

EAST CAROLINA UNIVERSITY
FACULTY MANUAL

PART VIII

Personnel Policies and Procedures
for the Faculty of
East Carolina University

PART VIII

PERSONNEL POLICIES AND PROCEDURES FOR THE FACULTY OF EAST CAROLINA UNIVERSITY

SECTIONS

- I. Personnel Policies and Procedures for the Faculty of East Carolina University *Revised 11-20*
 - II. Policy of Conflicts of Interest and Commitment and External Activities of Faculty and Other Professional Staff *Revised 7-19*
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PART VIII - PERSONNEL POLICIES AND PROCEDURES FOR THE FACULTY OF
EAST CAROLINA UNIVERSITY

SECTION I

PERSONNEL POLICIES AND PROCEDURES FOR THE FACULTY OF
EAST CAROLINA UNIVERSITY

(For other policies and procedures dealing with faculty appointments,
see *ECU Faculty Manual*, Part IX and Part X.)

CONTENTS

- I. Selection and Appointment of New Faculty
 - A. Determination of Number and Nature of Positions (*Revised 11-20*)
 - B. Selection Procedure
 - C. General Criteria
 - D. Requirements for ranks and titles
 - E. Initial Appointment
- II. Assignments of Faculty Workload
 - A. Assignment of Teaching Responsibilities
 - B. Teaching Load
 - C. Assignment of Released Time
- III. Annual Evaluation (*Revised 3-19*)
- IV. Reappointment of Probationary Term Faculty Members
- V. Subsequent New Appointments of Fixed-Term Faculty Members
- VI. Professional Advancement
- VII. Salary
 - A. Initial Salary
 - B. Determination of Annual Salary Increments
 - C. Benefits and Salary Increases for Fixed-Term Faculty
- VIII. Faculty Personnel Files
- IX. Amendment Procedure
- X. Effective Date

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- I. Selection and Appointment of New Faculty
 - A. Determination of Number and Nature of Positions

Since faculty members of each academic unit are responsible for the curriculum, they shall make recommendations on the personnel needs of the unit. All faculty appointments shall be initiated by a recommendation of the Unit Personnel Committee unless otherwise specified in the Unit Code (FS Resolution #20-57, November 2020).

Acting in accord with the policies and procedures set forth in the Unit Code, the unit administrator shall recommend, with input from the faculty, to the next higher administrator (for conveyance to the Academic Council) the number and nature of faculty positions needed to

carry out the unit's mission and achieve the university, division, college and unit planning goals. Such recommendations shall contain justifications addressing the unit staffing plan and appropriate planning goals of the university, division, college, and unit.

Allocation of faculty positions is the prerogative of the Academic Council. The deans and directors shall determine the distribution of positions within their college and schools in accordance with strategic priorities.

In general, tenured and probationary term (tenure-track) positions are preferred unless sound reasons exist. Such reasons include, but are not limited to; (a) the position is not permanently assigned to the unit, (b) the position is addressing temporary needs, (c) the position cannot be filled by a faculty member with a terminal degree, (d) the duties of the position are primarily clinical, (e) the position is by its nature term-limited (term-limited endowed professorships, for example), (f) this reflects the preference of the faculty member taking the position, or (g) budgetary or strategic considerations.

B. Selection Procedure

The selection of candidates must be conducted in accordance with the University's "Recruitment, Guidelines and Resources" policies, *Part IX, Section I. Tenure and Promotion Policies and Procedures*, and applicable unit code provisions.

C. General Criteria

ECU is committed to recruiting, retaining, and developing faculty members that are highly accomplished in teaching and scholarship, including research and creative activities. Accordingly, research and creative activities that align with the institution's mission, engage students in effective ways, and advance our academic disciplines are an expectation of all tenured and probationary (tenure-track) faculty members.

1. Tenured or Probationary-Term Positions

A candidate who is under consideration for a tenured or probationary-term position is evaluated on past achievements and potential for future contributions in teaching, scholarship, service, and, if applicable, contributions to patient care and related clinical responsibilities as described below:

a. Teaching

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

b. Scholarship (Research, Creative Activity/Innovation, Engagement, and/or Outreach)

Scholarship refers to the scholarship of research, the scholarship of creative activity/innovation, and the scholarship of engagement and/or outreach.

