Appalachian State University  
Faculty Senate Agenda  
December 10, 2012

AGENDA SUMMARY:  
(Full Agenda follows on next page)

<table>
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<tr>
<th>Time</th>
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<tr>
<td>3:15 pm</td>
<td>I. Welcome and Announcements</td>
<td>INFORMATION</td>
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<tr>
<td>3:20 pm</td>
<td>II. Approval of the November 12, 2012 Minutes</td>
<td>ACTION</td>
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<td>3:25 pm</td>
<td>III. Visitors’ Reports</td>
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<td>A. Ms. Susan Pettyjohn, Department-Level Fundraising</td>
<td>INFORMATION</td>
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<td>B. Dr. Paul Gates and Dr. Hugh Hindman, Due Process Taskforce (Appendix A)</td>
<td>ACTION – Motion to refer to committee</td>
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<td>C. Dr. Martha McCaughey, <em>Faculty Handbook</em> Taskforce: Proposed Changes to Tenure and Promotion Procedures (Appendix B)</td>
<td>ACTION – Motion to refer to Committee</td>
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<tr>
<td>4:10 pm</td>
<td>IV. Provost’s Report</td>
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<td>V. Chair’s Report</td>
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<td>4:35 pm</td>
<td>VI. Committee Reports</td>
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<td>A. Committee on Committees Report on Library Dean Search</td>
<td>INFORMATION</td>
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<td>4:40 pm</td>
<td>VII. Unfinished Business</td>
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<td>5:00 pm</td>
<td>VIII. New Business</td>
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<td>A. Resolution from Faculty Senate Executive Board on Ethics Point Software</td>
<td>ACTION</td>
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<tr>
<td>5:00 pm</td>
<td>IX. Adjourn (time approximated)</td>
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I. Announcements
   A. Welcome and Introduction of Visitors.

II. Minutes
   A. Approval of November 12, 2012 Faculty Senate minutes.
      Available online at: http://facsen.appstate.edu/minutes

III. Visitors’ Reports
   A. Ms. Susan Pettyjohn, Department-Level Fundraising.
   B. Dr. Paul Gates and Dr. Hugh Hindman, Due Process Taskforce
      (Appendix A).
      1. Motion to refer to Committee.
   C. Dr. Martha McCaughey, Faculty Handbook Taskforce: Proposed
      Changes to Tenure and Promotion Procedures (Appendix B).
      1. Motion to refer to Committee.

IV. Provost’s Report

V. Chair’s Report

VI. Committee Reports (Committee Chair’s name is in bold print)
   A. Academic Policies (Alexander-Eitzman, Campbell, Crepeau, 
      Ehnenn, Martin, Shankland)
      No Report.
   B. Agenda Committee (Koch, Anderson, Aycock, Ehnenn, Provost 
      Gonzalez)
      No Report.
C. Budget Committee (Geary, McBride, McGrady, Murrell, Pollitt, Strazicich)

   No Report.

D. Campus Planning Committee (Everhart, Flanders, Lillian, Osmond, Smith, Stokes)

   No Report.

E. Committee on Committees (Anderson, Coffey, Holcomb, Morehouse, Oliver, Puckett)

   1. Report on Library Dean Search

F. Faculty Handbook Committee (Koch, Anderson, Aycock, Rardin, Vannoy, Provost Gonzalez)

   No Report.

G. Faculty Welfare and Morale Committee (Cremaldi, Gibbons, Miller, Napiorski, Nash, Stoddard)

   No Report.

H. Welfare of Students Committee (Cumbie, Gosky, Rice, Spurlock, Woods, Zrull)

   No Report.

