

# UNIVERSITY OF NORTH CAROLINA ASHEVILLE FACULTY HANDBOOK

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[13.2 Other UNC Board of Governor's Policies on Faculty Rights and Responsibilities](#)

[13.2.1 Board of Governors Doctoral Study Assignment Program](#)

[13.2.2 Employment/Supervision of Related Persons](#)

[13.2.3 Conflict of Interest and Commitment](#)

[13.2.4 External Professional Activities of Faculty and Professional Staff](#)

[13.2.5 Political Activities of University Employees](#)

[13.3 FORMS for Section 13.0](#)

## **14.0 UNCA POLICY AND INFORMATION DOCUMENTS**

[14.1 Constitution of the Faculty Senate](#)

[14.2 UNCA Tenure Policies and Regulations](#)

[14.3 UNCA Catalog](#)

[14.4 FORMS for Section 14.0](#)

## 1.0 HISTORY, ORGANIZATION AND OPERATION

### 1.1 The University of North Carolina (UNC) System

#### 1.1.1 History

The University of North Carolina was authorized by the State Constitution in 1776 and chartered by the General Assembly of North Carolina in 1789. The University of North Carolina at Chapel Hill admitted its first students in 1795.

The Constitution of North Carolina, Article IX, Section 3, provides that the "General Assembly shall maintain a public system of higher education comprising The University of North Carolina and such other institutions of higher education as the General Assembly may deem wise. Beginning in 1877, the General Assembly of North Carolina established or acquired ten additional separately governed state-supported senior institutions of higher education: Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina Agricultural and Technical State University, North Carolina Central University, North Carolina School of the Arts, Pembroke State University, Western Carolina University, and Winston-Salem State University.

In 1931 the General Assembly of North Carolina enacted legislation which brought together UNC-Chapel Hill, NC State University, and UNC-Greensboro, into a multi-university system identified as The University of North Carolina. In the 1960's the University of North Carolina at Asheville (1969), the University of North Carolina at Charlotte (1965), and the University of North Carolina at Wilmington (1969), were added to UNC to create a six University system governed by a one-hundred member Board of Trustees.

In 1971, the General Assembly redefined The University of North Carolina; under the terms of that legislation all sixteen public senior institutions became constituent institutions of UNC responsible to the Board of Governors (see [Section 1.1.3](#) for list by category).

Each constituent institution of The University of North Carolina elects its own Board of Trustees, administers its own budget, appoints its administration with the Chancellor as the chief administrative officer, hires and evaluates its own faculty, sets policies for admission of its own student body, and is responsible for self-governance consistent with Board of

Governors policies.

## 1.1.2 Board of Governors, the President, and the Office of the President (formerly General Administration)

### 1.1.2.1 Board of Governors

The Board of Governors of The University of North Carolina is the 33-member body charged with governance of the 16-campus university system. Its statutory powers and duties include advising the the governor and the legislature concerning higher education matters; planning and developing a coordinated system of higher education for the state; determining the educational activities and programs of the constituent institutions and setting their enrollment levels; and overseeing the affairs of each of the constituent institutions, delegating authority to the boards of trustees or, through the president, to the chancellors, as the Board deems appropriate.

Members of the Board of Governors are chosen by the state legislature. Members are elected for four-year terms that begin on July 1 of odd-numbered years, with half the Board's membership being elected in each odd-year cycle. Individuals are limited to a maximum of three terms in succession. In addition, the president of the UNC Association of Student Governments serves as a member *ex officio*. More information is available at <http://www.northcarolina.edu/bog/>.

### 1.1.2.2 The Code of the University of North Carolina

The duties and powers of the Board are defined in a document titled The Code of the University of North Carolina (referred to simply as The Code). It is organized into the following chapters:

- \* Chapter I: Establishment, Incorporation and Composition of the University of North Carolina
- \* Chapter II: The Board of Governors
- \* Chapter III: Committees of the Board of Governors
- \* Chapter IV: Boards of Trustees
- \* Chapter V: Officers of the University
- \* Chapter VI: Academic Freedom and Tenure
- \* Chapter VII: Finances, Property and Obligations

- \* Chapter VIII: Matters Involving Non-public Institutions
- \* Chapter IX: Miscellaneous Provisions
- \* Appendix I: Delegations of Duty and Authority to Boards of Trustees

Each UNCA faculty member is provided a copy of The Code (latest edition July, 2001) and reference copies are available in the Office of Academic Affairs and in Ramsey Library. Chapter VI and Sections 502A, 502 B-6, 502 D may be found in [Section 13.1](#) of this Handbook. A complete copy of The Code can be downloaded at <http://www.northcarolina.edu/bog/code/code.cfm>.

#### 1.1.2.3 The President

The President, elected by the Board of Governors, is the chief administrative and executive officer of the University and has complete authority to manage the affairs and execute the policies of The University of North Carolina and its constituent universities, subject to the direction and control of the Board of Governors and the provisions of The Code. The President is the "official administrative spokesperson for and the interpreter of the University" to all external constituencies. The President is responsible for all reports and presentations about the University to the General Assembly, the Governor, state offices and commissions and the Federal Government.

#### 1.1.2.4 The Office of the President (OP) [formerly General Administration (GA)]

The President is assisted by professional staff members who are elected by the Board of Governors on nomination by the President. The senior staff at OP consists of the senior Vice Presidents for: Academic Affairs, Finance, Human Resources, Information Resources, Legal Affairs, Program Assessment and Public Service, Planning, and Public Affairs. More information about OP is available at <http://www.northcarolina.edu/pres/>.

### 1.1.3 Institutional Categories

#### 1.1.3.1 Baccalaureate - Liberal Arts

Institutions offering primarily undergraduate degrees with at least fifty percent of degrees awarded in the arts and sciences.

- \* University of North Carolina at Asheville

#### 1.1.3.2 Doctoral Granting - Extensive

Offer education through the Doctorate degree and give high priority to research.

- \* University of North Carolina at Chapel Hill,
- \* North Carolina State University

#### 1.1.3.3 Doctoral Granting - Intensive

Offer education through the Doctorate degree.

- \* University of North Carolina at Greensboro
- \* East Carolina University

#### 1.1.3.4 Comprehensive I Universities

Larger enrollment institutions offering graduate education through the Master's and selected professional degrees and Baccalaureate Degrees in a variety of fields including professional disciplines; recently some of these institutions have been approved to offer doctoral programs in specialized areas.

- \* Appalachian State University
- \* North Carolina A & T University
- \* University of North Carolina at Charlotte
- \* University of North Carolina at Wilmington
- \* Western Carolina University

#### 1.1.3.5 Comprehensive II Universities

Smaller enrollment institutions offering education through the Master's degree and Baccalaureate degrees in a variety of fields including professional disciplines.

- \* Fayetteville State University
- \* Pembroke State University

#### 1.1.3.6 Baccalaureate General

Primarily undergraduate institutions that do not have at least

fifty percent of degrees awarded in traditional liberal arts fields.

- \* Elizabeth City State University
- \* Winston-Salem State University

#### 1.1.3.7 Special

##### North Carolina School of the Arts

#### 1.1.4 UNC Faculty Assembly

Each of the 16 campuses has faculty representatives on an advisory body called the Faculty Assembly. The Assembly holds four regular meetings each academic year plus special meetings which may be called by the Chair or the UNC system President. The Assembly advises the President on matters such as academic programs, planning, budgets, faculty welfare and development and other matters which may come before the Assembly from the various campuses or the President.

#### 1.2 History of the University of North Carolina at Asheville (UNCA)

The University of North Carolina at Asheville originated as Buncombe County Junior College, founded in 1927 under the aegis of the Buncombe County school system. It operated as a free public institution until 1930, when a financial crisis forced the county college to begin charging tuition. It changed its name to Biltmore Junior College and was controlled by the faculty until 1934, when a newly-established board of trustees secured a charter under the name of Biltmore College. In 1936 control passed to the Asheville City School Board, and the name was changed to Asheville-Biltmore College. It was by this name that the institution was known until 1969 when it became a member of The Consolidated University of North Carolina.

In 1955, the General Assembly of North Carolina voted the first state appropriations for the support of Asheville-Biltmore College, and in 1957, under the provisions of the Community College Act, the college became the first institution to qualify as a state-supported community college.

Two locally-initiated and approved bond issues, along with state appropriations, enabled the college to begin a period of vigorous development. In 1961, the institution moved to its current 165-acre site in north Asheville and occupied the first two buildings on the new campus (Phillips and Rhoades Halls). Five additional buildings followed in the next few years (Ramsey Library, Carmichael, Lipinsky, Owen and Zageir Halls).

On July 1, 1963, Asheville-Biltmore College became a state-supported senior college, under a new board of trustees, and began establishing the character of the institution that ultimately was to emerge as the University of North Carolina at Asheville. In his Report to the Board of Trustees of Asheville-Biltmore College on July 1, 1963, the then President of the college, William E. Highsmith, stated that the institution was beginning the development of a liberal arts college stressing excellence in teaching and learning.

As early as 1962, Asheville-Biltmore College had expressed its ambition to become a campus of The Consolidated University of North Carolina, and in 1966, the Board of Trustees passed a resolution endorsing this goal. In 1968-69, after extended discussions of the state-wide implications of such a move, the Board of Trustees of the Consolidated University and the State Board of Higher Education endorsed the proposal, which was subsequently approved by the General Assembly of North Carolina. On July 1, 1969, Asheville-Biltmore College became the University of North Carolina at Asheville, one of six campuses of the Consolidated University. On July 1, 1972, the ten remaining state-supported senior institutions were merged into a unified sixteen-constituent member system, The University of North Carolina.

When it was established as a four-year senior state institution in 1963, again in 1969 when it joined The University of North Carolina, and throughout the vicissitudes of the past two decades, UNCA has remained dedicated to its distinctive role in North Carolina: a public undergraduate liberal arts institution striving for the highest standards of excellence in teaching and learning.

UNCA's mission has received further endorsement from the UNC General Administration. In January 1991, the President of The University of North Carolina asked four external consultants to review the missions and long-range plans of the sixteen constituent institutions. They were to recommend changes appropriate for each within the context of the constituencies they serve, the needs for higher education in North Carolina in the next decade, and the ability of the state to provide resources to meet those needs.

As part of its mission review for General Administration, UNCA asked to be reclassified from a Comprehensive II institution to a Liberal Arts College I, to reflect more accurately its philosophy, character, and ambition. In November 1991, the President released the consultants' findings, which stated, in part:

UNC-Asheville has developed a solid reputation as a public liberal arts institution. Its rate of enrollment growth in recent years has been very high. At the same time it attracts a high quality student body. . . . It prides itself on its interdisciplinary undergraduate core curriculum and its highly successful Master of Liberal Arts curriculum. . . . The institution is qualified to be classified as a Liberal Arts College I. This designation reflects its mission

and we recommend that the change be approved.

This confirmation of UNCA's historic commitment to undergraduate liberal arts education, coupled with an equally strong commitment to serve the region and state in ways that complement its educational program, sets the stage for the institution in the coming decade and beyond.

UNCA is fully accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award the Bachelor of Arts, the Bachelor of Fine Arts, the Bachelor of Science and the Master of Liberal Arts degrees.

For additional history, read [The University of North Carolina at Asheville, The First Sixty Years](#) written by former Chancellor William E. Highsmith, published in 1991 by UNCA. It is available in the UNCA Bookstore and in Ramsey Library.