- c. Service to the university, the profession, and the community
East Carolina University considers service to the university, the academic profession, and the community as an important aspect of a faculty member's contribution. Expectations for service shall be described in the unit code. (See Section III.4). Faculty members' on-campus presence is expected to the extent necessary in the performance of these responsibilities.
- d. Patient care and related clinical responsibilities, as appropriate

2. Fixed-Term Positions

A candidate who is under consideration for a fixed-term position is evaluated on past achievements and potential for future contributions in the areas of responsibility stated in the advertisement for the position and established in the unit code.

D. Requirements for ranks and titles

1. General Provisions

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

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

2. Ranks of Probationary Term Appointments

Assistant Professor

- has demonstrated potential for effective teaching and other instructional responsibilities
- has demonstrated potential to develop a program of scholarship that will lead to professional recognition in the discipline
- has demonstrated effective clinical practice in disciplines, where appropriate
- holds the appropriate terminal degree (ABD may be considered for initial appointment) or alternate professional qualifications as determined by the units and the profession and affirmed by the appropriate vice chancellor
- exhibits evidence of potential for professional growth in teaching effectiveness and scholarship
- has demonstrated ability and willingness to participate in departmental, college, and university affairs
- has demonstrated active engagement with professional organizations within the discipline

Associate Professor

- has qualifications of the previous rank
- has demonstrated effectiveness in teaching and/or other instructional responsibilities
- has a record of scholarship resulting in publication and/or scholarly productivity appropriate to the discipline and established by the unit code
- has a demonstrated record of effective service to the university
- has a demonstrated record of effective service to the profession

Professor

- has qualifications of the previous rank

- has an established record of excellence in teaching and other instructional responsibilities
- has a significant record of scholarship resulting in publication and/or other scholarly productivity appropriate to the discipline and established in the unit code.
- has demonstrated excellent ability and willingness to participate in departmental, college, and university affairs
- has a demonstrated record of significant service/clinical practice to the university and the discipline, where appropriate

3. Titles of Fixed-Term Appointments

- a. Faculty members with duties primarily in instruction have titles of Teaching Instructor, Senior Teaching Instructor, Teaching Assistant Professor, Teaching Associate Professor or Teaching Professor.

Fixed Term Librarians are called Library Assistant Professor, Library Associate Professor, or Library Professor. Unit codes define expectations for each title. The following general criteria apply to both titles:

Teaching Instructor

- holds, at a minimum, a master's degree appropriate to the area of instruction, or has equivalent professional qualifications
- has demonstrated potential for effective teaching and/or other instructional responsibilities

Senior Teaching Instructor

- has qualifications of the previous title
- has demonstrated excellence in teaching and/or other instructional responsibilities
- engages in professional development activity

Teaching Assistant Professor

- has qualifications of the previous title
- holds the appropriate terminal degree, or alternate professional qualifications, as evaluated by the academic unit and affirmed by the appropriate vice chancellor and the profession concerned
- has demonstrated effectiveness in teaching

Teaching Associate Professor

- has qualifications of the previous title
- has demonstrated superior teaching ability and/or other instructional responsibilities
- engages in professional development activities

Teaching Professor

- has qualifications of the previous title
- has demonstrated excellence in teaching
- has established an excellent professional reputation among colleagues
- is qualified and competent in mentoring others (such as graduate students, teaching instructors, etc.)

- b. Faculty members with duties primarily in research

Research faculty members are typically funded externally. Research faculty members are encouraged to give seminars and teach occasional courses in their specialty.

Teaching is at the discretion of the unit and the availability of funds.

Research Instructor

- holds a minimum of a master's degree appropriate for the specific position or has alternate professional qualifications.

- has demonstrated potential for effective research
- should be capable of carrying out individual research or should be trained in research procedures
- should have the experience and specialized training necessary to develop and interpret data required for success in such research projects as may be undertaken

Research Assistant Professor

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

Research Associate Professor

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

Research Professor.

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

c. Faculty members with duties primarily in clinical teaching

Clinical Instructor

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

Clinical Assistant Professor

- has qualifications of the previous title
- holds the appropriate professional degree, as evaluated by the academic unit and affirmed by the appropriate vice chancellor and the profession concerned
- has training and experience in an area of specialization
- has demonstrated expertise in clinical practice and teaching and other instructional responsibilities in the discipline

Clinical Associate Professor

- has qualifications of the previous title
- has extensive successful experience in clinical or professional practice in an area of specialization, or in a subdivision of the specialty area, and in working with and/or directing others (such as professionals, faculty members, graduate students, etc.) in clinical activities in the field

