is done to meet the needs of individual faculty members within the context of the courses and with the needs of the students in mind.

The course design support takes different forms including consultations, workshops, and provision of resources that will guide faculty at the different states of design, development, revision, and teaching, including either an entire course or a component of a course. Some specific areas of consultations include:

- Providing guidance in creating or revising course goals and objectives to meet creditation requirement
- Providing support in exploring and using innovative teaching strategies that engage students in the learning process
- Guiding faculty in the selection of appropriate media and technology for the course
- Guiding faculty in the selection and use of appropriate assessment and evaluation Strategies
- Guiding faculty in developing web enhanced, hybrid or fully online courses and reviewing completed courses
- Helping faculty in developing learning-focused syllabus

### **Section IV. Instructional Technology**

The development of courses often involves the inclusion of technology or relevant media. The selection and use of any technology in a course is guided by the learning objectives set by the instructor and the availability of the technology. The technology used in the course serves as a tool to facilitate student learning.

Support provided by the Office of Faculty Development in the selection and use of instructional technologies includes design, development, and management of face to face, web enhanced, hybrid or online courses, creating and embedding video or audio files, interactive PowerPoint presentations, use of Adobe Connect, Respondus, Captivate, Articulate, Camtasia, and others.

#### **Section V: Assessment and Evaluation**

The Office of Faculty Development sees assessment as a very important part of the instructional process. Work in this area includes, but is not limited to, support in developing formative and summative evaluations, creating quizzes, developing rubrics, and the selection and use of electronic portfolios. The Office of Faculty Development staff can assist faculty in developing surveys to collect data that can help enhance students' learning experiences.

## **CHAPTER X EMPLOYEE BENEFITS**

### **INTRODUCTION**

New employees should attend the New Employee Orientation Program, which is designed to welcome each new employee to the university and to provide the new employee with information about the university's benefits. Assistance with the enrollment process and more detailed information are also provided during this session. Information on benefits and retirement is located on <http://www.unctsu.edu/humres/benefits.htm>

### **Health Insurance**

The State of North Carolina provides health care benefits for eligible faculty members, retirees and their eligible dependents. The North Carolina General Assembly determines benefits for the State Health Plan and has the authority to change benefits. Each person who enrolls will receive a booklet, issued by the State that describes benefits and limitations in detail.

If you wish to enroll, you must apply within 30 days from the date you begin work in order to receive benefits for any pre-existing health conditions. If you apply after the 30-day period, there may be a 12-month waiting period for pre-existing health conditions. The effective dates for health insurance are normally the first day of the month following the hire date.

Coverage for your spouse and dependents is paid entirely by you. The additional payment can be deducted from your paycheck each month.

In the event you should leave employment with Fayetteville State University prior to retirement, you have the right to continue health coverage for 18 months. If you leave the University to accept a position with an employer outside of North Carolina State Service, you may need certification of prior health coverage to assure credit toward a new employer's pre-existing condition period.

### **Flexible Benefits Program: NC Flex**

Flexible Benefit Arrangement allows you to set aside money before any taxes are deducted for insurance plans and flexible spending accounts for health care plans and dependent day care. This means you never pay federal, state, or social security taxes on money you set aside in a Flexible Spending Account, or on premiums you pay via payroll deduction that are under a flexible benefit arrangement. This account can be used to pay deductibles for vision care, dental care, accident insurance, and supplemental medical plans.