### 1.3 Planning Guidelines for UNCA

#### 1.3.1 Objectives

The University of North Carolina at Asheville is designated a Liberal Arts University in the University of North Carolina and offers degree programs at the baccalaureate level. A strong liberal arts curriculum has been broadened by the addition of career-oriented programs in accounting, atmospheric sciences, computer science, education, mass communication, and management.

The Asheville Graduate Center, offering a wide range of courses and cooperative programs, was established on the UNCA campus in 1984. It plans, promotes and coordinates graduate education in Asheville by hosting programs from other UNC institutions on our campus.

UNCA offers a Master's in Liberal Arts degree program. This interdisciplinary program is offered through the Asheville Graduate Center and builds upon a highly successful undergraduate humanities and arts core curriculum.

#### 1.3.2 Mission Statement - UNCA (adopted by the Board of Trustees on 8/24/00.) ([SD5300S](#))

The University of North Carolina at Asheville offers a superior liberal arts education for well-prepared students who are committed to learning and personal growth. Its education is liberating, promoting the free and rigorous

pursuit of truth, respect for differing points of view and heritage, and an understanding that values play a role in thought and action. Through this education the university aims to develop students of broad perspective who think critically and creatively, communicate effectively, and participate actively in their communities. UNCA is North Carolina's only designated public liberal arts university.

Small by choice, UNCA brings together faculty, students, and staff of diverse cultural backgrounds to interact closely in a supportive community. The university makes excellence in teaching the highest priority for its faculty. It fosters scholarship and creative activities by faculty and students alike.

UNCA provides undergraduate programs in the arts, the humanities, the natural and social sciences, and in selected pre-professional programs that are solidly grounded in the liberal arts. The university seeks to connect the traditional liberal arts fields through interdisciplinary studies and to integrate these areas of inquiry with programs that prepare students for rewarding careers. To enhance and extend the undergraduate programs, UNCA offers an interdisciplinary Master of Liberal Arts.

As a public university, UNCA serves the region and state in ways that complement its educational mission. It encourages students, faculty, and staff to interact with and serve the community, and it shares cultural and educational resources with citizens at all stages of life and learning. The university houses the Asheville Graduate Center, the North Carolina Center for Creative Retirement, and other programs which provide opportunities to citizens for continued learning and public service.

The ultimate aim of the university is to provide students the best possible opportunity to acquire the skills, knowledge, and understanding necessary to pursue their goals, to find meaning in their lives, and to take their places as contributing citizens of a changing society.

### 1.3.3 Guiding Concepts (Adopted by the Board of Trustees on 3/11/01.) ([SD3201S](#))

Note: These guidelines should be reviewed no less than every five years. They shall be subject to change by two-thirds vote of the Board of Trustees.

The University of North Carolina at Asheville provides a superior liberal arts education for well-prepared students who are committed to learning and personal growth. Through this education the university aims to develop

students of broad perspective who think critically and creatively, communicate effectively, and participate actively in their communities. The ultimate aim of the university is to provide students the best possible opportunity to acquire the skills, knowledge, and understanding necessary to pursue their goals, to find meaning in their lives, and to take their places as contributing citizens of a changing society. In light of these aims, the following concepts guide UNCA.

## Who We Are

### I. Liberal Arts

Education at UNCA is solidly grounded in the liberal arts. A liberal arts foundation provides the surest means of enabling students to develop in a manner consistent with the aims of the university. In accordance with its designation as North Carolina's public liberal arts university, and consistent with the Carnegie Classification, at least half of all UNCA degrees are awarded in the liberal arts and all degrees are infused with the liberal arts. The centerpiece of General Education at UNCA is its nationally-recognized Humanities Program, which examines what humanity has achieved, desired, and believed over several thousand years of recorded history, and how these concerns and passions influence today's world.

### II. Diverse and Collaborative Community

The community of students, faculty and staff that is UNCA is diverse and collaborative. UNCA graduates will live and work in an increasingly diverse world. Those who would contribute to such a world must be aware of and sensitive to human diversity, and be able to work with those whose perspectives and backgrounds are not their own. Through a diverse and collaborative community, UNCA recognizes and celebrates human diversity, while preparing students for the future. In order to facilitate collaboration, and especially collaboration among faculty and students, UNCA is small by choice, seeking no more than 3500 students, with a constantly increasing proportion of residential students.

### III. Environmentally Responsible

UNCA is environmentally aware and responsible. The UNCA campus is the home of more than 1100 residential students and the place where approximately 4000 additional members of the UNCA community spend many of their waking hours. As such, their well being is affected by the quality of the UNCA environment. Through environmental awareness and responsibility, UNCA provides a campus that supports the well being of the

UNCA community and serves as an example for others.

#### IV. Commitment to Excellence and Continuous Improvement

Commitment to excellence in liberal arts education and continuous improvement in all things is characteristic of UNCA life. These commitments focus the efforts and broaden the understandings of the members of the UNCA community so as to best provide for the learning and personal growth of students.

#### What We Do

##### V. Emphasis on Learning

Undergraduate learning is the highest priority of UNCA and the continued learning of faculty and staff is supported. Undergraduate learning, because it profoundly affects the intellectual development of students, is the highest priority of UNCA. To assist in this development, the continued learning of faculty and staff is also supported. Consistent with learning on a human scale, classes at UNCA are small enough to allow active involvement and large enough to encompass diverse perspectives.

##### VI. Support of Personal Growth

Undergraduate personal growth is strongly supported and the personal growth of faculty and staff is supported. Undergraduate personal growth, because it profoundly affects the overall development of students, is strongly supported by UNCA. To assist in this development, the personal growth of faculty and staff is also supported.

#### How We Do It

##### VII. Primary Focus on Teaching

Teaching is the primary focus of UNCA faculty and interdisciplinary teaching is encouraged. Teaching contributes directly to the learning and personal growth of students. Interdisciplinary teaching is encouraged because the ability to connect different areas of knowledge is one of the highest expressions of the intellect, and faculty who demonstrate this ability help students to make such connections themselves.

##### VIII. Creative, Scholarly and Collaborative Activity

Creative, scholarly and collaborative activity are integral parts of UNCA

life, and activities involving students are especially valued. These activities, by the new knowledge and perspectives they bring about, contribute to the learning and personal growth of the UNCA community and to the larger communities of which UNCA is a part. UNCA's Undergraduate Research Program is a nationally-respected expression of student scholarship and collaborative learning.

## IX. Co-curricular Experiences

UNCA provides diverse co-curricular experiences and helps create new ones. Co-curricular activities provide experiences and help form relationships that powerfully affect the personal growth of students. These activities, like the students they serve, are varied and ever changing.

## X. Community Involvement

UNCA is involved in the community. Community participation is a responsibility of a public university that contributes to the community while simultaneously enhancing the learning and personal growth of those involved.

## XI. Lifelong Relationships with Graduates

UNCA has lifelong relationships with its graduates. Learning and personal growth are the pursuits of a lifetime, not only of the college years. UNCA seeks to contribute to the continued learning and personal growth of its graduates through lifelong relationships. These relationships, through the opportunities they provide, help provide for the learning and personal growth of current students.

### 1.4 Administrative Structure

A summary of UNCA's organizational structure is available at <http://www.unca.edu/inside/index.html>.

#### 1.4.1 Board of Trustees

Each UNC Board of Trustees is composed of thirteen members, eight elected by the Board of Governors, four appointed by the Governor and the current President of the Student Government Association, ex officio. Elected and appointed members serve staggered four year terms commencing on July 1. Powers and duties of the Board of Trustees are described in Chapter IV, Section 403 of The Code. For Delegations of Duty and Authority to

Board of Trustees see [Section 13.1.3](#).

#### 1.4.2 Chancellor

The administrative and executive head of UNC Asheville is the Chancellor who exercises complete executive authority therein, subject to the direction of the President. (Sec. 502A The Code). Chapter V of The Code discusses Officers of the University with Section 502 devoted to Chancellors of Constituent Institutions (see [Section 13.1.2](#)). Offices reporting directly to the Chancellor are Academic Affairs, Student Affairs, Financial Affairs, University Relations, Athletics and the North Carolina Center for Creative Retirement. The Assistant to the Chancellor coordinates special projects and often represents the Chancellor in his absence.

#### 1.4.3 Vice Chancellor for Academic Affairs (VCAA)

The Vice Chancellor for Academic Affairs is responsible for all activities in the area of Academic Affairs. The VCAA is the Chancellor's delegate in all areas of the academic program, including curriculum and academic policy, as well as the development of personnel policy, hiring, evaluation, salary determination, and promotion of all professional personnel in the academic areas. All Department Chairpersons and Program Directors, as well as the University Librarian and directors of several institutional centers, report directly to the VCAA. In the absence of the Chancellor, the VCAA is designated as the Chief Executive Officer.

##### 1.4.3.1 Dean of Faculty (formerly Associate Vice Chancellor for Academic Affairs) ([SD0898F](#))

The Dean of Faculty is a full-time position and has responsibility for budgeting in Academic Affairs, space allocations, laboratory and clerical support services in academic areas. The Dean of Faculty provides administrative support for faculty hiring, development, and review and for grant and contract activity.

##### 1.4.3.2 Dean of Curriculum (formerly Assistant Vice Chancellor for Academic Affairs) ([SD0898F](#))

The Dean of Curriculum is a part-time appointment selected from members of the full-time faculty. The term is normally a three-year term but a longer or shorter term may be negotiated

with the Vice Chancellor for Academic Affairs. The Dean of Curriculum supervises academic credit-generating courses in extension, distance, and service learning. The Dean of Curriculum also has responsibility for working with the Academic Policy Committee on curricular issues and offers leadership to departments and programs about how to keep student learning, and assessment of that learning, at the center of UNC Asheville's academic life.

#### 1.4.3.3 Assistant Vice Chancellor for Enrollment Services (AVCES)

The Assistant Vice Chancellor for Enrollment Services has responsibility for the Offices of Academic Advising and Retention, Admissions, Financial Aid, and Registrar, and coordinates course scheduling and classroom assignments. The AVCES works with departmental chairs and program directors to keep the course schedule distributed smoothly across approved class hours and classroom space.

#### 1.4.3.4 Department Chairs

Most academic programs at UNCA exist within academic departments. As a general rule, academic departments have full-time faculty members and host programs that grant baccalaureate degrees. The notable exception is the Education Department which grants various forms of teacher licensure and has the formal status of "department." Each academic department is supervised by a Department Chair.

Chairs are both the academic and the administrative leaders of departments. Chairs are appointed by the VCAA, generally for three-year terms, and their appointments may be renewed. For a detailed description of Chair duties, see [Section 3.1.2](#). For information on the evaluation of Chairs, see [Section 3.3.4](#).

#### 1.4.3.5 Academic Program Directors

Some academic programs do not have the formal status of "department." Although these programs do not have full-time faculty, some do award degrees, others offer minors and still others provide curricular activities that support the university's

mission. These programs are supervised by Program Directors rather than Department Chairs. They fall into three basic categories:

1. Programs which grant degrees  
Includes the Interdisciplinary Studies program (B.A.) and the Master of Liberal Arts program (M.L.A.)
2. Programs which offer minors but do not grant degrees  
Includes Africana Studies, Humanities, International Studies, and Women's Studies. (Note: Some other minor-granting programs exist within academic departments.)
3. Programs which support the University's mission but have neither minors nor degrees  
Includes African American Colloquium, Arts and Ideas, First Year Experience, Honors, and Undergraduate Research.

Like Department Chairs, Program Directors are appointed by the VCAA, typically for three-year terms, and their appointments may be renewed. For a detailed description of their duties, see the end of [Section 3.1.2](#). For information on the evaluation of Program Directors, see [Section 3.3.5](#).