Clinical Professor

- has qualifications of the previous title
- has established an outstanding reputation of excellence in clinical practice and teaching and/or other instructional responsibilities

d. Faculty members with duties primarily in the libraries

Library Assistant Professor

- holds the appropriate terminal degree, or alternate professional qualifications, as evaluated by the academic unit and affirmed by the appropriate vice chancellor

- has demonstrated evidence of, or potential for, the following: effective teaching and/or other professional responsibilities; collegiality and professional integrity; continued professional growth; service to the Library; service to the University, and/or to the profession; a record of contributions to scholarship/creative activity, if applicable

Library Associate Professor

- has qualifications of the previous title
- has demonstrated: substantive accomplishments in professional performance; collegiality and professional integrity; substantial and continued professional growth; sustained institutional; and professional service
- has a record of regular contributions to scholarship/creative activity

Library Professor

- has qualifications of the previous title
- has demonstrated: sustained and substantive accomplishments in professional performance; collegiality and professional integrity
- has demonstrated: superior knowledge and mastery of assigned area of specialization; and exemplary institutional and professional service;
- has attained national or international recognition as an authority and leader in the assigned area of specialization;
- has a sustained and substantive record of scholarship/creative activity

e. Additional faculty titles

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

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

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

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

4. Emeritus status

All unit codes must specify criteria for conferring of “emeritus” or “emerita” status. Based on those criteria specified in the unit code and the recommendations of the unit personnel committee and appropriate administrators, the Chancellor may confer the title emeritus or emerita upon a retired (including Phased Retirement participant), permanently disabled, or deceased faculty member, who has made a significant contribution to the university through a long and distinguished record of scholarship, teaching, and/or service (FS Resolution #13-97, December 2013).

E. Initial Appointment

[For additional provisions related to initial faculty appointments, see *ECU Faculty Manual*, Part IX, Section I (II).]

Appointment to the faculty is made by the Chancellor or the Chancellor’s designee. Upon receiving recommendations by appropriate unit committees and administrators, the Chancellor or his/her designee shall issue an appointment letter to the faculty candidate. No offer is binding and no appointment is effective until signed by the Chancellor or the Chancellor’s designee and subsequently signed by the faculty appointee.

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

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

II. Assignments of Faculty Workload

Faculty workload is governed by the [Faculty Workload Administrative Regulation](#).

By the end of the spring semester for 9-month faculty, and by the end of the summer session for 12-month faculty, and prior to making final faculty workload assignments and after soliciting faculty preferences, the unit administrator shall apprise each unit faculty member, in writing, of the duties and responsibilities for the coming academic year.

A. Teaching Responsibilities

The unit administrator assigns teaching responsibilities and determines the method of delivery. If changes in a faculty member's assignment subsequently become necessary, the faculty member shall be notified at the earliest possible opportunity.

The definition of a semester credit hour is governed by [PRR #02.07.01](#).

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

term or be given the equivalent reduced teaching load at a time to be negotiated between the unit administrator and the faculty member.

Consistent with Part VI, Section I.II., faculty members teaching one or more courses must maintain five hours of office hours during the workweek. Faculty members are also expected to be on campus an appropriate number of hours consistent with assigned instructional duties and disciplinary norms.

B. Scholarly Responsibilities

A faculty member's scholarship shall reflect the high professional standards incumbent upon those who enjoy full academic freedom; such activities must be measured by standards of quality, not merely by quantity, as appropriate to the discipline. Faculty members shall fulfill their scholarly responsibilities as outlined in the unit code and consistent with overall assigned duties.

C. Service Responsibilities

Each faculty member will be assigned and/or will assume responsibilities to serve diverse service roles in the department/program, the college, the university, the profession and/or the community in consultation with their unit administrator. These roles may include formal service in committees at various levels or informal activities, such as mentoring students or junior faculty members. Consequently, as appropriate in each unit, faculty members are expected to actively participate in the life of their unit, be physically present on campus to the extent necessary to discharge their particular service duties, and to carry their fair load of assigned and assumed duties necessary for the effective and equitable operation of the unit.

D. Patient Care and Related Clinical Responsibilities, as appropriate
Standards are described in the unit code.

Faculty reassigned time is governed by [Faculty Scholarly Reassignment](#) Administrative Regulation. Faculty members who are to be granted reassigned time shall be informed in writing of the purpose of the reassignment. (FS Resolution #14-04, March 2014)

III. Annual Evaluation

Each faculty member with either a fixed term, probationary term, or permanently tenured appointment shall perform his/her duties according to ECU's [Statement on Professional Ethics](#) and shall receive annually an evaluation of his/her performance from the unit administrator which shall be based upon current academic year data. The annual performance evaluation of faculty members shall employ the criteria contained in the unit code approved by the chancellor.