VII. Unfinished Business

   A. None

(4:40 pm) VIII. New Business

   A. Resolution from Faculty Senate Executive Board on Ethics Point Software:

      Whereas, The service provided by Ethics Point allows for the filing of anonymous complaints against students, faculty, and staff, and

      Whereas, These anonymous charges will be investigated by the University, even if the charges are minor or baseless, and

      Whereas, Anonymous reporting offers no accountability for someone making an unwarranted accusation, and
Whereas, The Department of Education does not require a system of anonymous reporting and SACS will not accept anonymous complaints against institutions, and

Whereas, The use of anonymous accusations is antithetical to the creation and maintenance of the values of openness and cooperation that are the foundation of a community of scholars, and

Whereas, The use of anonymous reporting will contribute to the creation of an environment of distrust and suspicion that will detract from the atmosphere of academic freedom necessary for the educational values of the institution to flourish, and

Whereas, The use of the Ethics Point will centralize the reporting structure for complaints undermining the role of deans and chairs in resolving complaints against faculty members, and

Whereas, The use of Ethics Point will undermine the protections for faculty that are part of the Faculty Handbook, and

Whereas, The purchase of the services provided by Ethics Point was carried out without consultation with the faculty, thus violating the spirit of shared governance; therefore, be it

Resolved, That the Faculty Senate at ASU opposes the use of Ethics Point and calls on the Provost to cancel its implementation.

(5:00 pm) IX. Adjournment
Appendix A

Report

Faculty Senate Due Process Task Force

One can envision circumstances where it could be necessary and wise to suspend a faculty member pending completion of an investigation. Currently, provisions of the Faculty Handbook are insufficiently clear as to administrative authority to carry out such a suspension, and they are completely silent on the question of faculty oversight. The Due Process Task Force was appointed by former Senate Chair Jill Ehnenn to address these two issues: 1) clarify administrative authority on investigative suspensions; and 2) create a role for faculty oversight.

Administrative Authority in Investigative Suspensions

Section 6.5 of the Faculty Handbook addresses various forms of paid leave, including Family Medical Leave and Off-Campus Scholarly Assignments, but does not address leave involuntarily imposed on a faculty member. The Task Force has been unable to locate any authority in the leave policies of either the Faculty Handbook or the Appalachian and UNC Policy Manuals to place a faculty member on involuntary administrative leave with pay.

Involuntary suspension is addressed in the disciplinary sections of the Faculty Handbook (Section 4.10 – Discharge or the Imposition of Serious Sanction) and the UNC Code (Section 603 – Due Process before Discharge or the Imposition of Serious Sanctions). Under ASU’s Faculty Handbook, a suspension may be imposed in one of two circumstances: 1) as a disciplinary sanction, short of discharge, imposed after a due process hearing (4.10.2.1); or 2) as a pre-disciplinary suspension pending a final determination (4.10.2.6). In nearly identical language, Section 4.10.2.6 and Section 603(10) of the UNC Code provide:

When a faculty member has been notified of the institution's intention to discharge the faculty member, the chancellor may reassign the individual to other duties or suspend the individual at any time until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be [exceptional and shall be] with full pay.

A suspension pending final determination is not, strictly speaking, a disciplinary sanction, but it is clearly conditioned on the likelihood of discipline to follow. But suspension, whether disciplinary or not, is a serious sanction governed by the disciplinary policies of the Handbook and Code. Grounding the authority to suspend in the disciplinary policies should assure that suspension is only invoked in very serious situations. It also assures the right to a hearing before the Faculty Due Process Committee.

The authority to impose non-disciplinary suspension pending investigation should be made clearer in the Faculty Handbook. We recommend the Handbook be revised to clarify the Chancellor’s authority, under existing provisions of the UNC Code and Faculty Handbook, to impose non-disciplinary yet involuntary suspensions under extraordinary circumstances, pending
investigations, and to clarify that such suspensions always include the right to a hearing before the Faculty Due Process Committee.

**Faculty Oversight**

There are currently no provisions for early notice and consultation with faculty in either the *Handbook* or the Code. Without express provisions, notice and consultation are forbidden for reasons of confidentiality. We recommend the *Handbook* be amended to provide for early notice and consultation with an appropriate representative of the faculty. Provision for early faculty oversight should not impede administrative authority to act in extraordinary situations, but the reassurance of faculty awareness and inclusion in the discussions should be beneficial to both the administration and the faculty as a whole.

We considered three models for faculty oversight: 1) by an Ombudsman; 2) by the Faculty Due Process Committee; and 3) by the Chair and Vice-Chair of the Faculty Senate. For reasons discussed below, we recommend the third option.