- a. Dental Plan – You can take advantage of comprehensive dental coverage at a discounted cost compared with an after tax plan.
- b. Supplemental Medical – This plan, also known as Health Care Plus, is designed to supplement your medical plan by providing benefits for physician’s office visits and inpatient hospital stays. Benefits are paid directly to you. Please note this plan is not a replacement for comprehensive medical coverage.
- c. Vision Care Plan – This provides comprehensive vision care services including eyeglasses, contact lenses and eye examinations
- d. Dependent Day Care Flexible Spending Account – You may set aside money before taxes to pay for care of a dependent child under age 13, an incapacitated spouse or a dependent adult. A dependent care FSA can pay for school care, home care and housekeeping services, among other things.
- e. Health Care Flexible Spending Account – You may set aside money before taxes to pay various out of pocket health expenses ranging from co-payments and prescriptive medicine to braces and contact lenses. When you have an expense that qualifies for payment you may use the NCFlex Convenience Card, a debit card, and submit a claim or simply submit a claim and receive a tax-free check reimbursing you.
- f. Cancer Insurance – This insurance helps to pay for cancer-related expenses.
- g. Group Term Life Insurance – This insurance pays a benefit to your beneficiary(ies) if you die while covered under the policy. Please note that this is strictly a life insurance policy that provides a benefit if you die. There is no accumulated cash value.
- h. Accidental Death & Dismemberment Insurance – AD&D pays a benefit if you suffer a loss as the result of an accident while covered (with certain exclusions). It also pays a benefit if you suffer certain disabling injuries while covered.

NCFlex updates and annual open enrollment packages are available to employees each year during October and November. For more information, log on to: [www.ncflex.org](http://www.ncflex.org)

### **LIFE INSURANCE**

Active full-time employees of the University may participate in a University-approved group life insurance plan. There are a number of insurance policies to consider. The names and phone numbers of these plans are available from the Benefits Office. The Benefits Office suggests that you talk with financial planners before you buy insurance because these professionals should be able to come up with a total package (type of insurance and amount) that best meets your personal needs. There are no special enrollment periods for these post-tax payroll deduction policies.

## **LONG TERM CARE INSURANCE**

Long-term care insurance is a benefit that provides nursing home care, care within an Assisted Living Community, or Home Health Care through a Visiting Nurse Association. Health plans or Medicare usually do not cover this custodial care of the chronically ill or elderly.

This coverage is available to active or retired faculty or staff members, their spouses, children, parents, parents-in-law, grandparents, and grand parents-in-law regardless of where they live. Information about long term care insurance providers is available from the Benefits Office.

## **UNEMPLOYMENT INSURANCE**

### Eligibility

Since 1978, the North Carolina General Assembly has provided Unemployment Insurance (UI) coverage for most state employees. This is a fringe benefit that is financed by the institution, i.e., there is no cost to the employee.

## **WORKER'S COMPENSATION BENEFITS**

### 1. Eligibility

All University employees, whether full-time, part-time, or temporary, are eligible for Workers' Compensation benefits. Workers' Compensation benefits are available to any employee who suffers disability through accident or occupational disease arising out of, and in the course of, his/her employment, according to the provisions of the North Carolina Workers' Compensation Act. Employees are eligible on the first day of employment and there is no cost to the employee.

### 2. Benefits

Workers' Compensation benefits include the following:

- a. Medical Benefits
- b. Leave Benefits
- c. Short-term Disability Benefits
- d. Long-term Disability Benefits
- e. Permanent Disability Benefits
- f. Death Benefits

### 3. How to Apply

When injury occurs, the employee and his/her supervisor must complete an accident report and forward it to the Benefits Office within three working days of the accident or injury. Employees should seek medical assistance through Prime Care. In order for the employee to obtain medications, this paperwork must be completed. The Benefits Office will notify the pharmacy. The Benefits Office will also report the injury to the director of Environmental Health & Safety.

If your job-related injury results in time lost from work, you must be placed on worker's compensation leave after the required waiting period, and you will receive weekly compensation benefits.

For additional information or assistance, contact the Benefits Office or the Department of Human Resources, or visit the website at <http://www.osp.state.nc.us/>

### **DISABILITY INCOME PLAN OF NORTH CAROLINA**

Disability insurance provides partial replacement income for eligible employees who become temporarily or permanently disabled for the performance of their regular duties. There is no cost to employees for the basic disability plan. The Disability Income Plan is provided to you at no cost through your retirement plan.