The process for determining the relative weight given to teaching, scholarship, service, and where appropriate, clinical duties, for purposes of annual evaluations shall be contained in the unit code. In no case, however, shall service be weighed more heavily than either teaching or scholarship.

This annual evaluation shall:

- be in writing;
- be discussed with the faculty member prior to being sent to any other administrator or placed in the faculty member's personnel file; in the case of faculty members with probationary term

appointments, a record of this discussion shall be placed in the faculty member's personnel file;

- be signed and dated by the unit administrator and the faculty member, who may attach to the evaluation a concise comment regarding the evaluation. The faculty member has seven working days after receiving the evaluation to attach the statement. The signature of the faculty member signifies that he or she has read the evaluation, but it does not necessarily indicate concurrence.

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

A. Probationary-term and permanently tenured faculty

The evaluation of probationary-term and permanently-tenured faculty members shall be based upon that year's duties and responsibilities (except data from the previous year's spring semester survey of student opinion). Such evaluations shall consider, as appropriate:

1. Teaching

Teaching is the primary function of the university. Teaching includes instruction in the classroom, laboratory, clinic, studio, or other setting, online instruction, other forms of distance education, study abroad, service learning, student advising, mentoring student research, and other pedagogical activities.

Teaching shall be evaluated using information from multiple sources documenting accomplishments during the period under review, including those that follow below, where applicable in a given discipline or academic unit. Additional discipline-specific provisions may be found in the unit code (FS Resolution #12-76, July 2012).

Instruction

A. Instructional Materials

1. Syllabus, including the course description, student learning outcomes, and course requirements.
2. Student assignments, examinations, and other materials relevant to teaching.
3. New or revised course materials.
4. Examples of student work, such as tests, exams, quizzes, assignments, projects, papers, juries, or other examples of student achievement.
5. Grade distributions.
6. Evidence of pedagogical innovations in response to feedback and/or to promote student success.

B. Student, Peer and Unit Administrator Review

1. The results of formal peer review, as detailed in Faculty Senate resolution #17-61, where required.
2. Direct observation of teaching (face-to-face or online) by the unit administrator.
3. University-approved student evaluations of the course and instructor.
4. Results of assessment of student achievement submitted by the faculty member or as otherwise enabled by the unit code.

Workload

1. Courses taught and number of students taught.
2. Numbers of undergraduate, master's, doctoral, post-doctoral students, and students

supervised in the clinic.

3. Number of master's theses and doctoral dissertations directed.
4. Number of memberships on doctoral dissertation and master's and honors research committees.
5. Number of honors research projects and theses supervised.
6. Number of honors courses taught.
7. Number of undergraduate research projects, directed readings, and independent studies supervised.

Impact of scholarly activity on improving the quality of instruction at ECU or elsewhere

1. Awards and honors recognizing excellence in teaching.
2. Grants to support instructional activities and programs; if the activities are collaborative, the faculty member's distinctive contribution must be defined.
3. Recognition by professional organizations for leadership in educational endeavors.
4. Teaching workshops conducted.
5. Publication of scholarly articles addressing pedagogy (if not classified as Scholarship in the candidate's unit or discipline).
6. State, regional or national leadership roles related to education.
7. Invitations from other institutions to serve as an education consultant.
8. Continuing education courses taught.
9. Evidence of leadership and scholarly engagement in the development of pedagogy.
10. Scholarly reputations of journals and publishers of teaching publications.
11. Evidence that contributions to teaching are being adopted or are affecting teaching.
12. Evidence of impact on the professional careers of others (e.g., former students, junior faculty, colleagues).

Student complaints may not be used to evaluate a faculty member unless they have been addressed under the provisions of Faculty Manual, Part VI, Section IV, subsection III, which defines faculty members' due process rights. (FS Resolution #19-09, February 2019)

2. Scholarship

Measures of success in the area of scholarship include, but are not limited to, peer-reviewed publications, books, presentations, performances, patents, and national awards, including both honorary awards and competitively awarded external funding as appropriate to the discipline. These measures, and particularly national awards that recognize prominence in the discipline, will be positively reflected in annual evaluations and other personnel actions. Unit codes should define these criteria, and relative importance, in detail.

3. Patient Care and Related Clinical Responsibilities

Unit codes will describe expectations for clinical services and criteria for evaluation.