**Faculty Ombudsman.** We are aware of renewed discussions about the creation of a Faculty Ombudsman position. While we endorse the general concept of an Ombudsman, it is not clear whether this position, presumably acting as the faculty member’s advocate, should be the administration’s point of contact with the faculty. Further, there is no need to wait for the Ombudsman position to eventually come to fruition.

**Faculty Due Process Committee (FDPC).** This is the option recommended by AAUP (review by the faculty body elected to address disciplinary matters). We do not recommend this option for two reasons: 1) potential conflict of interest; and 2) coordination difficulties. First, the FDPC may be called upon to conduct a hearing on the matter, and the committee is required to base its conclusions only on the basis of evidence presented in the hearing. Early involvement in the process would not necessarily compromise committee member objectivity, but any impression that prior involvement might compromise objectivity should be avoided. Second, it would be difficult to coordinate notice and consultation with a committee of five, especially at a time the administration is likely dealing with a serious situation where action is needed quickly.

**Chair and Vice-Chair of the Faculty Senate.** This is the option we recommend. While not directly elected to their position by the faculty at large, the Chair and Vice-Chair have been elected by the Senate, presumably at least in part because they are seen as representatives of the faculty. Coordination of notice and consultation should be facilitated by the prior existence of a working relationship between Senate Officers and the Administration. Finally, serving in this role should not unduly burden the Chair and Vice-Chair with onerous new duties, since the required consultations are likely to be rare.

**Due Process Task Force Recommendation**

We recommend the *Faculty Handbook* be amended to clarify, and appropriately limit, administrative authority to involuntarily suspend faculty pending completion of investigation into potentially serious disciplinary matters. We also recommend amendment of the *Handbook* to provide for limited faculty oversight.
We recommend a second paragraph be added to 4.10.2.6 of the Faculty Handbook, the section that authorizes the Chancellor to suspend a faculty member pending a final decision on disciplinary action. We recommend the following paragraph:

If, on the basis of a preliminary investigation, the Chancellor determines a) there is a reasonable basis to believe a dischargeable offense has occurred, and b) immediate harm to the faculty member or others is threatened by the faculty member’s continued presence in the classroom or otherwise on the campus, a suspension may be imposed. Before suspending, the Chancellor shall consult with the Chair and Vice-Chair of the Faculty Senate concerning the propriety, the length, and other conditions of the suspension. If an emergency precludes prior consultation with the Chair and Vice-Chair of the Senate, the consultation shall occur as soon after imposition of suspension as is practicable.
IV. Selected Regulations Applicable to Academic Administration and Faculty Employment

Departmental Personnel Committees

Functions of Departmental Personnel Committees

4.1.3.1 The functions of the departmental personnel committee in each department shall include, but not be limited to:

(a) Reviewing the credentials of all applicants for new or vacant positions including special faculty appointments, interviewing selected candidates, and making a recommendation to the chair of two or more qualified persons to fill the position (except in the case of special faculty appointments or when circumstances make only one candidate acceptable), and through the chair to the dean and the Provost and Executive Vice Chancellor. The personnel committee may or may not submit nominations in rank order of preference. Search committees may be established to assist or supplant the departmental personnel committee in performance of these functions (see SEARCH COMMITTEE sections 4.4). Each member of a search committee shall be subject to the same confidentiality obligations that apply to departmental personnel committees.

(b) Reviewing, at the automatic intervals specified in section 3.4.2 (inclusive) of the Faculty Handbook, all non-tenure-track faculty and making recommendations regarding appointments. The committee shall make a recommendation to the chair, who in turn shall make a recommendation to the dean; the dean will make a recommendation to the Provost and Executive Vice Chancellor and make known to the Provost the recommendation of the chair concerning the future employment of such faculty. The recommendations described above shall be accompanied by the results of the departmental personnel committee’s vote, supporting material, and all documents submitted to the committee.

4.1.2 Composition of Departmental Personnel Committees

4.1.2.1 Each academic department (or other comparable academic subdivision) shall have a personnel committee consisting of at least four faculty members and the chair. When possible, the four faculty members shall consist of three tenured individuals and one non-tenured individual. In addition, when possible there shall be two alternates (one tenured and one non-tenured) who should attend all meetings and who shall, in cases of absences or recusals (see sections 4.1.4.1.1 through 4.1.4.1.5 and section 4.1.4.1.9 –check numbers), take the place of faculty members in the respective tenure categories, thus preserving the 3/1 tenured/non-tenured ratio.