#### 1.4.3.6 The Faculty Body

The faculty is organized into academic departments and programs which are informally grouped into three academic clusters: Humanities, Natural Sciences, and Social Sciences. The departments/programs in each cluster follow.

Humanities: Art, Arts and Ideas, Classics (Latin, Greek), Drama, Foreign Languages (French, German, Spanish), History, Humanities, Literature & Language, Music, Philosophy.

Natural Sciences: Atmospheric Sciences, Biology, Chemistry, Computer Science, Engineering (Joint with NC State), Environmental Studies, Mathematics, Physics.

Social Sciences: Accounting, Africana Studies, Economics, Education, Health and Fitness, Management, Mass

Communication, Multimedia Arts and Sciences, Political Science, Psychology, Sociology, Women's Studies.

#### 1.4.4 Vice Chancellor for Student Affairs (VCSA)

The Vice Chancellor for Student Affairs is the chief administrator of the Student Affairs Division. The fundamental purpose of this Division is to provide support systems that enhance the educational mission of the University. Questions concerning students' rights and responsibilities, student life, and services should be directed to the VCSA.

##### 1.4.4.1 Departments reporting to VCSA:

- Career Center
- Counseling Center
- Disabled Student Services
- Health Services
- Housing and Residence Life
- Multicultural Student Affairs
- Public Safety
- Recreation
- Student Life
- Student Leadership Programs
- Study Abroad

#### 1.4.5 Vice Chancellor for Administration and Financial Affairs (VCAFA) (revised 5/20/2002)

The Vice Chancellor for Administration and Financial Affairs is the chief business and financial officer of the University. Major functions include formulating and implementing administrative and fiscal policies affecting the University, developing and allocating resources, and representing the University in relevant on/off campus matters. The VCAFA has responsibility for all activities within the business affairs and physical plant organizational structure of the University, which include but are not limited to, architectural services, accounting systems, bookstore, budget, business office, campus mail, campus vending, facilities planning and construction, financial aid disbursement, housing and dining fiscal management, grants and contracts administration, motor pool, personnel administration, procurement, physical plant, safety and risk management. The VCAFA also serves ex officio as Treasurer of the UNCA Foundation.

### 1.4.5.1 Departments reporting to the VCAFA:

#### Auxiliary Services

Primary functions include:

- Telecommunications
- Campus Bookstore
- Vending Services
- Printing Services
- One Card Office

#### Budget Office

Primary functions include:

- Financial planning/consultation to UNCA departments, the North Carolina Arboretum, the Center for Craft, Creativity and Design and the Asheville Graduate Center.
- Budget Liason between UNCA and the Office of State Budget and Management and UNC General Administration.

#### Controller's Office

Primary functions include:

- Purchasing Department
- Payroll services
- University Accounting Services
- Grants/Contract Accounting
- Foundation Accounting

## Facilities Management and Planning

Primary functions include:

- Design and Construction
- Physical Plant
- Safety Officer

## Human Resources

Primary functions include:

- Employment
- Benefits
- Employee Relations
- Position Management
- Affirmative Action
- Staff Development
- Personnel Policies

### 1.4.6 Vice Chancellor for University Relations (VCUR)

The Vice Chancellor for University Relations has management and oversight responsibility for all development, alumni, publications and public relations programs and efforts undertaken by the University. The VCUR manages annual giving, deferred giving, capital campaigns, alumni giving, and other special fund raising activities and works in a collaborative fashion with the Athletic Department, the North Carolina Center for Creative Retirement, the Music and Theatre Programs and other university programs involved in fund raising and University outreach. The VCUR oversees community support and relations programs and serves as secretary of the UNCA Foundation Board of Directors.

#### 1.4.6.1 Departments reporting to VCUR:

- Alumni Affairs: works with the UNCA Alumni Association and UNCA to develop programs to keep alumni involved with and knowledgeable about the University, e.g. Homecoming, Honors Brunch, Run in the Gardens.
- Community Leadership: arranges all components of Leadership programs in Asheville, Hendersonville,

Haywood County, Madison County, as well as Leadership Asheville Seniors.

- Development: manages the overall UNCA Annual Fund, coordinates all campus fund raising, oversees gift recording and acknowledgments and maintains lists of alumni.
- Owen Conference Center: manages on-campus facilities in Owen Hall for meeting facilities available to community and other organizations.
- Public Information: produces media news releases and special feature articles at local, state and national levels; produces "UNCA Today"; compiles and distributes "Monday Morning"; operates a Speakers Bureau and Media Guide.
- Publications: provides a full line of pre-press services, including design, copyrighting, copy editing, desktop services and paste-up for off-campus publications. Establishes editorial and graphic standards in conformance with UNCA policies and federal/state law and guidelines.
- UNCA Foundation: raises, invests and distributes non-state funds for the support of University programs.

## 1.5 Budget Process for Academic Areas

UNCA is funded predominantly from funds appropriated bi-annually by the General Assembly. The UNCA Foundation provides some support through the Endowment and Annual Giving Campaigns. A few academic programs have special "Friends" groups which also provide funds for the operation of the program, e.g. Art, Athletics, Drama, Management, Music. Some academic programs have augmented their operating budgets through research and community service grants.

### 1.5.1 State Budget Process

Biennially the General Assembly of North Carolina appropriates funds to the University of North Carolina based on the recommendations of the UNC Board of Governors. Minor budget adjustments are made in the "short sessions" held in even numbered years. Each of the constituent institutions submits to the Board of Governors through GA budget requests. The budget requests typically include three types: Continuation Budget, Expansion Budget, and Capital Budget. The VCAFA is responsible for the preparation and management of these budgets at UNCA.

The Continuation Budget, as defined by the State, provides for the continuing level of service of existing programs. The Expansion Budget provides for expansion of existing programs (including enrollment increases), new programs, and salary increases and/or benefits for teachers and state employees. The Capital Budget provides for construction of new facilities, repair and renovations to existing facilities, major equipment purchases, land purchases, and infrastructure improvements. Capital funds are normally appropriated by the General Assembly for a specific project.

The North Carolina General Assembly appropriates the funds to UNCA in one lump sum. These funds are distributed by purpose and line item by the Office of State Budget and Management based on historical information. Purposes are standardized three digit codes that allow UNCA to compare itself financially with any other university. Purposes are defined as:

<u>PURPOSE</u>	<u>CODE</u>	<u>PURPOSE</u>	<u>CODE</u>
Academic Instruction	101	Academic Support	152
Summer Session	102	Student Services	160
Extension	103	Institutional Support	170
Libraries	151	Physical Plant	180

The UNCA administration distributes the funds to departments. Major deviations by line item or purpose must be reported to the North Carolina General Assembly. (Because all purpose categories begin with the numeral "1," the numeral is omitted in the accounting notation used when funds are assigned or expended. Academic instruction, therefore, becomes simply "01".)

The Academic Instruction budget typically comprises 44-45% of the entire operating funds appropriated by the State of North Carolina. Within each purpose funds are distributed by "Object". The object designates the specific use of the funds. The Budget system divides the objects into five general categories. They are:

<u>OBJECT</u>	<u>CODE</u>
Personnel	1000
Supplies	2000
Current Services	3000
Contractual Services	4000

Equipment	5000
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Within each object category there are more specific groupings for the use of funds. For example, educational supplies for use in the instructional program are assigned the object number, 2300. Faculty travel, considered a "Current Service", has an object code of 3100. The State of North Carolina permits transfer of funds among the 2000, 3000, 4000, and 5000 series of accounts, but does not allow transfer of funds from the 1000 series of accounts without reporting to the North Carolina General Assembly. Contact the Controller's Office to get a copy of the object code definitions.

The third accounting notation used by the state identifies the specific department or program to which funds are assigned or expended. These identifiers of specific departments, programs, or offices are called "Cost Centers". The Art Department for example has the cost center, 421, while Management is identified by the cost center, 463.

When funds are assigned or expended the accounting notation begins with a numeral indicating "Type of Funds", the fourth accounting notation used: 2 = state funds, 3 = unrestricted trust funds, 5 = restricted trust funds, 6 = UNCA endowments, 7 = debt service and capital improvements, 9 = UNCA Foundation and agency funds.

As an illustration of the complete notation system, the entry 2-01421-2300 translates as follows

Type of funds	2 = state funds
Purpose	01 = academic instruction
Cost center	421 = Art Department
Object	2300 = educational supplies

More information on budget process and procedures can be found in the [UNCA Budget Primer](http://www.unca.edu/admin/budget), available online at <http://www.unca.edu/admin/budget>

### 1.5.2 Budget Procedures at UNCA

The VCAA oversees the budget process for the instructional program with

assistance from the Dean of Faculty. Annually, in the spring, department chairs/program directors submit budget requests for the following academic year. After appropriate consultation, the Office of Academic Affairs develops allocations for each department or program. Factors determining allocations typically reflect the goals and objectives established by the University Planning Council (UPC) and the Chancellor.

Once funds are allocated to departments/programs, the chairs/directors are responsible for the management of the budget. Monthly, status reports are provided by the Business Office. An individual faculty member wishing to expend funds must have the signed authorization of the chair/director, or the VCAA in the Chair's absence.

A faculty member may request funds to be expended from the 101 (academic instruction) budget by identifying the purpose of an expenditure and an approximate amount and presenting the request to the department chair/program director for review.

If funds are available in the departmental budget the chair/director may approve the request and forward it for processing. If funds are not available but the chair/director approves the rationale for an expenditure, it may be forwarded to the VCAA for consideration for funding.

## 1.6 FORMS for Section 1.0

No forms for this section

## 2.0 HIRING - TERMINATION: RANKS, SEARCHES, CONTRACTS, BENEFITS

### 2.1 Faculty Status and Rank - Definitions

#### 2.1.1 Terminal Degree Policy of the UNC System

It is the policy of the University of North Carolina at Asheville that faculty members must have the appropriate terminal degree for their discipline in order to be eligible for academic tenure. In most fields this is the doctorate degree.

#### 2.1.2 Faculty Ranks

The faculty at the University of North Carolina at Asheville is composed of the Chancellor and the Vice Chancellor for Academic Affairs, all ranked librarians, Professors, Associate Professors, Assistant Professors, Lecturers, Instructors, and Visiting Faculty (see Article I, Constitution of the Faculty Senate, UNCA, Section 14.1). Individuals in Specialized Faculty Appointments are generally not considered part of the faculty. See Section 14.2 of the UNCA Tenure Policies and Regulations, Faculty Ranks, for details associated with appointments, evaluation and notice.

##### 2.1.2.1 Non Tenurable Ranks

Instructor: The rank of instructor is appropriate for persons who are appointed to the faculty in the expectation that they will soon progress to a professorial rank but who lack, when appointed, the necessary terminal degree for appointment to a professorial rank. Initial appointment to the rank of instructor shall be for one year, with one additional year of Instructor rank allowable so as to complete the required degree. (However, the candidate can be offered a terminal one-year appointment following the two-year allowance.) Upon completion of the necessary degree, advancement to the rank of assistant professor begins the following fall semester and initiates the four-year probationary term. No person holding a position as an instructor may be appointed to permanent tenure at that rank.

Lecturer: The rank of lecturer is reserved for persons who are appointed to non-tenure track full-time faculty positions of specifically contracted length. Lecturer contracts shall specify

departmental expectations regarding teaching load, scholarship/creative/professional activity and service responsibilities. Contracts shall be developed by the department Chair and approved by the Vice Chancellor for Academic Affairs. Initial appointment to the rank of lecturer shall be for a term of one year. After completion of at least three one-year appointments, terms may be extended to three or five years. Lecturer positions are not permanent positions: prior to the end of each contract term, the Chair of the department must request that the position be maintained for an additional contract term (see Section 2.3). No person holding the position of lecturer may be appointed to permanent tenure at this rank. The "notice" provisions of Section 14.2 do not apply to lecturer appointments; each lecturer shall be notified of reappointment for the following academic year before the end of the preceding spring semester in the final year of the contract.