4. Service

Service on department, school, college, and university committees, councils, and senates; service to professional organizations; service to local, state and national governments; contributions to the development of public forums, institutes, continuing education projects, patient services and consulting in the private and public sectors; unit codes should define these criteria, and relative importance, in detail.

5. Other assigned responsibilities.

B. Fixed-term faculty members

The evaluation of fixed-term faculty members shall be based on their performance of duties as stated in their appointment letters, utilizing the criteria stated in the unit code.

IV. Reappointment of Probationary-Term Faculty Members

Refer to Part IX of the *ECU Faculty Manual*.

V. Subsequent appointments of Fixed-Term Faculty Members

Refer to Part IX of the *Faculty Manual*.

VI. Professional Advancement

Promotion for tenured and probationary-term faculty members and advancement in title for fixed-term faculty members are means through which professional achievement is encouraged, recognized, and rewarded by the university. The evaluation of faculty members for purposes of promotion or advancement in title shall accord with the regulations established in the unit code and shall employ the criteria contained in the unit code approved by the Chancellor (*ECU Faculty Manual*, Part IV).

Specific regulations and criteria governing evaluation of faculty for purposes of promotion or advancement in title may vary from unit to unit. For evaluations pertaining to fixed-term subsequent new appointment at a higher title, the criteria shall be stated in the unit code.

As a minimum, each unit shall:

- apply published criteria in teaching, scholarship, service, and clinical service, where relevant to the discipline, for evaluating faculty for promotion or advancement in title;
- make available procedures which will permit each faculty member to report achievements annually or on a more frequent basis; and
- inform each faculty member of the right to discuss his or her candidacy with the unit administrator and/or the appropriate unit committee at any time prior to the deadline for submission of materials.

A. Promotion for tenured and probationary-term faculty members

Upon request by a tenured faculty member, the unit administrator and the unit promotion committee shall evaluate the faculty member for promotion. Following such evaluations, the unit administrator and appropriate unit committee shall inform the faculty member of their respective recommendations. Promotion shall be based upon the faculty member's demonstrated professional competence and achievements. Procedures to be followed for promotion are found in *ECU Faculty Manual*, Part IX and Part X.

Promotion in academic rank should be accompanied by a salary increment, which shall be separate from any and all other increments to which the individual may be entitled, unless State of North Carolina or University of North Carolina regulations state otherwise.

B. Advancement in title for fixed-term faculty members

The unit code shall specify the criteria and the means of evaluation of fixed-term faculty members to be used for a subsequent new appointment at a higher title. Advancement in title shall be based upon the faculty member's demonstrated professional competence and achievements, and should be accompanied by a salary increment, which shall be separate

from any and all other increments to which the individual may be entitled, unless State of North Carolina or University of North Carolina regulations state otherwise. Competence for advancement in title may be attested to by demonstrated excellence in the performance of duties specified in the appointment letter of the fixed-term faculty member and supported by the faculty member's annual performance evaluation.

The unit administrator shall notify eligible faculty members within four working days of receipt of the next higher administrator's call for advancement in title recommendations. Upon request by a fixed-term faculty member, the unit administrator and the personnel committee shall evaluate the faculty member for advancement in title. Following such evaluations, the unit administrator and appropriate unit committee shall inform the faculty member of their respective recommendations. Procedures to be followed for advancement in title should be specified in the unit code in accordance with *ECU Faculty Manual*, Part IX, Section I (II.B.3) and Part VIII, Section I.

VII. Salary

A. Initial Salary

Initial salary shall be based on degree attainment, academic rank, pertinent professional experience and qualifications, scholarly publication or its equivalent, and level of responsibility. Consideration should be given to the salaries of personnel presently in the unit and must be consistent with University-established faculty salary ranges.

B. Determination of Annual Salary Increments

The unit administrator shall recommend annual salary increments to the appropriate administrative officials in accordance with requirements imposed by the North Carolina General Assembly, The University of North Carolina Board of Governors, the ECU Board of Trustees, and the university administration. Recommended salary adjustments shall rely upon criteria that have been established in the *Faculty Manual*, in unit codes, or in guidelines referenced in unit codes. Criteria for assessing merit are contained in unit codes. The unit administrator shall also inform the unit, in dollar amounts and percentages, the total adjustment, mean salary increment, and range in salary increments for the unit. Each faculty member shall be informed by the unit administrator of any salary increment recommendations made on behalf of the faculty member.