4.1.2.2 The departmental chair shall serve as the non-voting chair of the departmental personnel committee and shall preside at all meetings. The chair shall establish called meetings when two or more committee members make a written request for a meeting of the DPC. When the personnel action being considered involves the departmental chair, the DPC will elect for that action a chair from among its tenured members.

4.1.2.3 Every department’s faculty shall elect the departmental personnel committee using the procedures in Robert’s Rules of Order as currently revised, and determine the length of terms on the DPC. In departments with an adequate number of faculty, no faculty member may serve more than three consecutive years on a DPC. Persons who hold academic rank within a department, whether or not their salaries are from state-appropriated funds, shall be eligible for the
4.1.2.4 A departmental unit may increase the size of its Department Personnel Committee by adding tenured and non-tenured faculty on the basis of a 3:1 ratio (when possible), excluding the departmental chair.

4.1.2.5 The committee shall select a recorder from its voting membership.

**Procedures of Department Personnel Committees**

4.1.2.6 All meetings of departmental personnel committees shall be held on campus. Each member of an academic department must be notified in writing of all meetings and agenda items of the departmental personnel committee. The announcement should clearly state the time and place of the meeting and it should become a part of the DPC's permanent records. All department members who so desire may present their views before the committee in regard to any item(s) on the agenda.

4.1.2.7 In all cases involving a vote on personnel decisions, the full voting membership of the departmental personnel committee must be present. Alternates should attend all meetings and vote in the absences of regular members.

4.1.2.8 No abstention votes shall be allowed in DPC personnel decisions. Instead, if a voting member of the DPC wishes to be recused relative to any of the personnel items on a meeting's agenda, that person must provide the departmental chair with written notification of recusal from both the discussion and the vote on that particular matter. For that one personnel decision, an alternate from the respective tenure category shall then step in for both the deliberation and the vote. This rule shall supersede the rule in Robert's Rules of Order relative to the right of abstention.

4.1.2.9 When possible, the aforementioned written notification shall be submitted with sufficient promptness to allow the alternate to be notified, before the meeting, that the alternate will become a voting member for that one agenda item.

4.1.2.10 With the exception of the written notification ruling, this no-abstention-votes regulation shall also apply to the two situations noted in section 4.1.2.9. In those situations, recusal is required.

4.1.2.11 The minutes of the departmental personnel committee should record all persons in attendance at the DPC meeting and all members of the DPC absent from the particular meeting. A record should be kept of each personnel action considered; however, this should not include individual comments. The written record should state that the personnel committee formally considered personnel action of the particular faculty member and should state those things that were considered. The minutes should show the vote (the number of affirmative and negative votes) on each action, but not the votes of individual members of the committee.

4.1.2.12 All minutes of departmental personnel committee action must be approved and, if necessary, modified by a majority of the assembled committee. Such action will normally take place at the next meeting of DPC except that, following the last meeting of the committee in a given academic year, the recorder shall be responsible for gaining the approval of the minutes from the voting members of the committee.

4.1.2.13 A permanent file of all minutes of the DPC shall be maintained in each department office. Nothing in these guidelines shall violate the confidentiality of the DPC minutes, except that any individual faculty member shall have access to those portions of the minutes of meetings in which
personnel actions involving that faculty member were considered. All motions must be phrased in the affirmative.

4.1.2.14 A member of the departmental personnel committee may not vote on any matter before the committee that concerns that member or any related person. In this case, the alternate member shall serve.

4.1.2.14 The results of the DPC vote, supporting material, and all documents submitted to the committee, shall be forwarded with the departmental chair's recommendation to the dean and through the dean to the Provost and Executive Vice Chancellor.

**Regulations of the Department Personnel Committees**

The composition, functions and procedures of departmental personnel committees as outlined in this section of the *Faculty Handbook* are the official guidelines for these committees and must be followed in all cases. Each department shall draw up its own specific operating procedures (e.g. size of committee, length of term, etc.) for the departmental personnel committee, and these shall be in accordance with the guidelines outlined herein. The Provost and Executive Vice Chancellor shall be responsible for seeking interpretations of any relevant regulations or policies.