Visiting Faculty: The qualification "visiting" applies to faculty hired for fixed-term appointments, normally in roles replacing a regular faculty member taking a leave or awarded an off-campus scholarly assignment. Such an appointment shall be at a specific rank for a term of not more than one year; one subsequent appointment may be made for a term of not more than one year.

Specialized Fixed-term Faculty Appointments (see Section 14.2. for further explanation).

Artist, Poet, Writer in Residence: Clinical, Research: Fixed-term appointments with the title designations of "artist in residence," or "writer in residence," or with any faculty rank designated in Section 2.1.2 above when accompanied by the qualifying prefix "Clinical," or "Research," may be made as provided herein. Such an appointment is appropriate for a person who has unusual qualifications for teaching, research, academic administration, or public service but for whom neither a professorial rank nor the instructor rank is appropriate because of the limited duration of the mission for which he or she is appointed, because of concern for continued availability of special funding for the position, or for other valid institutional reasons. An initial special appointment shall be for fixed terms of one to five years and

may be made either in direct succession or at intervals.

The "notice" provisions of Section 14.2 do not apply to special faculty appointments, and a faculty member holding such an appointment is not entitled to any notice concerning offer of any subsequent appointment at any rank or appropriate department.

Adjunct Faculty (one-half time or less): Adjunct faculty are employed semester by semester and paid on a per course contract as specified in their letter of employment from the VCAA. Normally an adjunct is restricted to teaching no more than six hours per semester.

#### 2.1.2.2 Emeriti Faculty (supercedes SD0495F)

To honor distinguished service, the University grants emeritus status to those faculty members who:

Retire from the University with faculty rank after at least ten years of service at UNCA or

retire from the University with tenure.

Are approved by the Board of Trustees acting upon the recommendation received from the

faculty of the home department or program and Chancellor.

However, special circumstances may dictate that the first of these requirements be waived, in which case the Committee of the Tenured Faculty is empowered to act by two-thirds vote of those present and voting. Eligibility for emeritus status under these standards is retroactive for all faculty who have retired since the creation of the University of North Carolina at Asheville.

The designation shall be "Emeritus" following whatever highest rank has been earned, e.g., Professor Emeritus.

In each instance of faculty retirement, the Chair of the retiree's department (in the case of retiring Department Chairs or

Program Directors, the Vice Chancellor for Academic Affairs) shall initiate the process of recommending emeritus status, provided such action meets the approval of the individual concerned.

The designation of Emeritus status for major administrative officers shall conform to the same ten year policy and be initiated by the Chancellor for approval by the Board of Trustees. Major administrators who also hold professorial rank will be considered for professional emeritus status in accordance with the regular procedure for faculty and administrative status in accordance with the procedure for administrators.

### 2.1.2.3 Tenurable Ranks

Assistant Professor: Appointment to the rank of assistant professor is appropriate for faculty who hold the terminal degree (usually the doctorate) in their discipline and who are otherwise fully qualified to hold a faculty position. Initial appointment to this rank shall be for a probationary term of four years. In the third year of this term following a review, the person may be appointed for a second four-year probationary term. A favorable review followed by reappointment voids the fourth year of first term and initiates the second probationary term in the following academic year. An unfavorable review allows the fourth year of the first term to serve as a grace year of employment with faculty status. (See Section 14.2). Reappointed persons on tenure track will normally be evaluated for tenure and promotion to Associate Professor in the sixth year of the full probationary period. Candidates awarded tenure will begin a permanent contract in the following year of employment. Candidates not awarded tenure may not be reappointed beyond the seventh year of employment.

Associate Professor: Appointment to this rank is appropriate for faculty who hold the terminal degree in their discipline and who demonstrate an outstanding level of achievement in either teaching or scholarship and creative activity, with significant contribution in the other area, and in service. For untenured faculty, the initial appointment to this rank shall be for a probationary term of four years. Appointments will normally

be evaluated for tenure in the third year of the term. Candidates awarded tenure will begin a permanent contract in the fourth year of employment. Candidates not awarded tenure may not be reappointed beyond the fourth year of the term. (See Section 14.2).

Professor: Appointment to the rank of Professor indicates an outstanding level of achievement in either teaching or scholarship/creative activity, with a significant contribution in the other area, and in service which has been sustained over a period of years. For untenured faculty, the initial appointment to the rank shall be for a probationary term of four years. Appointments will normally be evaluated for tenure in the third year of the term. Candidates awarded tenure will begin a permanent contract in the fourth year of employment. Candidates not awarded tenure may not be reappointed beyond the fourth year of the term. (See Section 14.2).

#### 2.1.2.4 Part-time, continuing contract (at least one-half time)

Under special circumstances approved by the VCAA, and for a specified time period, a faculty member may be appointed to a ranked position at less than full-time but more than one-half time teaching equivalency. Persons in this category are on an annual salaried contract; their tenure status is not altered by this appointment. North Carolina law requires a person to be employed at least three-quarters time to qualify for benefits.

## 2.2 Budgeted Faculty Positions

The Board of Governors annually determines the number of full-time-equivalent (FTE) students to be funded at each constituent institution and then allocates faculty positions, salary and other budget items, based upon the enrollment figures. The adjunct faculty budget is funded by holding some full-time positions vacant which generates money to hire adjunct faculty. Information about the relationship between enrollment and faculty positions is available at the Office of Institutional Research's website in the "Introduction" section of each annual Department Profile report (<http://www.unca.edu/ir/report/index.html>).

## 2.3 Allocation of Faculty Positions

Faculty positions funded to UNCA are allocated by the VCAA after analysis of requests

from Department Chairs and Program Directors, consideration of Institutional needs, and consultation with the Council of Chairs and the Chancellor. Positions which become vacant must be justified in the same way as requests for new positions. Once a position has been allocated the Search Procedure described in the following section is activated.

## 2.4 Searches to Fill Faculty Positions

### 2.4.1 Affirmative Action

UNCA's commitment to a liberal education of highest quality requires the creation of a diverse community of teachers and learners. Consequently, the University is unalterably dedicated to employing a multicultural faculty of diverse age, gender, and race who share the vision of a distinctive public undergraduate liberal arts university. The University has developed an Affirmative Action Plan and search procedures to assist in achieving this vision. The Affirmative Action Plan is updated annually to define hiring goals for minority and women faculty and staff in accordance with federal and state statutes. Copies of the Affirmative Action Plan are available in departmental offices, the Affirmative Action Office, the VCAA office and Ramsey Library.

### 2.4.2 Procedures for Conducting Faculty Searches

NOTE: Search Committee Chairs receive a more detailed set of objectives and procedures from the VCAA. All members of the Faculty Senate are empowered to visit with the candidates for a faculty position at UNCA. ([SD1099F](#))

The filling of authorized vacant faculty positions (new or replacement) occurs in three stages, each of which must be approved by the VCAA prior to initiating the action. Forms are available from the Office of Academic Affairs. The forms are:

1. Faculty Position Request
2. Request to Initiate a Search
3. Request to Appoint

Once a request to fill a position has been approved, Stage 2 is initiated. It requires submission to and approval by the VCAA and the Affirmative Action Officer of a detailed recruitment plan with special efforts to locate and attract minority and women faculty. All searches for full time appointments must be carried out nation-wide utilizing advertising most

effective for the department/program.

Applicant pools are expected to reflect disciplinary availability of minority and women candidates. Normally, with approval of the VCAA, at least two applicants are invited to campus interviews. A summary report on the applicant pool is required when the search is completed.

#### 2.4.3 Faculty Search Committees ([SD4682](#))

The Faculty Search Committee comprises one part of the faculty employment process at UNCA. This process is controlled by The Code of the University (see [Section 13.1.1](#)) as well as by State and Federal laws governing employment by public institutions and including regulations concerning Affirmative Action and non-discrimination. In the employment of faculty members at UNCA, the VCAA has been delegated responsibility for all matters, from the allocation of vacant positions to the recommendations for hiring to the Chancellor. In the hiring of tenure-track persons, the Board of Trustees acts on the recommendation of the Chancellor. The Board has delegated to the Chancellor the final decision on the hiring of non-tenure-track faculty members.

##### 2.4.3.1 Purpose of the Search: ([SD7103S](#))

To find the person most qualified in the needed expertise and most suited to the purposes and character of this particular academic community. The achievement of this purpose may be modified by the circumstances of the employment market, rank and salary available, the recruitment and retention of faculty accompanied by an academic spouse/partner, etc.

##### 2.4.3.2 Function of the Search Committee:

1. To clarify (to the extent that they have not already been determined) the professional and personal qualifications to be sought in applicants for the position including areas and level of expertise, allied areas, special needs for personal characteristics, etc.
2. To screen all applicants in order to determine those most qualified.
3. To determine the qualified applicants who are members of

minority groups or women.

4. To recommend to the VCAA several applicants to be invited for on-campus interviews.

5. To participate in these on-campus interviews and to recommend to the VCAA the persons to whom offers of employment shall be made.

#### 2.4.3.3 Role of Chair of the Search Committee:

1. To lead the Committee in performing its functions including:

- \* setting up its procedures, files, and individual assignments,
- \* maintaining objectivity in assessing applicants' qualifications,
- \* directing attention to affirmative action consideration, and
- \* checking applicants' references.

2. To act as liaison with Office of Academic Affairs in:

- \* developing advertisement, its placement in journals and deadline for applications,
- \* determining the availability of travel funds for candidates,
- \* meeting requirements and reporting needs of Affirmative Action,
- \* offering the position to the candidate, and
- \* carrying on any subsequent salary or rank discussions.

3. To make arrangements for interviews and presentations by candidates in:

- \* setting up dates and interview schedules,
- \* arranging travel, lodging and meals, and
- \* arranging for reimbursement for expenses incurred by candidate.

#### 2.4.3.4 Composition of Search Committees

The types indicated below reflect the normal hiring procedures. As particular needs and circumstances arise, variations may become necessary and should be approved by the VCAA. All committee members and the committee Chair are explicitly appointed by the VCAA.

### Search for Department Chair

Because of the nature of this position, involving more than disciplinary expertise and calling for qualities of leadership, communication and awareness of organizational realities, this Search Committee extends beyond the confines of the department. Depending on the size and composition of the department, there should normally be two senior faculty members from the department and three department chairs or program directors on the committee.

The tenure-track department members who are not on the search committee should be consulted on the academic qualifications of the candidates selected by the Committee to visit the campus. All department members should have the opportunity to interview the candidates.

### Search for a Department Member

In departments of five or fewer members, the department as a whole should act as a search committee along with one person outside the department. In departments of six or more the Chair will recommend to the VCAA the names of those to serve on the Search Committee. Normally these should include the senior faculty and the tenured junior faculty before non-tenured junior persons are considered for membership. One person from outside the department shall be appointed to the Search Committee. Except for unusual circumstances, the Department Chair shall serve as the Chair of the Search Committee. Each Search Committee shall contain both men and women and, whenever possible, a minority person.

### Interdepartmental Searches

When there is a search for a person whose major responsibilities will extend beyond one academic department, a committee will be constituted by selecting persons from those areas in which the new faculty member will work.

