Appalachian State University
Faculty Senate Agenda
April 30, 2012 First Session

AGENDA SUMMARY:
(Full Agenda follows on next page)

3:15 pm  I. Welcome and Announcements  INFORMATION

3:20 pm  II. Approval of the April 16, 2012 minutes  ACTION

3:25 pm  III. Chancellor’s Remarks  INFORMATION

IV. Visitors’ Reports

3:40 pm  A. Dr. Susan McCracken: Update on Washington, D.C. App House.  INFORMATION

3:45 pm  B. Ms. Maranda Maxey, Director, Office of Disability Services.  INFORMATION

3:55 pm  V. Provost’s Report  INFORMATION

4:15 pm  VI. Chair’s Report and Executive Committee’s Report

A. Taskforce to Expand the Duties of the Faculty Due Process Committee.  INFORMATION

B. Motion to support Faculty Senate’s Executive Committee’s recommendation that until such time that the Taskforce to Expand the Duties of the Faculty Due Process Committee completes its work and modifies the Faculty Handbook accordingly, that the FDPC be asked by the administration to weigh in on cases where academic leave with pay is being considered for a faculty member about to undergo investigation.  ACTION

VII. Committee Reports – Brief reports from all Senate committees

4:30 pm  A. Faculty Handbook Committee

Motions to approve changes to or clarification of language in Faculty Handbook Sections 4.3.2.1; 4.4; 4.11; 7.4; 8.12; 8.13; and Section II.  ACTION

4:35 pm  B. Student Welfare Committee

SGA Enhanced Course Description Bill  INFORMATION

Resolution on Online Course Evaluations  ACTION

Course Evaluation Summaries  INFORMATION

Nutritional Information  INFORMATION

SGA Proposal Regarding Final Examinations  INFORMATION

VIII. Unfinished Business

4:45 pm  IX. New Business

A. Longer term contracts for non-tenure track faculty  ACTION

4:50 pm  X. Adjourn (time approximated)
Appalachian State University
Faculty Senate Agenda
April 30, 2012 First Session, 3:15 pm
William Strickland Conference Room - 224 I.G. Greer
NOTE: All Faculty Senate meetings are recorded.

(3:15 pm)  I.  Announcements

A.  Welcome and Introduction of Visitors.

B.  Call for nominations for 2012 – 2013 Faculty Senate Executive Board positions: Chair, Vice Chair, and Recording Secretary.


Newly elected departmental Faculty Senators for three year terms: April Flanders (Art), Zack Murrell (Biology), Libby Puckett (Chemistry), Damiana Gibbons (C&I), Nancy Oliver (FCS), Jana Carp (Geography), Linda Johanson (Nursing), Elizabeth McGrady (Nutrition), Mark Zrull (Psychology), Rebecca Shankland (RESE), Chad Everhart (TED), Anna Cremaldi (at-large/P&R), Sharon Cumbie (at-large/Nursing), and Cindy Spurlock (at-large/COM).

(3:20 pm)  II.  Minutes

A.  Approval of April 16, 2012 Faculty Senate minutes. Available online: http://facsen.appstate.edu/sites/default/files/Faculty%20Senate%20Minutes%20April%2016,%202012%20Unapproved.pdf

(3:25 pm)  III.  Chancellor’s Remarks

IV.  Visitors’ Reports

(3:40 pm)  A.  Dr. Susan McCracken: Update on Washington, D.C. App House.

(3:45 pm)  B.  Ms. Maranda Maxey, Director, Office of Disability Services.

(3:55 pm)  V.  Provost’s Report

(4:15 pm)  VI.  Chair’s Report and Executive Committee’s Report

A.  Taskforce to Expand the Duties of the Faculty Due Process Committee.
B. Motion to support Faculty Senate’s Executive Committee’s recommendation that until such time that the Taskforce to Expand the Duties of the Faculty Due Process Committee completes its work and modifies the Faculty Handbook accordingly, that the FDPC be asked by the administration to weigh in on cases where academic leave with pay is being considered for a faculty member about to undergo investigation.

VII. Committee Reports (Committee Chair’s name is in bold print)

Brief Reports from all Senate Committees:

A. Academic Policies (Alexander-Eitzman, A. Jackson, Martin, Mercer-Ballard, Ramey, Rice, Strazicich)

B. Agenda Committee (Aycock, Botts, Ehnenn, Ramey, Provost Gonzalez)

C. Budget Committee (Campbell, Geary, Hageman, McBride, Smith)

D. Campus Planning Committee (Gonzales, C. Jackson, Lillian, Koch, Nash, Osmond)

E. Committee on Committees (Botts, Coffey, Cook, Fisher, Stephenson)

(4:30 pm) F. Faculty Handbook Committee (Anderson, Aycock, Ehnenn, Rardin, Vannoy, Provost Gonzalez)

1. Motions to approve revisions to or clarification of language in the Faculty Handbook (Appendix A):

   Section 4.3.2.1; 8.12; and 8.13, due to change of name and charge for Hubbard Center.

   Section 4.4 Reappointment, Promotion and Tenure

   Section 4.11 Policies and Procedures for Employment Dispute Resolution

   Section 7.4 Faculty Committees

   Section II, Administrative Structure of the University

G. Faculty Welfare and Morale Committee (Galloway, Gross, Holcomb, Miller, Stoddard, Wangler)
1. Update regarding the SGA Enhanced Course Description Bill (Appendix B):

The Welfare of Students Committee discussed several alternatives to this proposal that might be more workable for faculty, including the recommendation of course description links from each department’s home page which would describe commonly taught courses in language primarily intended for students, and also encouraging faculty to post sample syllabi on their faculty webpages, but we were unable to reach agreement among ourselves on these issues, and thus we recommend we do not move forward with them.

2. Motion to approve the following resolution on Online Course Evaluations:

   Whereas, Student course evaluations are currently conducted during class time with the faculty member administering the evaluations, and

   Whereas, Students who are ill or otherwise absent on the days when course evaluations are conducted have a relatively difficult time evaluating a course, and

   Whereas, The current paper evaluations add administrative cost to the University, and

   Whereas, The current evaluation system has a slower turnaround time before faculty can review the summaries of these evaluations, and

   Whereas, Other institutions in the UNC system offer online evaluations (Appendix C); therefore, be it

   RESOLVED, That the university administration take this matter under advisement and determine whether the online student evaluation of courses would be feasible and would benefit Appalachian State University and its stakeholders more effectively than the current system.
3. Should Course Evaluation Summaries be Viewable Online:

Our committee also discussed whether teaching evaluation summaries should be available for students to view online. Our committee reached consensus against making these evaluations available online at this time. We feel that the primary purpose of these evaluations is for faculty to receive feedback on their teaching, and to inform personnel matters such as promotion and tenure decisions, not as the basis by which students determine which section of a course to take. Secondly, diversity in possible questions across departments, and differences in mean rating across courses, departments, and colleges gives us concern about posting these online, because comparisons among the various groups mentioned above seem inevitable.

Secondly, our committee believes that this type of question would be best addressed after online course evaluations were already in place.

4. Nutritional Information Available On-Campus:

The committee has an inquiry in to SGA regarding this matter. We do not see that any resolutions were passed by SGA this year on this matter. We have e-mailed food services about this matter, inquiring about how the system can be improved. We will meet with Heather Brandon in food services in early May to discuss the possibility of improving the nutritional information available on campus. Our recommendation is that Welfare of Students continues to work on this during the 2012–2013 academic year.

5. SGA is currently interested in a proposal which would allow students with a large number of final exams on one calendar day to request accommodation from their faculty members to take one of the exams at an alternate time. Our committee opinion on this matter is that this proposal may work, but needs more time to be examined for feasibility. Thus we recommend the Welfare of Students Committee continue to discuss this issue with SGA during the 2012-2013 academic year.