8 Eligibility FOR THE DPC of persons under this provision shall be consistent with the stipulations of Article II, Section 3 of the Faculty Constitution.

**Departmental Promotion and Tenure Committees**

**Functions of Departmental Promotion and Tenure Committees**

4.2.1 Departmental Promotion and Tenure Committees (PTCs) make recommendations regarding contract renewal for tenure track faculty, Emeritus status, the granting of permanent tenure, and promotion to tenure track or tenured ranks, either when a request for tenure is made by a faculty member, or at the automatic intervals specified in section {3.4.2 fix numbers} (inclusive) of the *Faculty Handbook*. The committee shall make a recommendation to the departmental chair, who in turn shall make a recommendation to a college-level PTC, if one exists, and to the dean, who will send both her/his own recommendation and that of the previous committee(s) and the department chair to the Provost and Executive Vice Chancellor concerning the advisability of conferring promotion and/or tenure.

**Composition of Departmental Promotion and Tenure Committees**

4.2.2 Each departmental unit with tenure lines shall have one Promotion and Tenure Committee consisting of all tenured faculty members, excluding the department chair and excluding those who must recuse themselves (see sections 4.1.4.1.1 through 4.1.4.1.5 and section 4.1.4.1.9). In departments with fewer than four (4) tenured faculty members, the tenured faculty members will make nominations of tenured faculty in allied disciplines on campus and will elect from those nominated for a total of four (4) members who will serve for one year. Every election made to or by departmental Promotion and Tenure Committees shall use the procedures in *Robert's Rules of Order* as currently revised.
4.2.3 The departmental chair shall schedule all departmental PTC meetings. While the chair shall be responsible for knowing and sharing both information about procedural matters and information requested by the committee, the chair's role in the committee's deliberations and decision shall be minimal. The departmental chair shall not vote on the PTC.

4.2.4 At its first meeting, the PTC will elect a committee chair from among its members. The committee chair's responsibilities include: compiling the votes of the committee members, forwarding the votes and the vote justification letters to both the departmental chair and College Dean, and appearing before the College PTC when the candidate(s) from her/his departmental unit is (are) being considered by the College PTC, if one exists.

Procedures of Departmental Promotion and Tenure Committees

4.2.5 The tenure policies and regulations of each institution shall set forth the general considerations upon which appointment, reappointment, promotion, permanent tenure, and Emeritus status are to be recommended. The institutional regulations shall provide that these considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, the faculty member's potential for future contribution, and institutional needs and resources.

4.2.6 All meetings of promotion and tenure committees shall be held on campus. Each member of an academic department must be notified in writing of all meetings and agenda items of the PTC. The announcement should clearly state the time and place of the meeting and it should become a part of the PTC's permanent records. All tenure-track faculty members who so desire, except for those who must recuse themselves (see sections 4.1.4.1.1 through 4.1.4.1.5 and section 4.1.4.1.9), may present their views before the committee in regard to any item(s) on the agenda.

4.2.6.1 Face-to-face deliberations among the departmental PTC members are a crucial part of the faculty review of candidates being considered for reappointment, promotion, tenure, and/or Emeritus status. The justification of votes in writing should take place only after, and cannot substitute for, such face-to-face deliberation. All reasonable efforts must be made to attend meetings to discuss the candidate's case. Absentee votes and vote justification letters are, therefore, permitted only in extenuating circumstances.

4.2.6.3 Each member of the departmental PTC shall put in writing their vote on the candidate's contract renewal, promotion, and/or tenure, and complete a university-wide vote justification form that lists the evidence why the candidate does or does not meet departmental criteria in each of the three areas of teaching, research and service, as per the department promotion and tenure criteria. (See Appendix.) Such vote justification letters, which may be anonymous, shall be submitted within one working day of the PTC meeting at which the vote is taken. These letters shall be given to the committee chair, who will then provide these to the departmental chair and the Dean at the end of aforementioned working day, and sent through the Dean to the College Promotion and Tenure Committee (if one exists) and to the Provost and Executive Vice Chancellor.