#### 2.4.3.5 Travel and Subsistence Expenses for Prospective Professional Hires

The University will reimburse candidates for a maximum of one round trip airfare from their current location to UNCA and for reasonable room and board expenses directly

associated with an interview. Whenever possible, interview schedules should be arranged to allow the "over-Saturday-night" reduced airfares. Reasonable meal expenses will be reimbursed for one Search Committee/Departmental person to accompany candidates at each meal included in the interview. For more information see [UNCA PPM #7](#).

#### 2.4.3.6 Appointment Procedures

Appointments are consummated between the Search Committee Chair and the VCAA. Conditions of appointment will be consistent in rank and salary with comparable positions already on the faculty. Strict adherence to Affirmative Action guidelines must be followed. The UNC Board of Governors through The Code Section 103 states that:

Admission to, employment by, and promotion in the University of North Carolina and all of its constituent institutions shall be on the basis of merit, and there should be no discrimination on the basis of race, color, creed, religion, sex, or national origin.

More detailed hiring procedures are sent to the Chair of the Search Committee by the VCAA.

### 2.5 Contracts - Full time (formerly 3.1 and subsections)

#### 2.5.1 General

The normal contract period for faculty members is the academic year, two semesters spanning about nine months, and running from the first academically related assignment prior to fall registration, through commencement at the end of spring semester.

After a candidate has been recommended for full-time employment by the appropriate department chair or program director, the VCAA, and approved by the UNCA Board of Trustees, a written contract is issued.

#### 2.5.2 Joint Faculty Appointments

To receive a joint appointment in two academic departments a faculty member must:

1. Provide documentation of education, training, or experience relevant to the curriculum needs of both departments.
2. Receive a recommendation from the Chairs of each department which includes statements indicating the appropriateness and justification for such appointment.
3. Agree to meet the anticipated teaching assignments in both departments.
4. Agree that one department is the department of primary responsibility. This department's chair will be responsible for all personnel recommendations but must consult with and include in the file an evaluation and recommendation letter from the chair of the second department. Should tenure be granted it would be as a faculty member in the primary department. The decision as to which department is the primary department is negotiated between the faculty member and both department Chairs and approved by the VCAA at the time of initial appointment. Any change in this appointment requires agreement of all parties plus the Chancellor and may occur only after documenting that program needs call for the adjustment.
5. A visiting scholar who is not filling a tenure track position may receive a joint appointment for the duration of the visit.
6. As with any appointment, joint appointments must receive the favorable recommendation of the VCAA, the Chancellor, and final appointment by the Board of Trustees.

## 2.6 Contracts - Adjunct (formerly 3.2 and subsections)

### 2.6.1 Decision to Hire

Adjunct faculty are employed on a by-the-course basis for one semester at a time. The department chair or program director is responsible for searching for adjunct faculty. Annually the VCAA allocates funding for a specified number of adjunct-taught hours to each department/program. The chair/program director is responsible for determining the appropriate qualifications of the candidate, evaluating performance, communicating policy and other relevant information to adjunct faculty.

### 2.6.2 Responsibilities

Adjunct faculty are expected to attend departmental faculty meetings whenever feasible. Chairs/Directors should provide an orientation for all adjunct faculty and should attempt to schedule department meetings at times when most adjunct faculty may attend.

### 2.6.3 Application and Contract

Applicants for adjunct positions must submit a completed application form, official transcripts of all post-secondary work, and other documentation of expertise and experience as requested by the Chair/Director. Upon recommendation by the Chair/Director and after an interview, the VCAA issues a letter of employment which specifies the terms of employment. These individuals carry Adjunct status.

### 2.6.4 Teaching Responsibilities

Normally adjunct faculty members may teach no more than six hours per semester. Requests to exceed this amount must be approved in advance by the VCAA.

### 2.6.5 Salary and Fringe Benefits

Salary for adjunct faculty is normally paid by the semester credit hour at a rate reflecting the individual's training and experience. A copy of prevailing salary rates may be acquired in the Academic Affairs office. Checks are issued on the 15th of each month while employed and subject to withholding for Social Security, state and federal income taxes.

In special cases a part-time faculty member may be employed at a salary rate independent of the number of semester hours taught. These individuals receive a formal contract issued by the VCAA and are employed as part-time Lecturers.

The State of North Carolina does not fund fringe benefits for adjunct and part-time faculty (defined as those who teach less than three-quarter time). The state does pay the Social Security matching contribution.

### 2.6.6 Perquisites

On a space available basis UNCA provides adjunct faculty with offices (sometimes shared with other faculty) for meeting with students, secretarial support for work directly related to course instruction, access to the services of the Library, Computer Center, Printing Services and Publications, Media Center, and athletic facilities. The services of the Health Center and Counseling Center are not available to adjunct faculty except on an emergency basis while on campus performing assigned duties. During the period of employment adjunct faculty have access to athletic events, films,

performances and lectures on the same basis as full-time faculty.

### 2.6.7 Summer School

Adjunct faculty may be employed during the summer on the same basis as outlined above for the regular semester.

## 2.7 Faculty Personnel Records (formerly 3.3 and subsections)

### 2.7.1 Purpose/Location

Faculty personnel records are maintained in the Office of Academic Affairs with the VCAA as the custodian of these records. (see [UNCA PPM #29](#))

### 2.7.2 Content

The following information on each faculty member is kept in the personnel file:

- Completed Application Form
- Letter of Appointment or Contract, designating the conditions of employment
- Salary and promotion letters, indicating new or changing salary or position
- Evaluative material
- Significant commendations or disciplinary citations
- Official transcripts, received directly from the issuing institutions
- Complete payroll deduction information
- Items submitted by faculty member, if approved by one's immediate supervisor for inclusion in the official records as "relevant to accomplishing personnel administration purposes."
- An employee's statements relating to file material which he or she considers to be inaccurate or misleading
- Name, age, date of original employment, current position title, current salary, date and amount of most recent change of salary, date of most recent promotion, demotion, transfer, suspension, separation, or other change in position classification, and the agency and location to which the employee is currently assigned.

### 2.7.3 Access

Faculty personnel files are by law open to the person who is the subject of the file and to "the supervisor of the employee," defined in the statute as any individual in the chain of administration authority above the employee. The employee is entitled to see everything except letters of references solicited prior to employment and any information concerning a medical disability, mental or physical, that a prudent physician would not divulge to a patient.

## 2.8 Faculty Salary (formerly in 3.9 and subsections)

### 2.8.1 Salary Budget

The total budget for faculty salaries each year is determined on the basis of the average faculty salary of the previous year (i.e., total salary budget divided by the number of budgeted positions). Additional positions that result from enrollment increases are then added at the average salary rate of that previous year. Any salary increments are then added to this as appropriated by the General Assembly and allocated by the Board of Governors.

Priorities for allocating the faculty salary budget are:

1. salaries for faculty members on continuing contracts,
2. salaries for newly hired faculty, and
3. salaries for adjunct faculty.

### 2.8.2 Compensation Practices

#### 2.8.2.1 Payroll Periods (dates)

Salaries for UNCA employees are directly deposited into the bank account designated by each employee. New faculty must provide a deposit slip to the Payroll Office for the designated bank account. Each pay period, paycheck stubs are distributed to employees through campus mail.

The contract salary is paid in twelve installments; checks are deposited on the last working day of each month, except in December when deposits are issued about the 20th. Summer school deposits are issued on July 15 for all summer terms.

The pay period for new faculty members extends from July 1st through June 30th. The first paycheck for new faculty members is issued at the end of August in the amount of two-twelfths of the contract salary. The balance of the contract is paid in one-twelfth installments from September through June.

Because our payroll is prepared in Raleigh, UNCA is unable to issue salary advances or issue checks prior to pay day.

#### 2.8.2.2 Salary Increases

The General Assembly and the UNC Board of Governors has a practice of awarding salary increases for meritorious service. Additional adjustments may be made to reward promotions and to minimize salary inequities. These increases become part of a faculty member's base salary. The awarding of merit salary increases is part of the annual faculty evaluation process (see [Section 3.4](#)).

### 2.8.3 Payroll Withholding

#### 2.8.3.1 Mandatory

The following items are required to be withheld from each employee's paycheck:

Federal Income Tax	Social Security tax (FICA)
North Carolina Income Tax	Retirement Contribution

#### 2.8.3.2 Voluntary

The following items are voluntary deductions from an employee's paycheck. See the Office of Human Resources for more information (<http://www.unca.edu/hr/>).

#### Deducted on a pre-tax basis

1. Family and Dependent Health Insurance
2. Flexible Spending Accounts for expenses such as unreimbursed medical costs and child care costs.
3. Supplemental dental and/or vision coverage.

4. Accidental Death and Dismemberment Insurance which pays a benefit for certain types of injuries incurred either on or off the job.
5. Tax Deferred Annuities (TDA), designed for an employee to defer the payment of Federal and State income taxes on a portion of the monthly salary. By deferring the receipt of a portion of the State salary, the employee also reduces the amount of Federal and State withholding taxes taken from their check as well as the amount of taxes at the end of the year.

#### Deducted on an after-tax basis

1. Life insurance
2. Supplemental disability insurance
3. Purchase of U.S. Savings Bonds

### 2.9 Fringe Benefits (formerly in 3.9 and subsections)

#### 2.9.1 Retirement Systems

##### 2.9.1.1 Teachers' and State Employees' Retirement System

- Contributions. Each employee contributes 6% of their gross pay. The state makes an additional contribution to the system.
- Pension payments are related to salary, years of service and an established formula.
- Early retirement is available, beginning at age 50 after 20 years of service.
- A death benefit equal to the previous year's salary (minimum \$25,000, maximum \$50,000) is paid by the retirement system to the beneficiary of an employee who, after one year of full-time service, dies in service before age 70.
- A disability retirement allowance is paid by the retirement system to an employee who, after five years of full-time service, becomes permanently disabled, mentally or physically. Short-term disability is available after one year of service.
- Vesting. After five years' full-time service, a participant earns a vested right in the retirement system

and is eligible for monthly retirement payments, available at age 60, even though he has left state employment. A person employed for less than five years, or one who does not wish to qualify for retirement benefits, may withdraw his own contributions, subject to a possible tax penalty, upon leaving state employment.

#### 2.9.1.2 Optional Retirement Plans (ORPs)

In the ORP system the employee contributes 6% of gross earnings each pay day. The State provides a matching contribution and this total is sent to the selected vendor each month.

The ORP system permits annuity premiums to be invested at percentages selected by the employee through many different stock, mutual fund, money market, etc options. Forms to enroll in ORP programs and information booklets are available in the Human Resources Office.

#### 2.9.2 Other Benefits

To be eligible for retirement and health benefits a faculty member must be employed three-quarter time or more. Additional information is available at <http://www.unca.edu/hr/>.

##### 2.9.2.1 Institutional Payments

The University System currently makes the following payments to the appropriate agency on each employee for each pay period: Social Security tax, Retirement contribution, and Major medical insurance.

##### 2.9.2.2 Insurance

###### 2.9.2.2.1 Medical and Life Insurance

Comprehensive hospitalization and major medical insurance are available. The employee's coverage is paid in full by the state. Family coverage is available at an additional cost for

spouse and/or children.

Group life insurance plans are available from TIAA. Faculty should consult with TIAA for specific details. Life insurance coverage at bargain rates is available to members of the State Employee's Association, and additional coverage may be purchased through N.C. State group plan with Jefferson Pilot.

#### 2.9.2.2.2 Liability/Property Insurance

A personal liability insurance plan covers faculty members for suits brought against them for actions connected with their performance of professional duties.

A description of liability coverage is found beginning on page 13 of [PPM #4](#) in the UNCA Policy and Procedures Manual. A copy of the basic policy can be reviewed in the UNCA Business Office.