VIII. Unfinished Business

None.
IX. New Business

A. Senator Gonzales (on behalf of the Department of Biology):
Resolution for Longer-Term Contracts for Non-Tenure Track Faculty Lines and Conversion of NTT to Tenure-Track Faculty Lines:

Whereas, Appalachian State University is considered an excellent academic institution, especially in the area of teaching, and

Whereas, Appalachian State University has a continuous need for non-tenure track (NTT) instructors in order to provide required academic coursework, and

Whereas, current practices of offering one-year contracts to NTT instructors often result in a limited pool of candidates, and

Whereas, Current practices of offering one-year contracts to NTT instructors often result in failed searches, and

Whereas, current practice of offering one-year contracts to NTT instructors often results in frequent turn-over of NTT instructors and financial cost associated with new searches, and

Whereas, current practice of offering one-year contracts to NTT instructors often results in lower quality instruction, and

Whereas, current practices of offering one-year contracts to NTT instructors often result in increasing demands on existing faculty, thus compromising productivity; therefore be it

Resolved, That Longer term (e.g., three year) contracts will be offered for essential NTT faculty positions in order to increase instructional quality, increase efficiency, decrease administrative costs and maintain stability for existing outstanding NTT colleagues; therefore, be it

Further Resolved, That NTT faculty positions will be converted to tenure-track lines when deemed appropriate.

X. Adjournment
Appendix A: Faculty Handbook Revisions

NOTE: Blue Text has been relocated from another Section and has already been approved.

Red and Green Text indicate proposed changes and/or proposed deletions which need Faculty Senate approval.

Change #1. Changes to 4.3.2.1, 8.12, and 8.13 due to change of name and charge for Hubbard Center

4.3.2.1 Provision is made for the individual faculty member’s participation in formulating plans and goals for that faculty member. During the spring term, departmental chairs are required to hold a conference with every member of the department who is to continue as a member of the faculty for the next year. The purposes of this conference are to plan the work of the faculty member for the next year and to evaluate work of the previous year. During this conference, the faculty member has the opportunity to express preferences concerning assignments. These preferences should include statements concerning teaching assignments and an indication of the faculty member’s commitment to professional and/or scholarly activities. In this conference, the faculty member and the chair will jointly establish goals for the faculty member that are to be attained during the next academic year. Specific plans should be made and realistic goals set. For faculty members who are initial appointees, an additional planning conference in the late summer or immediately after the beginning of their first semester of service must also be held. A mutually agreed upon observer from the Office of Equity, Diversity and Compliance or from the Hubbard Center Counseling for Faculty and Staff Office of Faculty and Academic Development of the Hubbard Programs for Faculty Excellence may be present, if requested, provided a four working day notice be accorded to both parties. In the absence of mutual agreement, the Provost or her/his designee, will identify an appropriate observer from the Office of Equity, Diversity and Compliance or the Hubbard Center Counseling for Faculty and Staff Office of Faculty and Academic Development of the Hubbard Programs for Faculty Excellence. This conference may be audio recorded should either party request such action. In this instance, each party will be provided a copy of said recording. The faculty member requesting the presence of an observer, and any observer who will be present pursuant to such request, will be required to sign an Authorization/Waiver of Claims Arising Out of Access to Confidential Information link to form here.

8.12 Equity, Diversity and Compliance

The Office of Equity, Diversity and Compliance is charged with developing, sustaining, and extending living, learning and working environments that are fair, inclusive, and welcoming for all members of the Appalachian State University community. Equitable access to education for all students is an institutional imperative, as is the vigorous recruitment of an increasingly diverse faculty and staff. The office celebrates and cultivates diversity in all its aspects through education, outreach, and the building of community. Concerns about unlawful harassment brought by any member of the university community are addressed by an equity officer and brought to resolution if indicated. And, because education is the cornerstone of this institution, the training of all employees to recognize and prevent discrimination in the workplace is integral to creating and sustaining a vital culture that extends equal opportunity for all people to learn, work, and grow to their fullest potential. Web site: http://www.edc.appstate.edu
The William C. Hubbard Center for Faculty and Staff Support provides professional and personal support to faculty and staff through four interrelated programs: Faculty and Academic Development, Health Promotion, Counseling for Faculty and Staff, and Organizational Development. The William C. Hubbard Programs for Faculty Excellence provide professional support to faculty and staff through three interrelated programs: Faculty and Academic Development; Learning Technology Services; and Diversity and Quality Enhancement.

**8.13 Faculty and Academic Development** offers a variety of professional development opportunities that focus on enhancing faculty performance and deepening faculty satisfaction by supporting the teaching-learning process. Programs include on-campus workshops and seminars, funding for off-campus workshops and seminars, special interest groups, grants to enhance faculty skills and/or student learning, analysis of teaching for improvement, special support for new faculty, and print and web resources. It promotes success in faculty professional responsibilities—student engagement, scholarly accomplishment, collaborative outreach and academic leadership. It supports all faculty (tenured, tenure-track, non-tenure-track, and administrative faculty) in all career stages (from newly hired to retirement) by offering a broad range of programs, resources, and services in a variety of formats. Programs include on-campus workshops and seminars, special interest groups, faculty learning communities, grants to enhance faculty careers, analysis of teaching for improvement, special support for new faculty, leadership development, and web resources.

**8.13.2 Learning Technology Services** provides training, consulting, and technology services to faculty and staff. LTS supports appropriate integration of computer technologies into teaching and learning; provides computer training opportunities and services to Appalachian faculty, administration, and staff; advocates for resource allocations necessary to effectively use and explore potential uses of computing in teaching and learning; promotes the integration of computer technologies with other available pedagogical tools; develops and improves specialized learning- and assessment-related software and systems; provides quality enhancement and assessment services for technology enhanced courses; provides interactive video capabilities and services for teaching and learning; produces instructional video materials; manages the university’s world wide web presence in a sustainable and supported fashion; collects, analyzes and disseminates information relating to “best practices” in instructional technologies, both within the University and the UNC System; and provides a focal point for university efforts and initiatives relating to teaching and learning with technology.

Health Promotion provides a comprehensive and broad range of services to assist faculty and staff in improving their health status. Services include health screenings (fitness assessments, multi-chemistry/cholesterol, prostate cancer, blood pressure, diabetes, mammograms, and skin cancer), exercise groups, registered dietitian (disease prevention, weight loss, cholesterol and triglyceride management and diabetes management), adult immunizations (influenza, pneumonia, hepatitis A and B and tetanus), and classes on special health topics (back safety, flu prevention).
8.13.3 **Diversity and Quality Enhancement** promotes the principle that academic excellence includes a knowledge and appreciation of, and respect for others. It promotes faculty, staff and student learning through diversity programming and through supporting activities to improve academic quality. The diversity efforts of the Hubbard Programs complement and coordinate with the efforts of the Office of Equity, Diversity, and Compliance. Counseling for Faculty and Staff provides confidential screening, referral, and counseling services to faculty and staff and their immediate families. The program also sponsors support groups and educational classes on topics such as relationship concerns, alcohol abuse, and conflict mediation.

8.13.4 **Organizational Development** focuses on systemic issues that have an impact on the quality of life of faculty and staff through research, consultation, and leadership initiatives.
Change #2. Revision to 4.4 Reappointment, Promotion and Tenure per the P&T portfolio vote from 4/16 meeting

4.4 Reappointment, Promotion and Tenure

4.4.1 See The University of North Carolina Policy Manual, section 400.3.1.1 concerning required discussions relating to the primacy of teaching.

4.4.2 The decision to reappoint, promote or tenure a faculty member may be based on any factor(s) considered relevant to the total institutional interests, but those responsible for making the decision must consider the faculty member’s demonstrated professional competence, potential for future contribution, and institutional needs and resources. A decision not to reappoint, promote or tenure may not be based upon (1) the faculty member’s exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) unlawful discrimination based upon the faculty member’s race, color, national origin, religion, creed, sex, gender identity and expression, political affiliation, age, disability, veteran status, or sexual orientation; or (3) personal malice. For purposes of this section, the term “personal malice” means dislike, animosity, ill will, or hatred based on personal characteristics, traits or circumstances of an individual that are not relevant to valid University decision making. See UNC Policy 101.3.1 II.B. for details.