C. Benefits and Salary Increases for Fixed-Term Faculty

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

Full-time, fixed-term permanently appointed faculty members are entitled to those benefits that are provided to other full-time permanent faculty employees of ECU, unless State of North Carolina or University of North Carolina regulations state otherwise.

VIII. Faculty Personnel Files

- A. [Article 7 of Chapter 126](#) of the General Statute of North Carolina shall govern matters relating to an employee's personnel file, its contents, and permissible access. Current General Statutes may be requested through the Office of University Counsel (formerly, the University Attorney) or through references in Joyner Library.

For questions regarding personnel file, contact the Faculty Senate Office, the appropriate Division Vice Chancellor, or the University Counsel Office.

B. Definition

“Personnel File” means any employment-related or personal information gathered by an employer or by the Office of State Human Resources. Employment-related information contained in a personnel file includes information related to an individual’s application, selection, promotion, demotion, transfer, leave, salary, contract for employment, benefits, suspension, performance evaluation, disciplinary actions, and termination. Personal information contained in a personnel file includes an individual’s home address, social security number, medical history, personal financial data, marital status, dependents, and beneficiaries. “Record,” as used in this Part VIII of the *Faculty Manual*, means the personnel information that each employer is required to maintain in accordance with G.S. 126-123.

The Personnel Action Dossier (PAD), defined in the ECU Faculty Manual Part X, Section I, is an evaluative document, employment-related personnel information, and a part of the faculty member’s personnel file. The personnel file is University property and is retained by the University.

Contents of the personnel file are kept in accordance with the Records Retention and Disposition Schedule approved by the Chancellor. Timing of storage and transfer vary depending on the specific type of document. Please refer to the following websites for additional information: [Records Retention and Disposition Schedule for the Institutions of the University of North Carolina System](#) and [ECU Records Management](#).

C. Location

Personnel records exist in various locations across campus. Academic Affairs and the Health Sciences divisions will maintain comprehensive lists of locations where files may be found on a website accessible to faculty members. The Faculty Senate office can direct faculty members to the appropriate website.

All records used in the formal evaluation of faculty members should be located in the primary collection of documents that are kept in the department or unit that are part of the personnel file, hereafter referred to as the department/unit personnel file. The unit administrator can inform the faculty member of the location of evaluative material.

An appeal hearing file or an investigative file prepared by the EEO Office or by the Office of University Counsel may include materials such as: filed grievances; appeals of non-reappointment or non-conferral of tenure; complaints filed by or against a faculty member with the ECU EEO Office alleging sexual harassment, discrimination based on race/ethnicity, color, genetic information, national origin, religion, sex (including pregnancy and pregnancy related conditions), sexual orientation, gender identity, age, disability, political affiliation, and veteran status ("Protected Class"), or a violation of the amorous relations policy; and records relating to any disciplinary action against a faculty member.

Information retained in the EEO Office or the University Counsel’s Office will remain confidential, but the documents collected and/or created in those offices are usually considered part of an investigative/preparation file and are not considered part of the

department/unit personnel file. Disclosure of documents in those files is subject to applicable University policies and state laws. Additionally, in accordance with the relevant University policy and state laws, the University will formally notify the faculty member of any complaint or grievance formally filed against a faculty member and will follow the procedures prescribed for due process. In most cases, documents containing employment-related or personal information maintained in the EEO Office or University Counsel's Office will be duplicates of documents in the department/unit personnel file. In all cases, the documents in those files will be available for review by the faculty member, except that the University does not waive rights and responsibilities to limit disclosure recognized by law, including but not limited to attorney-client communication privilege and attorney work product privilege.

D. Content

State law requires that the University permit the public to have access to the following employment related information about each employee:

- name;
- age;
- date of original employment or appointment to state service;
- the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the university has the written contract or a record of the oral contract in its possession;
- current position;
- title;
- current salary;
- date and amount of each increase or decrease in salary with the university;
- date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with the university;
- date and general description of the reasons for each promotion with the university;
- date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the university. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the Chancellor setting forth the specific acts or omissions that are the basis of the dismissal; and
- the office to which the employee is currently assigned.