After one year of membership in the Teachers' and State Employees' Retirement System (TSERS) OR Optional Retirement Plan (ORP), you are automatically covered under the Short Term Disability Benefit. Benefits are payable only after the end of a 60 continuous calendar day waiting period following the disability. To obtain benefits the employee must apply with the Benefits Department. The Medical Review Board of TSERS and the university determine disability and eligibility for Short Term benefits based on certification of the employee's physician.

**Short Term** benefits are equal to 50 percent of 1/12th of the annual base rate of compensation to a maximum of \$3,000 per month. Any Workers' Compensation monthly payments will reduce this benefit. Short Term disability benefits may be extended for as many as 365 days beyond the short term period in cases where the TSERS Medical Board determines that the disability continues to be temporary and likely to end during the extended period.

**Long Term** disability benefits become payable after five years of membership in the Retirement System. This five-year period is earned within 96 calendar months prior to the end of the Short Term disability period. The Long Term disability benefit continues as long as you are permanently disabled until you first qualify for an unreduced service retirement allowance. If you become disabled, you must apply through the Benefits Office. The TSERS Medical Board determines your disability and eligibility for Long

Term benefits.

Long Term benefits are equal to 65 percent of 1/12th of annual base rate of compensation to a maximum of \$3,900 per month. Workers' Compensation payments and primary Social Security disability benefits reduce this Long Term benefit. Following the first 36 months of the Long Term disability period, your primary Social Security benefit will offset the amount of your disability benefits.

If your retirement selection is the Teacher's and State Employees' Retirement Program, you are not eligible for supplemental disability.

If your retirement selection is the Optional Retirement Program (ORP), then The Standard Disability Supplemental Plan offers the coordinating disability supplement. This disability supplement will not only provide payments to you while you are disabled, it will also make the necessary contributions to your retirement plan. In doing so, you can depend on a retirement income when you reach a normal retirement age. The Standard is designed to supplement the basic benefits from the Disability Income Plan after the 90th day of disability. If Social Security will not provide benefits to you, the Standard will fill the gap. You must enroll in The Standard within 30 days of your hire date. For further information, contact the Benefits Office.

### **DIRECT DEPOSIT**

The university requires permanent employees who regularly work 20 hours or more each week to have their net payroll earnings deposited directly into a North Carolina financial institution (bank, credit union, savings and loan) of their choice.

### **RETIREMENT PROGRAMS**

The employee is eligible to choose between the two retirement programs if the employee holds faculty rank of instructor or above in a North Carolina public senior college or university. Options are:

1. Teachers' and State Employees' Retirement Systems (TSERS) is a defined benefit plan. The benefit when you retire will be determined by a formula based on your age at retirement, your years of service, the highest consecutive 4 years of your salary and the retirement multiplier set by the State legislature. This benefit cannot be transferred to another university outside of the state of North Carolina.

If you should die while in active service or within 180 days of your last paid day after one year as a contributing member, your beneficiary will receive a single lump sum payment. The payment equals the highest 12 months' salary in a row during the 24 months before you die. This amount is at least \$25,000, but no more than \$50,000. This benefit is not transferred if you leave state service.

2. Optional Retirement Program (ORP) is a defined contribution plan. Contributions made to your retirement plan are defined at the outset (6% from the employee and 6.84% from the University). The results are determined by investment carriers, each offering several investment funds. This plan is portable to another institution of higher learning that has a plan similar to the UNC ORP. Employees have total control of their contributions. The carriers participating in the ORP are Fidelity, Lincoln National, TIAA-CREF and **VALIC**.

3. Social Security – State employees contribute a set amount each month to the Social Security System. This amount is matched by the state. For more information, contact your local Social Security Office.