4.4.3 A faculty member who is to be considered for reappointment, promotion or permanent tenure must be notified by the departmental chair in writing seven working days prior to the meeting at which the faculty member’s case will be considered. The faculty member may submit to the chair materials that will be helpful to the committee’s consideration (e.g., resume, teaching portfolio, copies of publications, annual reports, etc.), and may appear before the committee to speak to the issue. The committee shall consider all materials submitted (either in writing or in person) by the candidate, by committee members, and by others who submit relevant academic information. As used herein and throughout this Faculty Handbook, the term “working days” means any day other than Saturday, Sunday or an official University holiday.

4.4.4 Compilation of materials for reappointment of tenure-track faculty prior to tenure consideration. Tenure-track faculty seeking contract renewal prior to tenure consideration shall follow their departmental guidelines for submission of materials to the DPC for review.

4.4.5 Compilation of materials for tenure and/or promotion. The university template for promotion and tenure portfolios shall be followed by all faculty seeking tenure and/or promotion. The Promotion and Tenure portfolio consists of two parts: a Promotion and Tenure (P&T) dossier and a Collection of Artifacts/Documentation appropriate to the faculty member’s discipline. Particular requirements for faculty completing the P&T Portfolio are as outlined below:

4.4.5.1 The P&T Dossier: The P&T Dossier in its entirety shall be approximately 35 pages plus a curriculum vita (CV). The candidate’s P&T dossier shall consist of the following and be placed in the following order:

1. Cover letter
2. Summary One Page Vita
3. Candidate’s vita, including evidence related to teaching, research/creative endeavors, and service. The organization of these entries is up to the candidate, but the outline should include education and experience; awards and honors; peer-reviewed/juried products (grant/contract funding, publications, presentations, exhibits, etc.); course development and teaching responsibilities and innovations; outreach and/or service to the department, college, school, university, and discipline.

4. Candidate’s departmental P&T policies

(Sections 5-7 below should be no more than a total of 18 pages and each section should be no less than two pages.)

5. Evidence of quality and effective teaching

   a. A narrative statement describing the candidate’s teaching philosophy and experience.
   
   b. A discussion of three particularly notable indicators

6. Evidence of quality research/creative activities

   a. A narrative statement describing the candidate’s plans for continuing research/creative activities and how these activities contribute to the discipline.
   
   b. A discussion of three particularly notable indicators

7. Evidence of contributions to the department/college/university and/or the profession through service or outreach.

   a. A narrative statement describing the candidate’s commitment to service.
   
   b. A discussion of three particularly notable indicators

8. Copies of Annual Reviews by the department Chair

9. Written recommendations of the DPC, chair, dean and Provost will accompany the P&T dossier forward at each appropriate stage of the review.

10. Graduate faculty Membership (optional): If also requesting graduate faculty membership, faculty shall submit with the dossier an independent packet: the graduate faculty membership form (www.graduate.appstate.edu/facultystaff/) a CV, and a letter summarizing evidence of engagement in graduate education and of staying current in the discipline; and evidence of effective teaching and mentoring at the graduate level. These materials will be considered by the DPC in a separate vote at the same time as the P&T review. The graduate faculty membership application will be sent forward to the academic dean for approval, and then to the graduate dean for final action (for more information see section 4.5 The Graduate Faculty)

4.4.5.2 The Collection of Artifacts/documentation: The Collection of Artifacts/documentation may include books, articles, recordings, videos, texts of grants and/or works in progress, other creative scholarly work, students’ evaluations of teaching, peer reviews of teaching, syllabi, sample student work, letters documenting service, etc. Candidates are strongly advised to consult closely with their department chairs for guidance on selecting appropriate materials for the Collection of Artifacts/Documentation.
4.4.6 Submission of the Portfolio for Tenure and/or Promotion. The entire P&T Portfolio (the P&T Dossier and the Collection of Artifacts/Documentation) shall be submitted to the department chair for consideration by the DPC. The portfolio may be submitted electronically or in printed form (or a combination). The DPC and department chair shall use both the Dossier and the Collection of Artifacts when evaluating the candidate for tenure and/or promotion. However, after departmental deliberations are completed, only the P&T Dossier shall leave the department and go to the Dean of the candidate’s college. The Collection of Artifacts/Documentation shall be stored in the department and be available upon request during the remainder of that faculty member’s P&T process. At the end of the P&T process, the P&T dossier will be returned to the candidate.

4.4.7 At the conclusion of the DPC meeting, the chair shall, within one working day, notify the faculty member of the results of the DPC vote. In the case of reappointment, the departmental chair shall, within five working days, give the dean of the particular college/school the recommendation of the DPC and chair and all materials submitted by the faculty member. In the case of tenure and/or promotion, the written recommendation of the DPC and chair will be included in the P&T dossier and sent to the dean within five working days. For reappointment, tenure and promotion, the chair’s letter should include an explanation of the reason(s) for the chair’s and DPC’s recommendation as well as the outcome of the DPC vote. The faculty shall receive a copy of this letter when the chair forwards their recommendation to the dean.

4.4.8 The dean of the college/school shall forward his or her recommendation (with reasons for that recommendation) with the dossier to the Provost and Executive Vice Chancellor. The faculty member shall get a copy of this letter at the time the dossier is forwarded to the Provost.

4.4.9 If the personnel action involves a reappointment and the Provost and Executive Vice Chancellor concurs with the recommendation, a notice of reappointment shall be sent to the faculty member in accordance with section 4.4.13.

4.4.4 The departmental chair shall give the dean of the particular college/school the chair’s written recommendations on each matter that comes before the departmental personnel committee/search committee, the committee’s recommendation on the issue, and all materials submitted by and/or to the committee. The chair shall give the faculty member being considered for reappointment, promotion and/or conferral of permanent tenure a brief written statement explaining the reason(s) for the chair’s recommendation concerning the faculty member at the time the material is forwarded to the dean. (For notification to the faculty member of the results of a DPC vote on permanent tenure or promotion: one working day, except under extenuating circumstances. For notification to the faculty member of the chair’s recommendation to the dean on permanent tenure or promotion: in a timely manner as defined by the department, not to exceed five working days, except under extenuating circumstances.)

4.4.5 The dean of the college/school shall attach the dean’s recommendation and then forward all material to the Provost and Executive Vice Chancellor. The dean shall also give a brief written statement explaining the reason(s) for the recommendation to the faculty member being considered at the time the material is forwarded to the Provost and Executive Vice Chancellor. If the personnel action involves a reappointment and the Provost and Executive Vice Chancellor concurs with the recommendation, a notice of reappointment shall be sent to the faculty member in accordance with section 4.4.9.
4.4.106 If the personnel action involves a promotion and/or conferral of permanent tenure, rather than reappointment, the Provost and Executive Vice Chancellor shall attach her or his recommendation and make all material available to the Chancellor.

4.4.117 If the Chancellor decides not to recommend promotion or permanent tenure of the faculty member, the Chancellor shall convey that decision to the faculty member by a brief written statement explaining the reason(s) for the decision. The faculty member may seek review of that decision in accordance with the procedures set forth in section 4.11 of this Faculty Handbook and in relevant sections of The Code of The University of North Carolina.

4.4.128 If the Chancellor concurs in a recommendation that will confer permanent tenure, the Chancellor shall forward the recommendation to the Board of Trustees for a final decision. Permanent tenure may be conferred only by action of the Board of Trustees, or by such other agencies or officers as may be delegated such authority by the Board of Governors. All other favorable recommendations by the Chancellor in regard to promotion shall be forwarded to the Board of Trustees for a final decision unless the approval authority is delegated by that board. The faculty member will be informed promptly of this decision.

4.4.139 Notices of reappointment shall be sent on March 1 or earlier as specified in this section and in section 3.8 inclusive. Faculty members shall be notified that they must respond to these notices within thirty calendar days of receipt and that failure to respond will be interpreted to mean that the faculty member has declined reappointment, except in extenuating circumstances.