To the extent allowed by applicable law (e.g., [Article 7 of Chapter 126](#) of the General Statutes of North Carolina), all other information contained in the personnel file is confidential and shall not be open for inspection and examination except to the following persons:

- (1) The employee, applicant for employment, former employee, or his or her properly authorized agent, who may examine his or her own personnel file in its entirety except for (i) letters of reference solicited prior to employment or (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to a patient. An employee's medical record may be disclosed to a licensed physician designated in writing by the employee;
- (2) The supervisor of the employee;
- (3) A potential state or local government supervisor, during the interview process, only with regard to the performance management documents;
- (4) Members of the General Assembly who may inspect and examine personnel records under the authority of G.S. 120-19;

- (5) A party by authority of a proper court order may inspect and examine a particular confidential portion of a State employee's personnel file; and
- (6) An official of an agency of the federal government, state government, or any political subdivision thereof. Such an official may inspect any personnel records when such inspection is deemed by the department head of the employee whose record is to be inspected or, in the case of an applicant for employment or a former employee, by the department head of the agency in which the record is maintained as necessary and essential to the pursuance of a proper function of said agency; provided, however, that such information shall not be divulged for purposes of assisting in a criminal prosecution, nor for purposes of assisting in a tax investigation; and
- (7) Any person or corporation to which the Chancellor determines release of such information is essential as allowed by [General Statute §126-24](#).

Evaluative materials or summaries thereof prepared by peer committees as part of a regular evaluation system are placed in the department/unit personnel file when signed by a representative of the committee. In particular, official copies of Personnel Action Dossiers, as outlined in Part X of the ECU Faculty Manual, including documentation submitted by faculty members for consideration in the tenure, reappointment, and promotion processes, shall reside in the department/unit personnel file.

No material obtained from an anonymous source shall be placed in the -personnel file except for data from student opinion surveys. Data from student opinion surveys shall be submitted by the authorized surveying agent to the faculty member and the unit administrator. Administrators shall not keep secret files.

A faculty member who objects to material in the department/unit personnel file or other employment-related or personal information contained in the personnel file may place in the file a statement relating to the material the faculty member considers to be inaccurate or misleading. This concise statement shall be submitted to the custodian for inclusion as an attachment to the specific document. A faculty member who objects to material in the personnel file because it is inaccurate or misleading may seek the removal of such material from the personnel file in accordance with Part XII of the *Faculty Manual*.

E. Access

Personnel records may be located at various locations across campus. The personnel offices of Academic Affairs and the Health Sciences divisions will maintain comprehensive lists of locations where files may be found.

Faculty members may obtain access to their departmental/unit personnel file by submitting advance notice of at least 4 calendar days to the unit administrator. Confidential documents, as specified in D.1 (above), will be removed. The faculty member may request the unit administrator's assistance in gathering files from various locations. The unit administrator must make arrangements to have office staff available to oversee the review process to ensure the integrity and safekeeping of the records and to assist in making copies of the file, if applicable. A faculty member may obtain copies of any materials contained in the personnel file subject only to restrictions provided by state law.

F. Disclosure of Confidential Information

Willful disclosure of confidential information or unauthorized access to a personnel file by any

person violates state law and university regulations and may result in disciplinary action under university regulations. Any public official, employee, agent, University contractor, student worker, intern, or volunteer who knowingly and willfully permits these violations but does not act to address them has neglected his or her duties and may also be disciplined in accordance with university regulations.

IX. Amendment Procedure

Amendment procedures are subject to the University's Regulation on Policies, Rules, and Regulations. The Faculty Senate will consider amendments to *ECU Faculty Manual*, Part VIII, Section I - Personnel Policies and Procedures that are proposed by any full-time member of the faculty, by any faculty committee, or by any member of the administration of East Carolina University. Amendment(s) submitted to the Faculty Senate for consideration shall be handled as any other item of legislation that comes before the Senate. If the Senate approves such a proposed amendment, the Senate shall submit the proposed amendment to the Chancellor and, if approved by the Chancellor, the amendment will be forwarded to the Board of Trustees for its approval. Consideration by the Board of Trustees is not required if the Chancellor has final authority to enact the amendment.

X. Effective Date

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

(FS Resolution #11-94, November 2011; FS Resolution #12-76, April 2012; FS Resolution #14-04, March 2014; FS Resolution #18-41, July 2018, FS Resolution #19-09, February 2019, FS Resolution #20-57, November 2020)

PART VIII – PERSONNEL POLICIES AND PROCEDURES FOR THE FACULTY OF EAST CAROLINA UNIVERSITY

SECTION II

Policy of Conflicts of Interest and Commitment and External Activities of Faculty and Other Professional Staff *(Revised 7-19)*

CONTENTS

- I. Introduction
 - II. Conflict of Interest
 - III. Conflict of Commitment
 - IV. Categories of Potential Conflicts
 - V. Conflict of Interest Procedures
 - VI. Enforcement
 - VII. Political Candidacy and Holding Public Office
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I. Introduction

Faculty are encouraged to engage in appropriate relationships with public and private agencies outside of the University in their scholarly, teaching and service contributions. In doing so, there is a need for commonly understood principles and corresponding procedures that identify, address, and manage potential conflicts that would detract from or interfere with an employee's dedication of unbiased primary professional loyalty, time, and energy to the University's mission.