The State of North Carolina does not provide insurance coverage for the personal property of employees even if that property is used in meeting assigned or contractual responsibilities. Therefore, faculty members use personal property "at risk" in the conduct of their professional activities while on campus.

### 2.10 Termination/Separation Procedures (formerly 3.7)

See [Section 13.1.1](#) The Code, Chapter VI, for discussion relating to issues of separation, resignation, and non-reappointment.

#### 2.10.1 Retirement

Early retirement is available beginning at age 50 and after 20 years of service for participants in the State Retirement Program. Contact the Human Resources Office for additional information.

## 2.10.2 Phased Retirement Program

The phased retirement program was created by the UNC system to provide an opportunity for full-time tenured faculty members to transition to retirement through several years of half-time service. The program is offered for five years beginning Fall 1998. Eligible faculty may elect to enter the program at any time during this period. The decision to enter the program is entirely voluntary but is irreversible. Enrolling faculty may elect to begin receiving benefits accrued under their respective retirement systems (state or ORP) but they are not required to do so.

The following program information is taken from UNC Administrative Memorandum #378 and applies to phased retirement at all UNC institutions.

**(NOTE:** The Board of Governors adopted the Innovations in Faculty Work Life Committee's "Report and Recommendations Concerning the University of North Carolina's Phased Retirement Program for Tenured Faculty" at its meeting on May 11, 2001. The Committee recommended that the Phased Retirement Program be continued beyond the five-year trial period and also that several program provisions be modified. Information about recommendation changes is available at [http://www.northcarolina.edu/aa/reports/planned\\_retirement/.](http://www.northcarolina.edu/aa/reports/planned_retirement/))

1. Only full-time tenured faculty are eligible for the program. Faculty must be at least age 60 and have at least five years of contributory participation in an approved retirement program or be at least 50 and have at least 20 years contributory participation as of the August 1 following application to the program. In addition, faculty must have at least five years of full-time service at the current institution.
2. Application to enter the program must be made at least six months but not more than eleven months before the effective date of participation. The application must be submitted to the faculty member's department or division head and approved by the VCAA. The faculty member also must execute a waiver of rights and claims under the Age Discrimination in Employment Act and other laws.
3. Upon entering the program, the faculty member gives up tenure and contracts for a period of half-time service to the institution. The faculty member retains his or her rank, rights, responsibilities and benefits (with the exception of tenure status). The faculty member receives 50% of the salary received during their last year of full-time employment, paid over a 12-

month period.

4. Participating faculty remain subject to The Code of the University of North Carolina.
5. Participating faculty may terminate phased retirement at any time upon mutual agreement of the parties.
6. Institutions may cap participation in the program and also may limit participation in circumstances of financial exigencies or jeopardy to the state of an academic program.

The following information represents UNCA's institutional guidelines for phased retirement ([SD2098S](#)).

1. Institutional limitations on participation in the Phased Retirement Program

There are no departmental or institutional caps on the number of participants in the Phased Retirement Program (PRP). However, an application to participate can be denied if participation in the PRP would substantially weaken academic quality of department or university programs. This finding, however, must be supported by objective measures of program quality.

A judgment to deny participation on these grounds must be confirmed by the Vice Chancellor for Academic Affairs, if first made by a Department Chair. A judgment to deny participation must be confirmed by the Chancellor when first made by the Vice Chancellor for Academic Affairs.

2. Limits on participation because of financial exigencies

Financial exigency shall be determined according to the stipulations of The Code of the University (Section 605, A, B, C) and the UNCA Tenure Policies and Regulations (Section V, 1,2). The following conditions must be met in order for there to be any effect upon the application of the PRP.

- A. Funds in the "101" faculty salary amount must be insufficient to support fully the number of FTE faculty positions of the previous year and  
>
- B. A determination has been made by the Chancellor, under the conditions set by The Code, to terminate a designated program or to reduce the number of faculty members in a designated program.

In the event a financial exigency is declared according to the provisions of The Code, entry into phased retirement for faculty in the programs being eliminated may be suspended until the financial exigency is declared at an end.

### 3. Eligibility

Faculty are individually responsible for providing to the Office of the Vice Chancellor for Academic Affairs their age and service data needed to determine their program eligibility.

A list of faculty by rank, age, department and administrative title (without names) of those faculty eligible and ineligible to participate in the program will be prepared annually each year and mailed as part of the PRP program materials. (See Item 5B.6)

### 4. Enrollment in PRP

PRP is a trial program being offered through the UNC system. Enrollments may commence with fall semester of 1998, 1999, 2000, 2001 or 2002. The UNCA phased retirement program has been established as a three consecutive academic year plan. The plan commences with the fall semester of each year of the program.

### 5. Procedures ensuring eligible members are informed

- A. Upon the initiation of the PRP on February 1, 1998, or upon its approval by President Broad (whichever is later), all full-time tenured faculty will receive a letter announcing the PRP and providing eligibility information from the Office of the Vice Chancellor for Academic Affairs.
- B. By February 1, 1998, or upon its approval by President Broad (whichever is later), all existing eligible faculty members, and those who appear to be qualified for participation by August 1, 1998, will receive program materials from the Office of the Vice Chancellor for Academic Affairs. Following this, program materials will be sent by September 1 of each year. Program materials will be sent by certified mail in order to document the receipt of it by the eligible faculty member.

The Phased Retirement program materials will consist of the following:

1. A letter announcing the program
2. The program summary

3. A copy of the model UNC Phased Retirement Application and Re-employment Agreement
  4. A copy of the model Phased Retirement Release
  5. A chart outlining effects of participation in Phased Retirement Program on employee benefits
  6. A chart reflecting information regarding persons who are eligible and those who are ineligible for the program
- C. On or about September 1, a letter will be sent by the Office of the Vice Chancellor for Academic Affairs to all eligible faculty reminding them of the Program and their eligibility for it. A public notice will also be placed in Monday Morning, a weekly faculty newsletter, and sent by e-mail.
  - D. Annual presentations will be advertised and held to provide further information about the Program to interested faculty, through a cooperative venture between the Office of the Vice Chancellor for Academic Affairs and the Office of Human Resources.
  - E. Questions about the program should be directed to the Director of Human Resources.
6. Procedure used to accept, review, and approve applications
- A. Application to the PRP is made:
    - \* Not earlier than eleven (11) months prior to the fall semester.
    - \* Not later than six (6) months prior to the fall semester.
  - B. Faculty members intending to enter the PRP will develop a half-time work plan with the Department Chair. This plan will be subject to approval by the Vice Chancellor for Academic Affairs. A faculty member who is currently serving as a Department Chair will develop a half-time work plan with the Vice Chancellor for Academic Affairs, who will consult with senior members of the department about the plan. This plan will be subject to approval by the Chancellor.
  - C. The Office of the Vice Chancellor for Academic Affairs will receive applications, recording the date of their receipt. The Vice Chancellor will review the application and render a decision regarding its approval with regard to its effect on the academic quality of department or university programs. When an application is received from a current Department Chair, the Chancellor will review the application and render a decision regarding its approval.
  - D. If the Application is approved:
    1. A checklist and the Agreement and Release Package will be provided the faculty member by the Office of the Vice

Chancellor for Academic Affairs. The checklist will insure and document that the eligible faculty member has received all the materials in the Agreement and Release Package. The eligible faculty member will sign the checklist, confirming receipt of these materials as well as the Agreement and Release forms.

2. Upon signing this checklist and receiving the completed Agreement and Release forms signed by the institution, the faculty member has 45 days in which to sign and return the forms to the Office of the Vice Chancellor for Academic Affairs. If the Agreement and Release forms are not returned within 45 days, there is no active request to participate in the Phased Retirement Program at that time. A faculty member may reapply for the Program at a later date.
  3. If the signed forms are received by the Vice Chancellor's Office within 45 days, there will be a 7-day waiting period in which the faculty member has the right to revoke the fully executed Agreement and Release. If the application is not revoked, the faculty member is officially enrolled in the Program. If revoked, the faculty member will not be eligible to participate in the program at that time, but may reapply to participate at a later date. The Office of the Vice Chancellor for Academic Affairs will provide to the Office of Human Resources a listing of all faculty members who have enrolled in the Program.
- E. If the initial application is not approved, faculty members may appeal to the Grievance Committee if they feel they have been inappropriately denied access to the Program or if they feel the Program's guidelines have not been properly followed.

## 7. Guidelines for half-time work plans

- A. The faculty member will carry a teaching load which is reduced by one-half of the standard load, currently 24 semester hours (or their equivalent) per academic year. Thus, the faculty member participating in PRP will carry 12 semester hours per academic year. Faculty members in the Program will not typically be eligible for additional time released from teaching.
- B. The faculty member will carry one-half of faculty responsibilities including service and scholarly activity (advising, departmental work, campus committee assignments, and community service).
- C. Only faculty with duties extending over 12 months (e.g., research professors) may perform services during other than the fall and spring

semesters of the regular-term academic year. No work plan may include duties incident to summer school curricula.

- D. Compensation is paid over the 12-month participation year even if services are rendered during only part of the 12 months.

The faculty member will work together with the Department Chair to define specific service responsibilities under (B), recognizing that these may shift from year to year during the Phased Retirement.

#### 2.11 Retired and Emeritus Professor (2/14/85) (formerly 3.8.7)

Faculty members retired and emeriti possess such privileges as continued listing in the university catalog, standing invitations to march in all academic processions and to participate in other faculty events on the same basis as currently employed faculty, use of athletic and library facilities and faculty parking areas, and such other privileges as may be extended by the Board of Trustees.

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**3.0 FACULTY RIGHTS, RESPONSIBILITIES AND EVALUATIONS**3.1 Faculty Rights and Responsibilities ([SD0294F](#), revised by [SD2102S](#)) (formerly 3.8 and subsections)

The professional responsibilities of full-time faculty at UNCA are divided among the three general headings of teaching, scholarship and service. All three are considered important, but historically UNCA has placed the heaviest emphasis on teaching. The way in which faculty members meet these three responsibilities will vary from department to department and may differ throughout a faculty member's career. Faculty members must carry out these responsibilities in a professional, ethical and collegial manner that enhances the purposes of UNCA.

As a relatively small, primarily undergraduate, liberal arts university, UNCA properly requires excellence in teaching as its first priority. Teaching loads are also heavier at UNCA than at some of the larger institutions in the UNC system. In order to teach well at the university level, up to several hours of preparation may be required for every hour in the classroom. Besides direct preparation for class, university faculty are also expected to keep abreast of the literature of their respective disciplines in order to incorporate current insights into their teaching. In addition, many more hours of follow-up are often necessary to meet with students, support ongoing projects, and evaluate their completed work. Finally, faculty are often asked to present material in courses in other departments.

## 3.1.1 Academic Freedom (formerly 3.8.1)

Chapter VI, Sections 600 and 601 of The Code of the University reads as follows:

Section 600: Freedom and Responsibility in the University Community.

1. The University of North Carolina is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. The University therefore supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.
2. The University and each constituent institution shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.
3. Faculty and students of The University of North Carolina shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.

Section 601: Academic Freedom and Responsibility of Faculty

1. It is the policy of The University of North Carolina to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research and publication for all members of the academic staffs of the constituent institutions. Members of the faculty are expected to recognize that accuracy, forthrightness and dignity befit their association with the University and their position as men and women of learning. They should not represent themselves, without authorization, as spokesmen for The University of North Carolina or any of its constituent institutions.
2. The University and its constituent institutions shall not penalize or discipline members of their faculties because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

UNCA

As a constituent institution of the UNC System UNCA subscribes to the foregoing statement as well as the following AAUP Statement of Principles on Academic Freedom and Tenure.