4.4.140 The promotion of a departmental chair as a faculty member shall be considered by the departmental personnel committee (DPC). The DPC will elect a chair from among its tenured members for actions concerning the departmental chair. The DPC will forward its recommendation to the dean. The dean shall send her or his recommendation and the committee’s recommendation to the Provost and Executive Vice Chancellor, who shall process the personnel action in accordance with the provisions of section 4.4.5.

4.4.15 University administrators whose primary responsibility is outside the department but who hold an appointment in a department shall be reviewed for reappointment, promotion, and permanent tenure as are other members of the department. An administrator who normally takes part in the approval process for others’ appointment, promotion or conferral of permanent tenure shall not participate when a personnel action concerning the administrator is being considered.

4.4.16 As part of the faculty member’s annual evaluation, the departmental chair will provide the faculty member with a written assessment of her or his progress toward tenure and promotion.

4.4.17 Joint Appointees. Prior to consideration being given by the departmental personnel committee of the base department to any recommendation concerning the reappointment, promotion, or conferral of permanent tenure relating to a joint appointee, the chair of the base department will request in writing a written recommendation from the chair of the other department (and, in some cases, other departments) regarding the personnel action under consideration for the joint appointee. The chair of the other department will request a recommendation from the departmental personnel committee of that department, which will be included with the chair’s recommendation when that recommendation is transmitted to the chair of the base department. The recommendations of the other department are to be considered along with all other information available to the departmental personnel committee of the base department, and will be included as a part of the material related to the personnel action which is to
be submitted through the dean of the college/school of the base department to the Provost and Executive Vice Chancellor.
4.11 Policies and Procedures for Employment Dispute Resolution

4.11.1 Basic Principles

4.11.1.1 When there are disputes about the proper resolution of questions affecting a faculty member’s employment, various University procedures may be used to review the problem at the faculty member’s request.

4.11.1.2 A faculty member aggrieved about a term or condition of employment, other than a disciplinary action, is encouraged to discuss the matter informally with the departmental chair. If a satisfactory resolution is not obtained, the faculty member is encouraged to discuss the matter with the chair’s superiors, up to and including the Provost and Executive Vice Chancellor. Independent of such consultation, the faculty member (including a person on special faculty appointment) may invoke a grievance process that is intended to assure a comprehensive and fair assessment of the circumstances, to the end that an equitable resolution of the problem may be achieved. The proper subjects of such grievance inquiries may include, but are not necessarily limited to, reappointment, promotion, salary, permanent tenure, matters related to post-tenure review, and termination for financial exigency or program curtailment. In appropriate instances a formal hearing process may be conducted by the Faculty Grievance Hearing Committee (FGHC) in accordance with the requirements of section 3.9.3 of these regulations and sections 604, 605, and 607 of The Code of the University of North Carolina. Although constitutionally mandated procedural safeguards do not apply to such grievance cases, the University community separately has established appropriate safeguards by enacting these regulations.

4.11.1.3 An aggrieved faculty member may enlist the assistance of any individual or the Faculty Grievance Assistance Committee to help prepare a grievance case. The Committee exists to advise the faculty member about the preparation of the case for hearing by the Faculty Due Process Committee or the Faculty Grievance Hearing Committee, to answer the faculty member’s questions about the process of grievance, or to be available as a source of information for the faculty member during the grievance process.

4.11.1.4 All records of a grievance case hearing which relate to personnel action affecting any University employee or contain information personally identifiable to a student shall be maintained confidentially and shall be disclosed only in accordance with Chapter 126, Article 7 of the North Carolina General Statutes, and applicable federal law, including, but not limited to, the Family Educational Rights and Privacy Act of 1974, as amended (20 U.S.C. 1232g), and regulations adopted thereunder. Any failure or refusal to maintain confidentiality of records under such laws and regulations constitutes misconduct for which any University employee may be subject to disciplinary action.
4.11.2 Composition of Committees

4.11.2.1 The quality and credibility of University dispute resolution procedures are enhanced by the participation of faculty committees. That members of both the Faculty Due Process Committee and the Faculty Grievance Hearing Committee (FGHC) are elected by their colleagues rather than appointed signifies a collegial approach to resolving disputes.

4.11.2.2 The Faculty Due Process Committee shall be composed of five members and an alternate, all to be elected by the faculty. Nomination and election shall follow procedures for other at-large faculty elections. Membership of the Faculty Due Process Committee shall be composed of faculty with permanent tenure, regardless of rank. The term of office of a member of the Faculty Due Process Committee shall be three years; provided that the first election members shall have staggered terms, with two persons to be elected to three-year terms, two persons to be elected to two-year terms, and one person to be elected to a one-year term; the alternate shall be elected to a three-year term; as the respective terms of the first class of committee members expire, their successors shall be elected to regular three-year terms. The composition and membership of the Faculty Grievance Hearing Committee shall be as specified in Section 4.11.3.8.

4.11.2.3 In the event a vacancy should occur in the membership of a committee during the academic year, the chair of the Faculty Senate shall designate a person holding the appropriate rank to fill the unexpired term. The chair of the Faculty Senate shall take into consideration equitable apportionment of committee membership among the various colleges/schools. Such designations by the chair of the Faculty Senate are subject to approval by a two-thirds vote of the Faculty Senate.

4.11.2.4 The alternate shall attend committee meetings but shall not vote except as a replacement for a regular member. No committee member shall participate in an inquiry if that person holds appointment in the aggrieved faculty member’s department, participated directly in the decision or action questioned by the grievance, or has any other substantial conflict of interest. No officer of administration, including departmental chairs or directors of administrative units, shall be eligible to serve on such a committee.

4.11.2.5 The Faculty Grievance Assistance Committee shall consist of four members who each shall have served on a Faculty Due Process Committee or a Faculty Grievance Hearing Committee, but are not currently members of the Faculty Due Process Committee or the Faculty Grievance Hearing Committee. The term of membership shall be three years; provided that the first committee members shall have staggered terms. The committee members shall be elected from among a list of interested and eligible faculty.
4.11.3 Grounds and Procedures for Review of Grievance (Non-disciplinary) Cases

4.11.3.1 A grievance may be considered pursuant to this formal hearing process only if it is based on the contention that some right or entitlement of the faculty member—derived either from University policies or from the provisions of state or federal laws, or from commonly shared understandings within the academic community about the rights, privileges and responsibilities attending university employment—has been abridged to the faculty member’s detriment. Examples would be if the decision-maker disregarded an established standard for evaluation, relied on impressible consideration such as race or sex, or failed or refused to consult with or receive information from mandated advisory bodies. Eligible grievances thus defined include matters directly related to a faculty member’s employment status and institutional relationships, e.g., decisions not to reappoint, promote or recommend permanent tenure; termination for financial exigency or program curtailment under section 4.9 of this Faculty Handbook; decisions not to grant graduate faculty status; decisions regarding merit salary increases; matters related to post-tenure review; and decisions regarding teaching assignments and other workload matters. Two types of grievances are distinguished. So-called 604 grievances involve promotion, tenure, and nonreappointment decisions and must be filed within fourteen (14) calendar days after receipt of final written notice of the decision in question (but see section 4.11.3.24.6.4 suspending this time limit during the pendency of conferences with the dean and Provost and Executive Vice Chancellor). Review by the Faculty Grievance Hearing Committee of 604 grievances is limited to a determination of whether the administrative action was 1) based upon an impermissible ground identified in sections 4.4.2 and 4.6.1 of this Faculty Handbook, or 2) affected by a material procedural flaw. So-called 607 grievances involve any other matter related to the faculty member’s employment status (e.g., graduate faculty status, merit pay, workload issues, post tenure review). 607 grievances must be filed within ninety (90) days from the date the faculty member receives written notice of the grievable action, except for requests for reconsideration of a termination for financial exigency or program curtailment, for which a hearing must be requested, as specified in 4.9.3, within 10 working days after receiving the notice required by sections 4.9.2.2 and 4.9.2.3. If the faculty member does not file a grievance in a timely fashion, the administrator’s decision or action is final without recourse to any faculty committees, the University, or the Board of Governors.