4.2.6.4 The minutes of the PTC should record all persons in attendance at the PTC meeting and all members of the PTC absent from the particular meeting. A record should be kept of each personnel action considered; however, this should not include individual comments. The written record should state that the committee formally considered personnel action of the particular faculty member and should state those things that were considered. In instances of personnel action involving promotion or tenure of a faculty member, the minutes should state specifically that the criteria for promotion as set forth in section 3.4.2 (inclusive) or that the items required to be considered in granting tenure as specified in section 3.4.1 were considered. The minutes
should show the vote (the number of affirmative and negative votes) on each action, but not the votes of individual members of the committee.

4.2.6.7 All minutes of the PTC action must be approved and, if necessary, modified by a majority of the assembled committee. Such action will normally take place at the next meeting of PTC except that, following the last meeting of the committee in a given academic year, the committee chair shall be responsible for gaining the approval of the minutes from the voting members of the committee.

4.2.6.8 A permanent file of all minutes of the PTC shall be maintained in each department office. Nothing in these guidelines shall violate the confidentiality of the PTC minutes, except that any individual faculty member shall have access to those portions of the minutes of meetings in which personnel actions involving that faculty member were considered. All motions must be phrased in the affirmative.

4.2.6.9 A member of the promotion and tenure committee may not address the PTC or cast a vote on any matter before the committee that concerns any related person. Any candidate up for promotion is automatically recused from serving on any promotion and tenure committee on the campus in that same academic year.

4.2.6.10 The candidate's file will remain in the main departmental office (or its electronic equivalent) and all tenured faculty members in that department will have access to review these materials.

4.2.6.12 The results of the PTC vote, written vote justification statements, the candidate's supporting material, and all related documents submitted to the committee chair, and shall be forwarded to the departmental chair who will include these materials along with her or his own recommendation to the Dean and College PTC, if one exists, and through the dean to the Provost and Executive Vice Chancellor. Reappointment decisions do not get considered by a College PTC, if one exists (see Section 4.XX on reappointment).

4.2.6.13 The departmental chair shall notify the faculty member of the results of a departmental PTC vote on reappointment, Emeritus status, tenure, or promotion the next working day following the date of the PTC vote, except under extenuating circumstances. Notification to the faculty member of the chair's recommendation to the dean on promotion, tenure, reappointment, or Emeritus status should be made in a timely manner as defined by the College or School, not to exceed five working days, except under extenuating circumstances.

Regulations of Departmental Promotion and Tenure Committees

4.2.7 The composition, functions and procedures of departmental promotion and tenure committees as outlined in this section of the Faculty Handbook are the official guidelines for these committees and must be followed in all cases. The Provost and Executive Vice Chancellor shall be responsible for seeking interpretations of any relevant regulations or policies. In departments where search committees make recommendations directly to departmental chairs, no reviewing group or persons may substitute their judgment for that of a search committee on matters relating to the professional qualifications of the individual involved, i.e., the individual's ability to fulfill adequately the professional requirements of the position. In departments where search committees 1) are not utilized or 2) make recommendations to departmental promotion and tenure committees, no reviewing group or persons may substitute their judgment for that of the departmental chair and/or the departmental PTC on matters relating to the professional qualifications of the individual involved, i.e., the individual's ability to hold a certain rank in that department. However, in accordance with The
Code of The University of North Carolina, section 602 (4), those charged with making decisions on initial appointment, reappointment, promotion and tenure shall examine and evaluate "DEMONSTRATED PROFESSIONAL COMPETENCE," i.e., the faculty member's actual performance, in addition to other criteria in making those decisions. The full text of section 602 (4) follows:

The tenure policies and regulations of each institution shall set forth the general considerations upon which appointment, reappointment, promotion, and permanent tenure are to be recommended. The institutional regulations shall provide that these considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, the faculty member's potential for future contribution, and institutional needs and resources. Each member of a promotion and tenure committee shall be subject to the same confidentiality obligations that apply to search committees and departmental personnel committees.