1. The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an

understanding with the authorities of the institution.

2. The teacher is entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to the subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When they speak or write as a citizen, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As a person of learning and an educational officer, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not an institutional spokesperson.

### 3.1.2 Duties of Department Chairs/Program Directors (formerly 3.8.2)

Department Chairs (Position description developed by VCAA in consultation with the department chairs, 1/9/80).

The Chair is a member of the faculty who is designated by the VCAA to perform the administrative functions described below in addition to the usual teaching responsibilities. In this role the Chair is directly responsible to the VCAA and is normally appointed to a three year term. Consecutive reappointments may be made. The Chair is essentially the leader of the faculty group teaching in the programs of the department and is a manager of departmental affairs. Chairs serve a University function as well as a departmental one. The Chair, therefore, is expected to convey to the department members a university-wide view of the issues which arise. The major responsibilities and authority of the position are stated as, but not limited to, the following:

#### a. Academic Programs

1. Program and course evaluation and improvement
2. Academic Planning
3. New Programs and new course development
4. Liaison with the VCAA, Academic Policy Committee, Institutional Development Committee
5. Preparation of course schedules
6. Approval of special topics courses
7. Concern for and preparation of public information related to the departmental programs, students and faculty members

#### b. Faculty Members

1. Assignment of courses to department members
  - a. Negotiations with other Chairs concerning teachers belonging to other departments
2. Faculty development and assistance
  - a. Improvement of teaching
  - b. Encouragement of scholarship
  - c. Encouragement of participation in University and community life
3. Faculty evaluation for re-appointment and promotion
4. Evaluation of part-time faculty members
5. Recommendations to VCAA on hiring of faculty members
6. Communication to department members of information, new policies, and directives

#### c. Students

1. Involvement in recruitment of students for the University

2. Increase of students in the major program(s) of the Department
3. Solution of student problems with instructors and courses
4. Assignment of advisors to students in the major program(s)

d. Budget

1. Preparation of budget requests
2. Budget planning and setting of departmental priorities
3. Monitoring of expenditures to remain within approved budget
4. Monitoring of book fund for library purchases
5. Authorization of all expenditures
6. Endorsement and justification of all travel requests
7. Maintaining of equipment, supplies, etc.

e. Clerical Assistance

1. Determination (in conjunction with other Chairs, if necessary) of work assignments of clerical personnel working for the department
2. Supervision of clerical personnel assigned to the department
  - a. Signing of worksheets
  - b. Signing of leave slips
  - c. Evaluation of work

f. Delegation

At his/her discretion the department Chair may delegate certain specific functions to a member of the department. At all times the Chair remains accountable for the actions of the delegate. General leadership functions and evaluation responsibilities may not be delegated.

g. Consultation

An important function of all Chairs is to serve as consultants to the VCAA, and through him/her to the Chancellor and other Vice Chancellors. The Chair's advice and information is sought on major issues facing the institution, such as planning, academic or administrative problems, relations with the outside community and other matters of this kind.

Program Directors

Program Directors in many ways function similarly to Department Chairs. However, because programs do not have their own faculty, neither item b. nor item f. in the preceding list apply to Program Directors. Relative to faculty, these directors do provide annual faculty teaching evaluations to Departmental Chairs in their instructors' home departments.

3.1.3 Campus Governance Participation (see [Section 10.1](#))

3.1.4 Instructional Activities (formerly 3.8.4 and subsections)

3.1.4.1 Teaching Responsibilities

3.1.4.1.1 Full-time

A full-time teaching assignment is the equivalent of 24 semester hours per academic year or its equivalent as established by the Department Chair/Program director and VCAA.

Faculty who teach in the MLA program are released from one undergraduate teaching assignment in order to teach a graduate class. If the faculty member is preparing to teach the class for the first time, he/she will be released from an additional class in order to properly prepare. There will be no release time for cross listed courses that have an enrollment primarily made up of undergraduates. The Director of the MLA program will coordinate with Department Chairs to ensure a burden is not placed on the Department.

#### 3.1.4.1.2 Overload Teaching:

Overload teaching may be approved by the VCAA only by way of exception in order to meet an unanticipated need or to ensure an appropriate level of expertise which is not otherwise available in the local community. To be awarded compensation for overload teaching a faculty member must already be scheduled to teach 12 semester hours of courses. In the case of a department Chair or a program director, one must already be scheduled to teach 9 semester hours.

#### 3.1.4.1.3 Independent and Special Topics Courses

When in the judgment of the Department Chair/Program Director there is a curricular or student need coupled with available faculty expertise, Special Topics Courses may be part of a program's set of scheduled courses. When scheduled, these courses are part of a faculty members normal teaching load. Ordinarily, a special topics course which is offered for more than two consecutive years is to be considered for inclusion in the list of regular courses found in the catalog.

Faculty members are free to assume the responsibility of teaching an "Independent Course" to a student in order to meet an academic need of that student which cannot be met through the regular schedule of courses. The appropriate forms should be obtained from the Department Chair/Program Director. The student must register for the course in the usual manner during registration. A faculty member who consistently offers independent study courses without sacrifice of quality teaching and other professional duties may expect recognition for these efforts by his/her chair.

#### 3.1.4.1.4 Faculty Reassigned Time Policy ([SD2799S](#))

A full-time teaching assignment is 24 semester credit/contact hours per academic year or its equivalent as established by the Department Chair and the Vice Chancellor for Academic Affairs. Full-time faculty members may request Reassigned Time which reduces this twenty-four hour teaching responsibility for activities which benefit UNCA's distinctive mission. Responsibilities for which Reassigned Time may be granted include:

- Course/curriculum development
- Professional development for enhanced teaching effectiveness
- Technology training for instruction
- Accreditation/program review
- Cocurricular activities
- Participation in UNCA's distinctive-emphasis programs
- Heavy load - academic advising
- Compensation for prior overloads
- Academic administration/academic leadership assignments

- Scholarship/creative activity
- Externally-funded research
- Institutionally-supported research
- Off-campus scholarly assignment/on leave
- Institutional service
- Service to the public/community
- Service to the profession
- Other activity in support of UNCA's mission

#### Availability of Reassigned Time

Each academic year, the Vice Chancellor for Academic Affairs (VCAA) will normally allot each academic program an amount of reassigned time equivalent to three credit-hours for each full-time faculty position occupied by a faculty on a continuing contract. The VCAA will provide this authorization to Chairs in a timely fashion, usually in October, so they may plan the next year's schedule.

#### Requesting and Allocating Reassigned Time

Individual faculty requests for reassigned time will be made to the Chair at the time the schedule is beginning to be planned. The assignment of faculty duties is a fundamental responsibility of Department Chairs. They know the courses and sections that must be offered, and the other duties that must be carried out. Chairs are responsible for a judicious, equitable allocation of reassigned time to individual members of their departments on behalf of UNCA's mission. The VCAA, in consultation with the appropriate Chair, may sometimes allot additional reassigned time to members of the faculty for projects and activities which support the mission of the university but fall outside departmental purposes, such as accreditation reviews.

Chairs are also teacher-scholar members of the faculty, and may request reassigned time on an equal footing for purposes such as professional development for enhanced teaching effectiveness, scholarship/creative activity, and others as described above. These requests will be made to the VCAA prior to planning the schedule. The VCAA is responsible for a judicious, equitable allocation of reassigned time to Chairs and Program Directors on behalf of UNCA's mission.

#### Accountability for Reassigned Time

Faculty members who receive reassigned time will record the assignment and will report on the results of the assignment on their Annual Faculty Records. The productive use of this reassigned time will be a factor considered by Chairs in the annual evaluation of faculty who have received it.

Chairs who receive reassigned time for purposes other than the administrative duties of their position will report on the results of the assignment in their Annual Faculty Records and to the VCAA, who will consider the productive use of this reassigned time in the annual evaluation of the Chair.

#### 3.1.4.1.5 Reassigned Time for Department Chairs/Program Directors (Academic Affairs policy, distributed to Chairs/Directors on 12/7/98)

Academic Department Chairs are eligible for reassigned time based on the number of faculty they supervise. (SH = semester hours reassigned.)

- 16 or more = 12 SH
- 10-15 = 9 SH

- 5-9 = 6 SH
- 1-4 = 3 SH

Directors of the following academic and curricular support programs are eligible for reassigned time as listed.

African American Colloquium	3 SH
Africana Studies	3 SH
Arts and Ideas	3 SH
Center for Teaching and Learning	6-9 SH
First Year Experience	9 SH
Honors	6 SH
Humanities	12 SH
Interdisciplinary Studies	3 SH
International Studies	3 SH
Key Center for Service Learning	3 SH
MLA	6 SH
Undergraduate Research	12 SH
Women's Studies	3 SH

Additional reassigned time may be awarded to Chairs or Directors according to the following criteria:

- Complexity of program
- Cocurricular demands
- Coordination required
- Number of students involved

#### 3.1.4.1.6 Teaching Opportunities (formerly 3.8.4.1.5)

UNCA faculty are encouraged to do team teaching, teaching outside their own disciplines and cross listing of courses appropriate to more than one academic area. Faculty interested in pursuing one or more of these areas should discuss their plan with their department Chair/program director and the department Chair/program director of the other discipline. The UNCA Catalog has descriptions of programs offering teaching opportunities to faculty.

#### 3.1.4.2 Office Hours (formerly 3.8.4.2)

Faculty are expected to post and maintain regularly scheduled office hours for purposes of advising students and offering assistance to students enrolled in their classes. Office hours should be scheduled to allow access to instructors and advisors at times convenient to students. Course syllabi should also list regularly scheduled office hours.

### 3.1.4.3 Meeting Classes (formerly 3.8.4.3 and subsections)

#### 3.1.4.3.1 Faculty meeting regularly scheduled classes

Faculty meeting regularly scheduled classes is to receive the highest priority in terms of faculty activity. Effective quality teaching is first priority for faculty at UNCA. However, there are times when faculty must miss class, e.g., attendance at professional meetings, illness, and personal considerations such as weddings or funerals for members of immediate family.

Faculty are expected to include on their syllabi, information about course assignments in cases when they cannot meet their classes. In every instance Faculty are to notify their Department Chair and/or Program Director when they cannot meet their classes, and to indicate what assignments are to be followed during that absence.

#### 3.1.4.3.2 Class Cancellations Due to Inclement Weather

UNCA, as a state agency, is expected to provide its service to the public according to its announced calendar and schedules. Therefore, the presumption is that all classes will be taught during inclement weather. On occasion severe weather conditions may make it unusually dangerous or physically impossible for teachers and learners to get to campus. The VCAA is charged with making the judgment about canceling classes under these conditions.

Each individual student, in the event that classes are not cancelled, must assume the personal responsibility of deciding to go to class or not when local road conditions appear too hazardous. In such cases students should inform their instructors as soon as practicable.

Each faculty member should include in any class attendance policy a provision for the fair treatment of students who cannot reasonably be expected to attend class, especially in cases involving scheduled exams or due dates for papers.

The notice that classes are to be cancelled will be broadcast on all local radio stations normally by 6 a.m. The absence of any notice from UNCA signifies that classes will be taught as usual. The Telephone Snow Line (see listing in directory) will also provide notice of cancellation, but is often "busy". Cancellation notice about evening classes will be provided to the radio stations as soon as practicable after 4 p.m. Such evening cancellation notices affect all classes on campus, graduate and undergraduate, and all continuing education classes on and off campus.