4.11.3.2 As used herein, the term “material procedural flaw” means a departure from prescribed procedures by which decisions concerning reappointment, promotion and the conferral of permanent tenure are made, to the extent that such departure casts substantial doubt upon the validity of the challenged decision. A material procedural flaw is one that, more likely than not, produced a decision different from that which would have resulted otherwise.

4.11.3.3 Whether a material procedural flaw occurred shall be determined by reference to those procedures that were in effect at the time the challenged decision was made. The Faculty Grievance Hearing Committee shall ask the Chancellor to certify what procedures were then in effect, if that is a disputed matter.

4.11.3.4 In grievances contesting termination of faculty employment under section 4.9 of this Faculty Handbook, the Faculty Grievance Hearing Committee’s review shall be limited to the question of whether the decision to terminate the complaining faculty member was arbitrary or capricious.
4.11.3.5 604 grievances (promotion of untenured faculty, tenure, nonreappointment) are governed by Section 604 of The Code of The University of North Carolina, and Board of Governors Policy 101.3.1 “Review of Nonreappointment Decisions Under Section 604 of the Code.” 607 grievances are governed by Section 607 of the Code of the University of North Carolina, and Board of Governors Policy 101.3.2 “Grievances Filed Pursuant to Section 607 of The Code.” The Faculty Grievance Hearing Committee (FGHC) of Appalachian State University shall hear, pursue adjustment through mediation, and advise the administration with respect to the adjustment of grievances of members of the faculty, including grievances concerning non-promotion brought by tenured faculty members per UNC Policy Manual 101.3.2 IIb. The authority of the FGHC shall be solely to hear representations by the persons directly involved in a grievance, to pursue voluntary adjustment by the parties through mediation, and to advise adjustment by the administration when appropriate. To the extent that these procedures are determined to conflict with any of the foregoing policies, the policies shall prevail.

Grievances within the province of the FGHC shall include matters directly related to a faculty member’s institutional relationships and conditions of employment. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge or termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by the FGHC.

4.11.3.5.1 The Grievance Procedure The first step in the grievance procedure is to meet with a representative of the Grievance Assistance Committee (GAC). The GAC representative will notify the chair of the Faculty Grievance Hearing Committee (FGHC) of this initial contact. Before any grievance petition is submitted, the grievant must show evidence that she or he has met with the respondent(s) in an attempt to reach resolution, as specified in the paragraph below. All documents generated pursuant to the initiation of a grievance and by any person at any subsequent stage of the grievance process become confidential personnel records and are protected as such under the applicable state statute(s). The grievant’s request for this initial meeting with the respondent(s) should be granted as expeditiously as possible, but within 10 working days, absent written documentation to the GAC of extenuating circumstances. At the initial meeting, both the grievant and the respondent(s) may be accompanied by another person of their own choosing as an observer, although such attendees may not take part in the discussion between the grievant and the respondent(s). Attorneys are not allowed at this meeting, but both the grievant and respondent(s) may consult with attorneys prior to or following the meeting. Because confidential personnel file information is likely to be discussed at the initial meeting, the grievant and any observers must sign the document entitled “Observer(s) at Initial Meeting Concerning Grievance” put link to form here. This document includes the grievant’s authorization of the observer[s] to hear such confidential information, and commits the observer[s] to maintain the confidentiality of such information unless the grievant subsequently authorizes disclosure. If agreement is reached between the parties, a written document stating the terms of the resolution will be produced jointly and signed by the grievant and the respondent(s), each of whom will be provided a copy. Copies will also be delivered to the immediate supervisors of all parties involved and to the Provost and Executive Vice Chancellor, whose office will confirm within 5 working days that the terms of the resolution conform to university policy and may be implemented. The grievance procedure stops at this point unless the respondent(s) fails to abide by the terms specified in the resolution. Under this circumstance, if the grievant has performed (or was ready and
willing to perform) those of his or her obligations under the resolution that were preconditions to respondent’s performance, the grievant may include the resolution attempt as part of his or her petition to the FGHC for redress. If there is no agreement, the non-resolution will be noted in writing, signed by the parties, and distributed as above.

4.11.3.5.2 If resolution of the matter is not achieved through informal discussion as required in 4.11.3.5.1, above, the grievant will submit her or his written petition for redress to the chair of the FGHC, accompanied by a copy of the document indicating that the initial meeting required by 4.11.3.5.1, above, was held. The petition will specifically name the respondent(s) against whom the grievance is directed and will set forth in full detail the nature of the grievance. It is essential that the grievant, at this stage, state her or his case as completely as possible, since this document will establish the issues to be considered by the FGHC and may not be altered or amended at a later date, except to add specific claims based on events that had not occurred or evidence that was not available on the date of the original filing.

The petition must:

(a) state the nature of the grievance;

(b) name the parties to the dispute;

(c) identify the University policy or practice, or state or federal law that allegedly was violated to the grievant’s detriment;

(d) summarize the evidence that the grievant is prepared to submit in support of the contention; and

(e) affirm that all previous attempts at resolution of the dispute have failed.

4.11.3.6 With respect to 604 grievances concerning promotion, tenure, or nonreappointment, the FGHC will schedule the matter for hearing [or will direct the parties to participate in mediation as provided in Section 4.11.3.7 below] provided the grievance has been timely filed. With respect to 604 grievances on all other matters, the FGHC will review the petition and, by a vote of the majority of the committee membership, decide whether the petition sets forth sufficient grounds to warrant acceptance of the matter on the facts alleged. The FGHC shall grant a hearing with respect to a 607 hearing if it determines:

(a) that the grievance is timely filed and that required preliminary attempts at dispute resolution have been pursued and have failed;

(b) that the request does contain a contention that a right or entitlement of the faculty member, conferred by University policy or practice, or state or federal law has been abridged or, in a grievance concerning termination for financial exigency or program curtailment as provided in Section 4.9.2.3, that the termination decision was arbitrary or capricious; and

(c) that the facts alleged, if established, will support that contention.
If the committee votes not to consider a 607 grievance, the matter is closed, except that, in a grievance concerning termination for financial exigency or program curtailment as provided in Section 4.9.2.3, the grievance may appeal as provided in Section 4.11.4.1.

4.11.3.7 If a majority of the FGHC votes to accept the petition, the chair of the FGHC is responsible for providing a copy to the respondent(s) within 5 working days of its receipt. At this point, the parties to the grievance are required to take part in formal mediation arranged on their behalf by the FGHC chair and the Provost and Executive Vice Chancellor. Appalachian State University will pay the costs of bringing a mediator to campus to conduct the mediation sessions in an effort to find a mutually agreeable resolution to the conflict. The mediator must have completed specialized mediation training and be certified by the North Carolina Office of State Personnel, the UNC General Administration, or the North Carolina Administrative Office of the Courts. The mediator, found acceptable and agreed to by both parties, should not be a member of the Appalachian State University community, although outside mediators from the community or other UNC campuses may be considered. Mediation does not entail findings of fact or involve other evidentiary procedures. Attorneys are prohibited from participating in the process or acting as observers. The mediation is to be limited to the grievant, the respondent(s) and the mediator, although the parties have the right to consult with others during recesses and before committing to any agreement. Any time limit adopted by a UNC constituent institution or prescribed by Board of Governors Policy concerning the formal resolution of UNC Code Section 607 grievances will be suspended for the duration of a mediation process being conducted pursuant to this policy. However, the parties are encouraged to use their best efforts to complete mediation within twenty (20) working days. Mediation procedure described above modified from http://www.northcarolina.edu/content.php/hr/policies/SPADis/Appeals.htm


4.11.3.7.1 If a mutually agreeable resolution is reached through mediation, a written statement will be produced by the mediator detailing the agreement and will be signed and dated by all parties to the mediation. Any agreement proposing to obligate Appalachian State University must also be signed by an appropriate and properly authorized university official. Copies will be provided to the parties specified in 4.11.3.5.1, above. At this point, the FGHC chair will be notified by the mediator by an unelaborated written statement that the mediation was successful, and the grievance will come to an end.