4. Deferred Compensation Programs – There never seems to be enough money to cover daily living expenses, pay for child or elder care, family medical care and still put money aside toward retirement savings. The state offers a number of programs you can pay for before taxes are taken from your salary. The amount you set may be deducted from your pay. Unlike the state retirement plan, the state does not contribute financially to these plans.

Tax deferred programs 401(k), 403 (b), and North Carolina Public Employees' Deferred Compensation Plan (457) provide a way for you to build your own retirement fund to supplement the state retirement plan.

Money placed into a plan is not counted as your taxable income for that year, thereby, lowering your income tax in that current year. Money is only taxed when you withdraw it. If you take it out after you retire, you may be in a lower tax bracket and will be paying less in taxes.

## 5. Phased Retirement

The University of North Carolina 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 (or equivalent) service for a predetermined period in return for half-time compensation. The Program is completely voluntary and is available when agreed to and entered into by a mutual written agreement between an eligible faculty member and his or her employing institution. Additional information is located on the following website:

**<http://www.uncfsu.edu/documents/policy/employment/PhasedRetirement.pdf>**

## 6. Emeritus Professor

[http://www.uncfsu.edu/documents/policy/academic\\_affairs/EmeritusFaculty.pdf](http://www.uncfsu.edu/documents/policy/academic_affairs/EmeritusFaculty.pdf)

### **TUITION WAIVER**

Fayetteville State University provides for a waiver of tuition and/or fees for faculty and staff under certain conditions. The conditions under which University employees may receive a waiver of tuition is included in the University's policy on tuition waivers which can be found at

<http://www.uncfsu.edu/policy/employment/PolicyTuitionWaiverFinal.pdf>

### **DEFENSE OF STATE EMPLOYEES ACT**

Members of the faculty and staff are protected against personal liability for acts or omissions that occur in the performance of their work. These protections are defined in the Defense of State Employees Act. Generally, the North Carolina Attorney General's Office provides defense based on the recommendation of the University attorney. Defense may be refused in the event the employee committed fraud, corruption or actual malice. Defense may also be refused if the act was completely outside the course and scope of the individual's university employment, or if two employees are suing each other.

### **STATE EMPLOYEES ASSOCIATION OF NORTH CAROLINA (SEANC)**

Membership in the State Employees Association of North Carolina (SEANC) is available to university employees. In addition to being a voice for State Employees in the State Assembly, SEANC offers members a host of discount buying opportunities.

### **DEATH OF AN EMPLOYEE OR DEPENDENT**

The Benefits Office should be notified when an employee or dependent dies. The Benefits Office can provide assistance in securing university benefits entitlements and final compensation when an employee or dependent dies. There are several steps involved in securing these benefits and receiving prompt payment such as obtaining necessary legal documents and completion of claim forms.

### **LEAVE TYPES**

1. Military Leave
2. Community Service Leave
3. Civil Leave and Job Related Proceedings
4. Serious Illness & Disability Leave for Faculty
5. Family and Medical Leave
6. Family Illness Leave

Faculty leave is prescribed in 300.2 of The Code of the Board of Governors. Faculty leave provisions may differ from SPA leave provisions. For additional information on Serious Illness and Disability Leave for Faculty visit the following link:

**<http://www.uncfsu.edu/documents/policy/employment/SickLeavePublished.pdf>**

### **PAYDAY**

Faculty is paid on the last day of each month in the same manner as all other university employees. Payday will be on the preceding business day, if this day falls on a Saturday, Sunday, or a holiday.

### **EXIT INTERVIEW**

A permanent employee who is regularly scheduled to work 20 or more hours per week and plans to terminate employment will complete an exit interview with the Benefits Office. The employee's department is responsible for scheduling the interview appointment at least one week prior to the effective date of the leave or termination. The employee may also contact the Benefits Office to schedule the exit interview.

For additional information or assistance, contact the Human Resources website at **[www.osp.state.nc.us](http://www.osp.state.nc.us)**