All members of the University community are expected to avoid conflicts of interest and conflicts of commitment that have the potential to directly and significantly affect the University's interests or compromise objectivity in carrying out University Employment Responsibilities, including research, service, and teaching activities and administrative duties, or otherwise compromise performance of University responsibilities. All activities that raise the issue of such conflicts must be disclosed, reviewed, and appropriately managed in accordance with the provisions of ECU [REG01.15.03](http://www.ecu.edu/prr/01/15/03) Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay. (<http://www.ecu.edu/prr/01/15/03>). [REG01.15.03](http://www.ecu.edu/prr/01/15/03) is based on policies and guidelines adopted by the UNC system Board of Governors, federal and state law, and federal agency sponsor requirements. Any questions regarding these procedures, or the Board of Governors' policies upon which they are based, should be directed to the Conflict of Interest Officer within ECU's Office of Research Compliance.

II. Conflict of Interest

Conflict of Interest (COI) relates to situations in which financial or other personal considerations, circumstances, or relationships may compromise, have the potential to compromise, or have the appearance of compromising an individual's objectivity in fulfilling their university duties or responsibilities, including research, service and teaching activities, and administrative duties.

III. Conflict of Commitment

A Conflict of Commitment (COC) relates to an individual's distribution of time and effort between obligations to University employment and participation in other activities outside of University employment. The latter may include such generally encouraged extensions of professional

expertise as professional consulting (i.e. External Professional Activities for Pay—refer to UNC Policy Manual 300.2.2). Such activities promote professional development and enrich the individual's contributions to the institution, profession, and society; however, a conflict of commitment occurs when their pursuit involves an inordinate investment of time or is conducted at a time that interferes with the employee's fulfillment of University Employment Responsibilities.

IV. Categories and Examples of Potential Conflicts

Activities that may involve financial conflicts of interest can be categorized under four general headings: (1) activities that are allowable and are disclosed; (2) activities requiring disclosure for further administrative review and analysis; (3) activities or relationships that are generally not allowable or permitted unless an approved Conflict of Interest Management Plan is in place; and (4) activities that are not allowable under any circumstances.

A full explanation of each of these categories is provided in regulation ECU [REG01.15.03](#) on Conflicts of Interest, Commitment, and External Professional Activities for Pay.

Faculty have an obligation to become familiar with, and abide by, the provisions of the university's COI/COC Regulation. At a minimum, all are required to receive COI/COC training and complete a disclosure annually. Certain situations or activities may precipitate the need to submit or update a disclosure more frequently. If any question of a COI/COC arises, faculty should discuss the situation with the University's Conflict of Interest Officer and are encouraged to make a formal disclosure to the University.

V. Conflict and Commitment Procedures

The institutional COI Officer reviews the disclosures, categorizes the activity, and when required, works with the faculty member and Conflict of Interest Committee to implement a COI management plan. All questions on allowable activities, potential COIs, disclosures, and management plans should be directed to the University's COI Officer.

VI. Enforcement

Faculty and all employees are under a clear obligation to adhere to the ECU policies and procedures to disclose and to remove or appropriately manage conflicts of interest or commitment. Violations may include, but are not limited to: (a) failure to properly disclose personal or financial interests as required, failure or refusal to respond to requests for additional information, providing incomplete, misleading, or inaccurate information; (b) failure to comply with a prescribed management or monitoring plan; or (c) engaging in an external activity for pay without receiving prior approval. Possible sanctions for such violations can range from administrative intervention to termination of employment in accordance with applicable University policies, including the Faculty Manual (Part IX, Section I, VI). (FS Resolution #10-36, March 2010)

VII. Political Candidacy and Holding Public Office

The Board of Governors has established rules for monitoring and regulating the involvement of University employees in political candidacy and office holding that could interfere with fulltime commitment to University duties. Faculty seeking to hold or are holding public office should refer to UNC Policy Manual, 300.5 for specific policy details.

(FS Resolution #10-36, March 2010, FS Resolution #19-58, June 2019)