4.11.3.7.2 If mediation fails, no record of the mediation will be released other than an unelaborated written statement from the mediator to the chair of the FGHC that mediation was attempted and was unsuccessful. Copies of the unelaborated written statement will be provided to the parties specified in 4.11.3.5.1, above. Under no circumstances may the mediator be called as a witness in any subsequent proceeding, nor may any statements made during mediation be used against either party in a formal grievance hearing or any other forum. The mediator will dispose of any documents used in the process. At this point, the grievant must decide whether to pursue a formal grievance hearing. Since the FGHC has already determined that the grievant’s petition merits the committee’s consideration, the grievant’s written notification to the FGHC chair of a desire to proceed to a formal grievance hearing will be automatically granted. The grievant may end the process at any time from this point forward.
4.11.3.8 The Faculty Grievance Hearing Committee, as a committee constituted solely of faculty and charged with hearing disputes arising out of a faculty member’s relationship with the university, shall determine any and all policies and procedures, not inconsistent with any restrictions in Section 607 of the UNC Code and Article VI, Sections 1 and 3 of the Faculty Constitution, necessary to carry out its responsibilities in the conduct of a grievance hearing. The FGHC will be composed of nine (9) members elected by the faculty at-large: three (3) members from each of the ranks of Professor, Associate Professor and Assistant Professor. Five (5) members of the FGHC, with each rank represented on the hearing panel, will conduct hearings. At least two (2) members must be of the same rank as the grievant; the other members of the hearing panel may be apportioned in any manner consistent with the foregoing requirements of this section. If the grievant is from any rank other than those specified by 3.8.5, 3.8.6 and 3.8.7, or holds a part-time faculty appointment, all professorial ranks must be represented on the hearing panel.

Nomination and election shall follow procedures for other at-large faculty elections. The term of office of a member of the FGHC shall be three years; with the exception that the first election shall be for staggered terms, with three persons, one from each rank, to be elected to three-year terms, three persons, one from each rank, to be elected to two-year terms, and three persons, one from each rank, to be elected to a one-year term. As the respective terms of the committee members expire, their successors shall be elected to regular three-year terms.

4.11.3.9 Faculty members may be allowed to be represented at a grievance hearing by an non-attorney advisory-advocate of his or her choice. If the faculty member chooses to be represented by a non-attorney advisor-advocate, the respondent may likewise be represented by a non-attorney advisor-advocate. A non-attorney advisor-advocate must be a faculty member in the University of North Carolina system. The faculty member also may elect to have an attorney present as an observer, and if the faculty so elects, the respondent may likewise have an attorney present as an observer. Attorney-observers are not, however, permitted to speak, although a party may consult with her or her attorney-observer during breaks in the hearing, as well as at any other stage in the process aside from the hearing. Presence at the hearing is limited to the members of the FGHC, the grievance, the respondent(s), the parties’ advisor-advocate(s) and/or attorney-observers, if any, and a designated recorder. The hearing shall begin with presentation by the faculty member or faculty member’s advisor-advocate of evidence designed to support the faculty member’s contentions.

The presentation shall be limited to those matters specified in the request for a hearing on which the FGHC based its agreement to conduct the hearing or to such other matters specified in 4.11.3.5.2. FGHC members may question all witnesses presented by any party, the grievant and the respondent(s). At the conclusion of the hearing, the FGHC shall meet in closed session to consider the matter. The FGHC may consider only such evidence as was presented at the hearing and need consider only the evidence offered that it considers fair and reliable. The burden is on the aggrieved faculty member to satisfy the FGHC, by a preponderance of the evidence, that her or his contention is true. After the conclusion of the hearing, the FGHC shall complete its deliberations and produce its decision within twenty (20) working days.

4.11.3.10 In a 607 grievance, the FGHC shall transmit its report to the faculty member, the respondent(s) and the Provost and Executive Vice Chancellor. In a 604 grievance involving promotion, tenure, or nonreappointment, and in a grievance concerning non-promotion of a tenured faculty member, the FGHC shall transmit its report to the faculty member, the respondents, and the Chancellor. When the FGHC makes a recommendation unfavorable to the faculty member in a 607 grievance, the FGHC’s decision, as a determination of a body of the
grievant’s peers, shall be final, except that, in a grievance concerning termination for financial exigency or program curtailment as provided in 4.9.2.3, the grievant may appeal as provided in Section 4.11.4.1. When the FGHC makes a recommendation unfavorable to a 604 grievant challenging a promotion, tenure, or nonreappointment decision, the appeal process for such a grievant is to the Chancellor, and if the Chancellor concurs in an FGHC recommendation unfavorable to the faculty member, the grievant may appeal to the Board of Governors, pursuant to 4.11.4.2, below.

4.11.3.11 If the FGHC concludes that the grievant’s contention has been established, it shall provide notice and its recommendations for corrective action to the faculty member, the respondent(s), and the Provost and Executive Vice Chancellor or the Chancellor as appropriate to the type of grievance.

4.11.3.12 The Provost and Executive Vice Chancellor or the Chancellor shall issue a written decision within thirty (30) calendar days after receipt of the FGHC report. The decision shall be transmitted to the grievant, the respondents, and to the FGHC. If, prior to issuing the written decision, the Provost and Executive Vice Chancellor or the Chancellor intends to reject the recommendation of the FGHC, the Provost and Executive Vice Chancellor or Chancellor shall communicate that intention to the grievant and the FGHC along with the reasons and provide an opportunity for committee response before taking final action. The grievant may consult with the GAC regarding the Provost and Executive Vice Chancellor (or Chancellor’s) decision.

4.11.3.13 In a 607 grievance if the Provost and Executive Vice Chancellor declines to take corrective action acceptable to the grievant, the grievant may appeal to the Chancellor by submitting the FGHC report and subsequent communications with the Provost and Executive Vice Chancellor. If the Chancellor concurs in a committee recommendation that is favorable to the grievant, the Chancellor’s decision is final. If the Chancellor declines to accept a committee recommendation that is favorable to the grievant, a faculty member may appeal the Chancellor’s decision pursuant to 4.11.4.1, below.

4.11.3.14 In a 604 grievance involving promotion, tenure or nonreappointment, if the Chancellor concurs with an FGHC recommendation favorable to the faculty member, the decision shall be final. If the Chancellor declines to accept a committee recommendation that is favorable to the faculty member, the faculty member may appeal by filing a writing notice of appeal with the Board of Governors pursuant to 4.11.4.2.

4.11.4 Appeal Beyond the Chancellor

4.11.4.1 With respect to a decision adverse to the faculty member in a 607 grievance about a matter other than a promotion, tenure or non-reappointment decision, the line of appeal is as prescribed by Section 607 of The Code, and shall be guided by the following procedure:

(a) A grievant dissatisfied with the Chancellor’s disposition of a grievance must file written notice of appeal with the Board of Trustees, by submitting such notice to the Chancellor, within ten (10) working days after the grievant’s receipt of the decision by certified mail, return receipt requested. The appeal to the Board of Trustees shall be to a standing committee of five (5) members to be selected and agreed upon by the Chair of the Board of Trustees and the Chair of the Faculty Senate. The immediate Past Chair of the Faculty Senate may advise the current chair if the chair feels that it is necessary. The appeal shall be transmitted through the Chancellor and be addressed to the chair of the Board of Trustees. The Board of Trustees Appeals Committee
shall base its consideration of the appeal upon the written record of the grievance. The Board of Trustees Appeals Committee will issue its decision within one hundred twenty (120) calendar days after receipt by the Chancellor of the notice of appeal. The decision of the Board of Trustees Appeals Committee is final.

4.11.4.2 With respect to a decision adverse to the faculty member in a 604 grievance about a promotion, tenure or non-reappointment decision, the line of appeal is as prescribed by Section 604 D(2) of The Code and shall be guided by the following procedure:

If the Chancellor concurs in an FGHC recommendation that is unfavorable to the faculty member, the faculty member may appeal by filing a written notice of appeal with the Board of Governors, by submitting such notice to the President, by certified mail, return receipt requested, or by any other means that provides proof of delivery, within 14 calendar days after the faculty member’s receipt of the Chancellor’s decision. The notice must contain a brief statement of the basis for the appeal. The purpose of appeal to the Board of Governors is to assure (1) that the campus based process for reviewing the decision was not materially flawed, so as to raise questions about whether the faculty member’s contentions were fairly and reliably considered, (2) that the result reached by the Chancellor was not clearly erroneous, and (3) that the decision was not contrary to controlling law or policy. See Policy 101.3.1 for further information.