College-Level Promotion and Tenure Committees

Functions of College Promotion and Tenure Committees

4.3.1 College Promotion and Tenure Committees (PTCs) make recommendations regarding the granting of permanent tenure, Emeritus status, and promotion to tenure track or tenured ranks. After reviewing the candidate's documents and supporting materials, including the departmental PTC's vote justification letters and the departmental chair's letter, the College-level PTC will make a recommendation to the dean. The Dean will then forward a recommendation concerning the advisability of conferring promotion and/or tenure, along with the supporting materials, to the Provost and Executive Vice Chancellor.

Establishment of College-Level Promotion and Tenure Committees

4.3.2.1 The tenure-track faculty in each College (or equivalent School, as determined by the Provost and Executive Vice Chancellor), shall establish their own College-Level Promotion and Tenure Committee, its structure, method of composition, and term lengths. Each College-Level PTC shall consist of at least five (5) tenured faculty members and at least one (1) alternate, who shall attend all meetings to vote in case of recusals or absences (see sections 4.1.4.1.1 through 4.1.4.1.5 and section 4.1.4.1.9 –check numbers). College PTC members shall advise the Dean on cases of tenure, promotion, Emeritus status sent from departmental PTCs. College PTC members should represent, as broadly as possible, all divisions and academic areas of that college. All tenured faculty in the College will be eligible to serve on that college's PTC.

4.3.2.2 Once established, any changes to the structure of the College-Level PTC will require an affirmative vote of the tenure-track faculty in that College.

4.3.2.3 Colleges and schools comprised of one unit can choose to use the Departmental PTC as the College PTC.
4.3.2.4 Only those eligible to serve on such committees shall elect the committee membership. The College PTC will be chaired and convened by the Dean or an Associate Dean, who shall preside ex-officio at all meetings. PTC members going through promotion shall recuse themselves for that same year.

**Procedures of College-Level Promotion and Tenure Committees**

4.3.3 The tenure policies and regulations of each institution shall set forth the general considerations upon which appointment, reappointment, promotion, permanent tenure, and Emeritus status are to be recommended. The institutional regulations shall provide that these considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, the faculty member's potential for future contribution, and institutional needs and resources.

All meetings of College-Level Promotion and Tenure Committees shall be held on campus.

4.3.3.1 In all cases involving a vote on Emeritus status, promotion, or tenure decisions, the full voting membership of the College PTC must be present. Alternates should attend all meetings and vote in the absences of regular members.

4.3.3.2 No abstention votes shall be allowed in College PTC personnel decisions. Instead, if a voting member of the College PTC wishes to be recused relative to any of the personnel items on a meeting's agenda, that person must provide the dean with written notification of recusal from both the discussion and the vote on that particular matter. This rule shall supersede the rule in *Robert's Rules of Order* relative to the right of abstention.

4.3.3.4 The minutes of the PTC should record all persons in attendance at the PTC meeting and all members of the PTC absent from the particular meeting. A record should be kept of each personnel action considered; however, this should not include individual comments. The written record should state that the committee formally considered personnel action of the particular faculty member and should state those things that were considered. In instances of personnel action involving promotion or tenure of a faculty member, the minutes should state specifically that the criteria for promotion as set forth in section 3.4.2 (inclusive) or that the items required to be considered in granting tenure as specified in section 3.4.1 were considered. The minutes should show the vote (the number of affirmative and negative votes) on each action, but not the votes of individual members of the committee.

4.3.3.5 All minutes of the PTC action must be approved and, if necessary, modified by a majority of the assembled committee. Such action will normally take place at the next meeting of PTC except that, following the last meeting of the committee in a given academic year, the committee chair shall be responsible for gaining the approval of the minutes from the voting members of the committee.

4.3.3.6 A permanent file of all minutes of the College-level PTC shall be maintained in each College office. Nothing in these guidelines shall violate the confidentiality of the PTC minutes, except that any individual faculty member shall have access to those portions of the minutes of meetings in which personnel actions involving that faculty member were considered. All motions must be phrased in the affirmative.

4.3.3.7 Face-to-face deliberations among the College PTC members are a crucial part of the faculty review of candidates being considered for promotion, tenure, and/or Emeritus status. The elected chair of the departmental PTC will attend the meeting of the College PTC when members from that department are being discussed. Such persons serve as presenters of the
documentation and can answer any questions about department-specific criteria for promotion or tenure.