4.11.4.3 If the line of appeal as prescribed by section 501 C (4) of The Code of The University of North Carolina is from the Chancellor to the President, and thereafter from the President to the Board of Governors:

(a) A grievant dissatisfied with the Chancellor’s disposition of a grievance must file written notice of appeal with the President, with a copy to the Chancellor, within ten working days after the grievant’s receipt of the decision by certified mail, return receipt requested. The schedule for perfecting and processing the appeal will be established by the President. The President will issue a decision within 60 calendar days after receipt of the notice of appeal; provided, that if the grievant fails to comply with the schedule established by the President and thereby precludes a decision within 60 calendar days, the President may exercise discretion to extend the period for decision or to dismiss the appeal.

(b) A grievant dissatisfied with the President’s disposition of an appeal must file written notice of appeal with the Board of Governors, by submitting such notice to the President, within ten working days after the grievant’s receipt of the decision by certified mail, return receipt requested. If the Board of Governors agrees to consider the appeal, it will do so on a schedule established by the President, subject to any instructions received from the committee of the Board of Governors which has jurisdiction of the subject matter of the grievance. The Board of Governors will issue its decision within 90 calendar days after receipt of the notice of appeal; provided, that if the grievant fails to comply with the schedule established for perfecting and processing the appeal and thereby precludes a decision within 90 calendar days, the Board of Governors in its discretion may extend the period for decision or it may dismiss the appeal.
Change #4. Add definitions to 7.4 Faculty Committees, which previously only had cross-references. This is not new language or new policy. It repeats and collates what is in blue in (new) 4.10 and 4.11

7.4 Faculty Committees

7.4.1 Faculty Grievance Assistance Committee (see 4.11.1.3) exists to advise the faculty member about the preparation of the case for hearing by the Faculty Due Process Committee or the Faculty Grievance Hearing Committee, to answer the faculty member’s questions about the process of grievance, or to be available as a source of information for the faculty member during the grievance process.

The Faculty Grievance Assistance Committee shall consist of four members who each shall have served on a Faculty Due Process Committee or a Faculty Grievance Hearing Committee, but are not currently members of the Faculty Due Process Committee or the Faculty Grievance Hearing Committee. The term of membership shall be three years; members shall have staggered terms. The committee members shall be elected from among a list of interested and eligible faculty.

(See Chapter , sections 4.11.1.3 and 4.11.2.5.)

7.4.2 Faculty Due Process Committee (see 4.10.2.1) conducts formal, adversarial hearings in which parties to a dispute may present evidence designed to establish their respective positions, to the end that the committee may make findings of fact and attendant recommendations for proper resolution of the dispute. Cases heard by the FDPC include those regarding a faculty member who is to be disciplined, as through discharge from employment, suspension, demotion in rank, diminishment in pay, or deprivation of some other substantial interest.

The Faculty Due Process Committee shall be composed of five members and an alternate, all to be elected by the faculty. Nomination and election shall follow procedures for other at-large faculty elections. Membership of the Faculty Due Process Committee shall be composed of faculty with permanent tenure, regardless of rank. The term of office of a member of the Faculty Due Process Committee shall be three years; members shall have staggered terms, and

7.4.3 Faculty Grievance Hearing Committee (see 4.11.3.5) is a committee constituted solely of faculty. Grievances within the province of the FGHC shall include matters directly related to a faculty member’s institutional relationships and conditions of employment. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge or termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by the FGHC.

The FGHC will be composed of nine (9) members elected by the faculty at-large: three (3) members from each of the ranks of Professor, Associate Professor and Assistant Professor. Five (5) members of the FGHC, with each rank represented on the hearing panel, will conduct hearings. At least two (2) members must be of the same rank as the grievant; the other members of the hearing panel may be apportioned in any manner consistent with the foregoing requirements of this section. If the grievant is from any rank other than those specified by 3.8.5, 3.8.6 and 3.8.7, or holds a part-time faculty appointment, all professorial ranks must be represented on the hearing panel.
Nomination and election shall follow procedures for other at-large faculty elections. The term of office of a member of the FGHC shall be three years; members shall have staggered terms.
Change #5. Revisions to Section II, Administrative Structure of the University (job descriptions shorted and/or updated. All text from job ads and/or university website. Table of contents of FH to be updated to reflect new numbering.

2.4 The Chancellor

The Chancellor is the administrative and executive head of Appalachian State University and exercises complete executive authority therein, subject to the direction of the President. The Chancellor is responsible for carrying out policies of the Board of Governors and the Board of Trustees. As of June 30 of each year the Chancellor prepares for the Board of Governors and for the Board of Trustees a detailed report on the operation of the institution for the preceding year.

It is also the Chancellor’s specific duty and responsibility to:

(a) Attend all meetings of the Board of Trustees and be responsible for keeping the Board of Trustees fully informed on the operation of Appalachian State University and its needs.

(b) Keep the President, and through the President, the Board of Governors, fully informed concerning the operations and needs of the institution. Upon request, the Chancellor is available to confer with the President or with the Board of Governors concerning matters that pertain to Appalachian State University.

(c) Make recommendations for the appointment of personnel within Appalachian State University and for the development of educational programs, subject to policies prescribed by the Board of Governors and by the Board of Trustees.

(d) Provide leadership in supporting equality of opportunity and in supporting the protections available to members of the University community under all applicable federal laws.

2.4.1 The Chancellor’s Cabinet is an administrative advisory council appointed by the Chancellor.

The members of the Cabinet are:

The Provost and Executive Vice Chancellor (see 2.5)

The Vice Chancellor of Business Affairs

The Vice Chancellor for Student Development

The Vice Chancellor for University Advancement

Chief of Staff for the Office of the Chancellor

General Counsel

Director of Athletics

Director of Human Resource Services

Director of External Affairs and Community Relations
2.4.1.1 The Vice Chancellor of Business Affairs is the chief business officer of the University. The mission of Business Affairs is to provide the most effective and efficient accounting and budgeting of the university’s financial resources, while also providing exemplary services that maintain the support necessary for the infrastructure, safety and physical operation of the campus. Departments operating under the umbrella of Business Affairs are: Budget Office, Business Systems, Centrex Office, Controller’s Office, Food Services, Holmes Convocation Center, Materials Management, New River Light and Power, New York Loft, Parking and Traffic, Physical Plant, Planning, Design and Construction, Safety and Workers Compensation Office, Student Accounts, Sustainability Office, University Bookstore, University Police, and the University Post Office.

2.4.1.2 The Vice Chancellor for Student Development

The Vice Chancellor for Student Development reports to the Chancellor and is an officer of the University. It is the responsibility of this person to provide leadership and supervision for all Student Development functions of the University. Specifically, the Vice Chancellor is responsible for supervision of all personnel within the division of Student Development, oversight of institutional resources allocated to enhance Student Development functions, and to provide leadership and direction that enhance the quality of student life on campus. As a member of the Chancellor’s administrative team, the Vice Chancellor works with the other vice chancellors to provide advice and staff support to the Chancellor and the Board of Trustees. The Vice Chancellor represents the University to external constituencies on matters related to student welfare concerns and student life issues.

2.4.1.3 The Vice Chancellor for University Advancement

The Vice Chancellor for University Advancement is responsible to the Chancellor for overseeing the design, development and implementation of a comprehensive program for the purpose of increasing financial resources. The Vice Chancellor systemizes and administers all campus fund-raising policies and procedures; coordinates and approves gift proposals prior to their submissions; and facilitates the participation of donors, volunteers, staff, faculty, parents and students in the fund-raising process.

2.4.1.4 The Chief of Staff for the Office of the Chancellor is senior advisor to the chancellor and responsible for overseeing the implementation of university-wide initiatives. The Chief of Staff facilitates communications to and from the Office of the Chancellor; oversees the operations, personnel and budget of the Office of the Chancellor; serves on various internal and external committees and boards; directs the university’s efforts with respect to economic development and engagement; and works closely with faculty, staff and the administrative management team to ensure efficient operation of the university and advancement of its strategic plan.

2.4.1.5 General Counsel

The mission of the Appalachian State University Office of General Counsel is to provide legal services for the University, in pursuit of the following objectives: (1) Assisting in achievement of University goals within the framework of state and federal laws, and policies and plans adopted by the Board of Governors, President, Board of Trustees and Chancellor; (2) Compliance with applicable local, state, federal and international laws in all activities undertaken by the University; and (3) Education and training of University officers and employees to prevent or appropriately resolve disputes affecting the University’s operations. For more information, [see link to Role of the General Counsel]
2.4.1.6 The Director of Athletics is responsible for the overall administration and management of the Athletics Department and is directly responsible to the Chancellor.

2.4.1.7 The Director of Human Resource Services oversees all aspects of Human Resource Services at Appalachian, including staff recruitment, wage, salary and benefits administration, employee relations, training and development programs, personnel policies and human resources information systems.

2.4.1.8 The Director of External Affairs and Community Relations is responsible for fostering and maintaining relationships with local, county, state and federal elected officials. Duties include representing the university as liaison to the N.C. General Assembly, the UNC General Administration Legislative Affairs Office, the U.S. Congress and federal agencies, the Watauga County Commissioners, and Boone’s Town Council. The Director also represents the chancellor at various conferences, meetings and other forums, provides consultation and support to federally sponsored programs, and seeks external funding for university priorities.

2.4.1.9 The Associate Vice Chancellor for University Communications oversees communications that promote the University and its many constituents.

2.4.1.10 The Executive Assistant to the Chancellor is responsible for carrying out the policies and initiatives of the Chancellor.

2.5 The Provost and Executive Vice Chancellor

The Provost and Executive Vice Chancellor is responsible directly to the Chancellor manages the academic enterprise of the University represented the Chancellor when called upon, and performs other duties as assigned by the Chancellor. In the absence of the Chancellor, the Provost acts as Chief Executive Officer of the University.

The duties and responsibilities of the Provost and Executive Vice Chancellor include but are not restricted to the following. Working with the Provost and Executive Vice Chancellor in the discharge of these duties and responsibilities are the Vice Provosts for Academic Affairs.

(a) Providing leadership in initiating and encouraging continuing studies and research among the faculty, designed to improve the curriculum and the quality of instruction. In this capacity the Provost and Executive Vice Chancellor and the Associate Vice Chancellors work with the deans of the colleges and schools, the chairs of the various departments, the Associate Vice Chancellor for Enrollment Services, and the Dean of Graduate Studies and Research in planning, developing, and directing the curriculum.

(b) Assisting the deans of the colleges and schools in determining the needs for instructional personnel. On the recommendation of a Departmental Personnel Committee, the departmental chair and the dean, and subject to the approval of the Chancellor, the Provost and Executive Vice Chancellor appoints the members of the faculty. Upon recommendation of staff selection committees and appropriate deans or directors, the Provost and Executive Vice Chancellor appoints administrative staff positions in the area of Academic Affairs, subject to the approval of the Chancellor.

(c) Preparing a recommended biennial budget for the instructional and related programs. In the preparation of this budget, the Provost and Executive Vice Chancellor receives from the deans of the
colleges and schools a detailed description of the needs of each college and school. The Provost and Executive Vice Chancellor and the deans discuss these needs and decide upon the items to be included in the budgets. The Vice Chancellor for Business Affairs consolidates the requests and submits them to the Chancellor, who in turn submits the final budget requests to the Board of Governors of The University of North Carolina.

After appropriations are made and the budget is certified and approved at the University level, the Provost and Executive Vice Chancellor informs by memorandum each of the deans of the allocations made to their respective areas. As emergency needs arise, the Provost and Executive Vice Chancellor and the Vice Chancellor for Business Affairs confer to determine how the needed materials and equipment may be purchased within the finances of the University. The Provost and Executive Vice Chancellor also prepares annual budgets for all units reporting to Academic Affairs and makes special allocations to such units as may be appropriate.

(d) Coordinating and supervising the publication of such documents as the University bulletins and companion bulletins, the Faculty Handbook, the Academic Governance Manual, and the schedules of classes and examinations.

(e) Participating in discussions concerning needed new buildings, the development of plans for new buildings, and the purchase of instructional equipment for them. The Provost and Executive Vice Chancellor, in cooperation with the Office of Business Affairs, coordinates utilization of all instructional and related space on the campus and recommends to the Vice Chancellor for Business Affairs needed changes in physical arrangements of instructional and related space.

(f) Cooperating with the Faculty Senate in developing agenda for meetings of the faculty. The Provost and Executive Vice Chancellor serves as Chair of the faculty and advises with the faculty and the Faculty Senate on matters of an academic nature.

(g) Assembling information and preparing reports relating to academic affairs for agencies to whom the institution is responsible.

(h) Appointing such special committees of faculty, staff and/or students as are deemed necessary for effective and efficient participation of these groups in academic and related matters.

(i) Providing leadership in supporting equality of opportunity and in supporting the protections available to members of the University community under all applicable federal laws.

The following report to the Provost and Executive Vice Chancellor:

2.5.1 The Vice Provost for Resource Management oversees: Budget Management, Position Management

2.5.2 The Vice Provost for Undergraduate Education is responsible for working with the Appalachian community on university-wide undergraduate initiatives. The VPUE oversees: General Education, First Year Seminar Program, Writing Across the Curriculum, University Writing Center, Service Learning, University Forum Series, Advising and Orientation, Learning Assistance Program, Testing Services, University Documentary Film Services, Student Research, Summer Reading Program.
2.5.3 The Vice Provost for Faculty Affairs works closely with Faculty Senate, Provost, deans, Associate Vice Chancellors and Department Chairs to develop policy and best practices for faculty evaluation, academic development initiatives, and faculty support services. The VPFA oversees: The Faculty Handbook, Learning Technology Services, and the William C. Hubbard Programs for Faculty Excellence.

2.5.4 Colleges and Schools:

Dean of the College of Arts and Sciences
Dean of the Walker College of Business
Dean of the Reich College of Education
Dean of the College of Fine and Applied Arts
Dean of the College of Health Sciences
Dean of the Hayes School of Music
Dean of Research and Graduate Studies, Cratis D. Williams Graduate School
Honors College
University College

2.5.5 Other units reporting to the Provost

Director of the Office of Equity, Diversity and Compliance

Associate Vice Chancellor for Enrollment Services (Enrollment Management, Office of Admissions, Office of the Registrar, and College Awareness Program)

Associate Vice Chancellor of International Education and Development

Chief Information Officer and Information Technology Services

Institutional Research, Assessment and Planning

University Librarian, Carol G. Belk Library and Information Commons

Division of Educational Outreach and Summer Programs

Faculty Senate
Appendix B: SGA Enhanced Course Description Bill

WHEREAS, The student body has no means by which to be properly informed as to the estimated cost of supplemental materials of a class, and

WHEREAS, The current catalog of course listings offers no language as to the clear description of the class and its intended goals; therefore, be it

Resolved, That Appalachian State University Student Government Association which for there to be an examination of the current course catalog and work to make changes that will be helpful to students and allow them to be better informed as to the nature of the material covered in class and; therefore, be it

Further Resolved, In cases of classes that have multiple sections of the same course that the estimated cost of supplemental material be included in the course description for students to view during the period of registration.
Appendix C: Online Course Evaluations Offered at other UNC System Campuses

NC State University: http://www2.acs.ncsu.edu/UPA/classeval/index.htm

UNC – Chapel Hill: http://oira.unc.edu/carolina-course-evaluations-online.html

Western Carolina University: http://www.wcu.edu/8356.asp