4.3.3.8 College-level PTCs consider departmental PTC votes on promotion, tenure, and Emeritus status, but not departmental PTC votes on reappointment.

4.3.3.9 Notification to the faculty member of the results of a Dean's decision on reappointment, Emeritus status, tenure, or promotion should be made within five working days following the decision, except under extenuating circumstances.

**Regulations of College-Level Promotion and Tenure Committees**

4.3.4 The policies and procedures of College-Level Promotion and Tenure Committees will be determined by the tenure-track faculty in that college. The functions and procedures of college-level promotion and tenure committees as outlined in this section of the Faculty Handbook are the official guidelines for these committees and must be followed in all cases. Each College shall draw up its own specific operating procedures (e.g. size of committee, length of term, etc.) for the PTC, and these shall be in accordance with the guidelines outlined herein. The Provost and Executive Vice Chancellor shall be responsible for seeking interpretations of any relevant regulations or policies. In accordance with The Code of The University of North Carolina, section 602 (4), those charged with making decisions on initial appointment, reappointment, promotion and tenure shall examine and evaluate "DEMONSTRATED PROFESSIONAL COMPETENCE," i.e., the faculty member's actual performance, in addition to other criteria in making those decisions. The full text of section 602 (4) follows:

> The tenure policies and regulations of each institution shall set forth the general considerations upon which appointment, reappointment, promotion, and permanent tenure are to be recommended. The institutional regulations shall provide that these considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, the faculty member's potential for future contribution, and institutional needs and resources. Each member of a promotion and tenure committee shall be subject to the same confidentiality obligations that apply to search committees and departmental personnel committees.

**Search Committees**

4.4.1. Search committees that recommend to the departmental chair are established by the department or by the departmental chair with departmental approval. Search committees that recommend to the DPC are established by the DPC, with departmental approval.

In departments where search committees make recommendations directly to departmental chairs, no reviewing group or persons may substitute their judgment for that of a search committee on matters relating to the professional qualifications of the individual involved, i.e., the individual's ability to fulfill adequately the professional requirements of the position.

In cases where search committees make recommendations to hire a candidate for a position whose rank along the tenure track must be confirmed by a specific departmental unit, the departmental Promotion and Tenure Committee shall determine whether or not the candidate is eligible to hold the recommended rank. If this is a joint appointment, at this time the "base" departmental unit of the faculty member must be determined (see Joint Appointments X.X.X.X.X).
4.4.2. All meetings of search committees shall be held on campus. Every member of an academic department must be notified in writing of all meetings and agenda items of the search committee. The announcement should clearly state the time and place of the meeting and it should become a part of the department’s permanent records. All department members who so desire may present their views before the committee.

4.4.3. The minutes of the search committee should record all persons in attendance at the meeting and all members absent. A record should be kept of each personnel action considered; however, this should not include individual comments. The written record should state that the search committee formally considered the personnel action. The minutes should show the vote (the number of affirmative and negative votes) on each action, but not the votes of individual members of the committee.

4.4.4. All minutes of search committee action must be approved and, if necessary, modified by a majority of the assembled committee. Such action will normally take place at the next meeting of the committee except that, following the last meeting of the committee in a given academic year, the recorder shall be responsible for gaining the approval of the minutes from the voting members of the committee.

4.4.5. A permanent file of all minutes of the search committee shall be maintained in each department office. In addition, the paper ballots for each vote should be kept in sealed, labeled and dated envelopes. Nothing in these guidelines shall violate the confidentiality of the search committee minutes. All motions must be phrased in the affirmative.

Related persons include those listed in the definition of that term in the Resolution Concerning the Employment of Related Persons adopted by the Board of Governors on April 13, 1983. See section 4.6, entitled “Employment of Related Persons.”
Appendix
PTC Vote Justification Form for promotion (all areas MUST be completed)

Name of Candidate: ________________ being considered
for promotion to: ________________

1. Teaching:
   a. Provide evidence explaining why the candidate does or does not meet expectations per department P&T document.

2. Scholarly/Creative Activity:
   a. Provide evidence explaining why the candidate does or does not meet expectations per department P&T document.

3. Service:
   a. Provide evidence explaining why the candidate does or does not meet expectations per department P&T document.