An Instructor may schedule additional class meetings with attendance required if weather conditions have forced cancellation of the equivalent of one full week of class meetings.

#### 3.1.4.3.3 Snow/Late Start Schedule

As an alternative to the cancellation of classes, UNCA may implement its snow/late start schedule. A listing of "late start" class periods is posted at: <http://www.unca.edu/enroll/late.html>

#### 3.1.4.3.4 Students Attending Class

Students are responsible for regular class attendance. Faculty members are responsible for reporting to the student's advisor any student whose repeated absence from class is impairing the student's work. Any faculty member who has a particular attendance policy for his or her classes is to state that policy in the course syllabus.

By the official withdrawal date an instructor may administratively withdraw from a course any student who has not fulfilled the prerequisites for the class. Students who are administratively withdrawn will receive the grade W on their transcripts. ([SD0589F](#))

Religious Holidays: It should be noted (but not specifically in class policies) that a student who misses a test or deadline due to a bona fide religious holiday must be allowed to make up the test or other work. Legal counsel of the University system advises that to refuse this may be a violation of the prohibition against religious discrimination.

#### 3.1.4.3.5 Sick Leave

Occasional absences from class due to illness are handled departmentally by the faculty member in consultation with the department chair/program director. For the policy on extended absence, see [Section 4.2.1.2](#) (Family and Medical Leave policy).

#### 3.1.4.4 Approval of Candidates for Degrees (formerly 3.8.4.4)

At the end of the fall semester, the spring semester, and the summer session, a faculty meeting is held at which the names of the candidates for graduation and honors are presented for faculty approval.

#### 3.1.4.5 Advising (formerly 3.8.4.5)

Each faculty member is expected to be an academic advisor, both to students majoring in that faculty member's discipline as well as to other UNCA students. Some faculty instead are asked to participate in a special program for freshman advising.

The Office of Enrollment Services assigns advisees to departments based on student interest. The department chair is responsible for assigning advisees to faculty in that department. Faculty should meet with their advisees, assist them in planning their schedules, sign appropriate forms, and provide other academic assistance.

#### 3.1.4.6 Web for Faculty (replaces SIS)

Information on students can be obtained through the UNCA computer system. The Web for Faculty program allows faculty to get information about advisees as well as class schedule information. Web for Faculty is accessible at <http://tserve.unca.edu/afhomepg.asp>. A user's guide is available at <http://www.unca.edu/enroll/Handbook.PDF>

#### 3.1.5 Patent and Copyright Procedures (see [Section 9.4](#)) (formerly 3.8.8)

#### 3.1.6 Political Activities of University Employees (see [Section 13.2.5](#)) (formerly 3.8.9)

## 3.2 Other Employment Opportunities (formerly 3.11 and subsections)

### 3.2.1 Employment Opportunities in Special Programs

Centers such as Special Academic Programs and the North Carolina Center for Creative Retirement provide additional opportunities for faculty employment. Formal involvement in such programs during periods when the faculty member has instructional responsibility for his/her department, requires the department chair's approval. The conditions of employment, salary, responsibilities, and time requirements are specified by the Center or Program Director consistent with Center or Program policy.

### 3.2.2 Faculty Exchanges (see [Section 4.1.2](#))

### 3.2.3 Summer Programs Abroad

Certain study abroad programs also provide opportunities for faculty employment, usually during the summer term. Contact the VCAA or the Director of Study Abroad for more information.

### 3.2.4 Summer School Employment

There is no requirement that faculty teach during the summer. Faculty members who elect to teach during the summer session are subject to program needs, student enrollment and approval by their Chair/program director. Consequently, opportunities for faculty employment are limited and dependent on enrollment. Under-enrolled courses may be cancelled at the beginning of the term. Each department and/or program assesses student needs for a summer curriculum and offers courses suited to program requirements or service potential. As a general rule a faculty member may request to teach up to two courses during the summer. As noted above, actual employment depends on availability of courses in the schedule and actual enrollment in the courses. Salary is based on the number of semester hours taught and the rank of the faculty member. A salary schedule may be obtained from the Office of Academic Affairs. Salary checks are issued mid-July and mid-August and are subject to withholding for social security, state and federal income taxes, and retirement.

The summer school budget is distinct from the regular academic year instructional budget and is derived approximately one half from tuition and one half from state support.

## 3.3 Evaluation of Faculty Members (formerly 3.4 and subsections)

### 3.3.1 Types of Evaluations

Formal faculty evaluation is conducted for:

1. annual performance review and awarding of salary increases for merit (see [Section 3.4](#)),
2. personnel decisions (i.e., reappointment, tenure and promotion, see [Section 3.5](#)), and
3. scheduled post-tenure review (approximately every 5 years after tenure becomes effective, see [Section 3.7](#)).

In all cases teaching effectiveness is the highest priority. Both peer review of teaching (see [Section 3.3.3.1.2](#)) and student evaluation of teaching (see [Section 3.3.3.1.1](#)) is required. Student evaluations are to be administered in a minimum of 50% of all courses taught by full-time teaching faculty each semester of the regular academic year. In the case of salary increases for merit, student evaluations must be submitted for all the classes which have been evaluated, with a minimum of 3 required for consideration.

### 3.3.2 Philosophy behind Evaluation of Faculty Members (formerly 3.4.1 and subsections)

#### 3.3.2.1 Objectives of Evaluation

There are two basic objectives in all faculty evaluations and reviews at UNCA:

- a. To assist in the professional development of the individual faculty member through assessment, feedback, and dialogue with reviewers.
- b. To contribute to professional, efficient, and appropriate personnel decisions.

General considerations that govern faculty personnel actions are delineated in the Tenure Policies and Regulations, Section III, A, and J. (See [Section 14.2](#)) For description see:

Tenure, Notice, and Reappointment (III-B)

Faculty Ranks (III-C)

Initiation, Review, and Approval of Promotion and Reappointment decisions (III-D)

Resignations (III-E)

Leave of Absence During Probationary Terms (III-F)

Terms and Conditions of Appointment (III-G)

Continued Availability of Special Funding (III-H)

Provisions for Less than Full-Time Employment (III-I)

Nonreappointment of Faculty Members on Probationary Term Appointments (III-J)

All faculty are strongly advised and encouraged to become familiar with the Tenure Policies and Regulations of the institution.

#### 3.3.2.2 Important Considerations in Personnel Evaluations

The Code of the Board of Governors states (see [Section 13.1.1](#)) that consideration should be given "to at least the following: the faculty members demonstrated professional competence, his potential for future contributions and institutional needs and resources". The UNCA Tenure Policy and Regulations (see [Section 14.2](#)) indicates that reappointment "may be based on any factor considered relevant to the total institutional interests". In the interests of better specifying the areas to be evaluated by the Chair and of assisting in faculty development, it would be helpful if attention were given to the items described below. Possession of the appropriate degree and demonstrated excellence in teaching are assumed to be prerequisite to any positive recommendation. Additionally, the candidacy should be supported by evidence of vigorous and effective activity in the other categories below.

- a. The candidate possesses the degrees and experience appropriate to the position.

The terminal degree, the Ph.D. except in certain professionally acknowledged areas, is required for employment or promotion to the professional ranks and is necessary for tenured positions. Exceptions to this may be made only in extraordinary circumstances. Demonstrated progress toward the attainment of the appropriate degree is expected of non-tenured candidates who were initially hired with a Master's degree.

The areas of specialization must be consonant with departmental needs.

- b. The candidate has demonstrated excellence in teaching.

Consideration shall be given to such matters as knowledge of subject matter, effectiveness of course design, clarity of thought and expression, maintenance of fair and appropriate standards, ability to arouse and maintain interest, rapport with students, availability to students, and ability to direct research and non-traditional learning activities.

- c. The candidate is active as a scholar and professional person.

Consideration shall be given to such matters as currency of knowledge in the field, intellectual breadth, scholarly research and publication, creative accomplishments if relevant to the field, activity within professional organizations, and any evidence of recognition of accomplishment by the profession. Evidence suggesting future growth or continued accomplishment in these areas is considered significant.

- d. The candidate contributes effectively to the development of the academic programs of the department and the institution.

Consideration shall be given to such matters as flexibility and range of competence in relation to the present and foreseen needs of the department, involvement in program design and evaluation, contribution to administrative functions within the department, development of student activities, academic advising, and contributions to academic programs outside the department. Effective working relationships with colleagues and university staff is considered an important contribution to the department and the institution.

- e. The candidate is active and effective in extra-curricular service to the institution.

Consideration will be given to the amount and quality of work done in committees, in administrative tasks, in developing the University's off-campus relationships, in procuring grants, and such matters.

- f. The candidate is active in community affairs, especially those relevant to his professional competence or to the well-being of the University.

Consideration will be given to such activities as presentations to public or organizational audiences, involvement with the local schools, and media appearances in a professional capacity. Community activities unrelated to professional standing are of course encouraged but receive less weight in the evaluation process.

- g. Institutional and Departmental Need

Basic to all personnel decisions, indicated by such factors as financial resources, program requirements, changing patterns of student demand for courses and faculty resources.

- h. Special Departmental Criteria

Departments may develop specific criteria peculiar to a discipline which, upon written approval of the Vice Chancellor for Academic Affairs, will be considered in evaluating faculty members.

### 3.3.3 Criteria in Evaluations (formerly 3.4.2)

More specific considerations in faculty evaluations are indicated below. These are stated in a broadly-defined sequence of priority, with recognition that the "mix" for any individual may vary. These criteria apply to all faculty evaluations: annual departmental-level, personnel (i.e., reappointment, tenure and promotion) and post-tenure review.

#### 3.3.3.1 Teaching (formerly 3.4.2.1 and subsections)

The faculty member is expected to show clear, positive evidence of effective teaching. This is the primary and constant consideration in all personnel decisions.

#### 3.3.3.1.1 Student Evaluation of Teaching Effectiveness ([SD1482F](#))

Student evaluations are to be administered in a minimum of 50% of all courses taught by full-time teaching faculty each semester of the regular academic year. Part-time faculty must have evaluations administered in all courses they teach. The evaluation instruments are to be administered in class by a student who is to return the instruments to the appropriate department secretary or program secretary for disposition and analysis. The faculty member being evaluated is to be absent while the evaluation is being conducted.

Departments/programs may in addition develop their own instruments for the evaluation of teaching and/or add items to the standard student evaluation form.

While the evaluation results become part of the data reviewed for personnel decisions, the main purpose of the student evaluation is the improvement of teaching. Therefore, the faculty member being evaluated is to receive a copy of the evaluation results.

#### 3.3.3.1.2 Peer Review of Teaching

Peer review of teaching is mandated by the Office of the President (formerly GA). The following are the minimum activities adopted in 1994 by the Department Chairs/Program Directors. (Post-tenure review was added to listed items 1 and 6 in February, 2000.)

1. Each department/program with full-time faculty will conduct in-class observation of classroom teaching for new and non-tenured faculty, for candidates for promotion and for candidates for post-tenure review.
2. Observations will be carried out by a minimum of two tenured faculty selected from within the department or program of appointment or from outside the department/program with prior approval of the VCAA.
3. Departments are responsible for implementing procedures for direct observation of classroom teaching for faculty whose teaching outside the department constitutes a regular and substantial part of their responsibilities (e.g. humanities, arts, cross-listed courses). Development of these procedures should involve consultation with the program director or department chair of the outside department/program.
4. The direct observation of classroom teaching shall include a minimum of one course taught by the person being evaluated.
5. Each observer shall visit the determined course at least once.
6. The above procedures are for use in formulating department/program recommendations for reappointment, tenure, promotion and post-tenure review which are to be submitted to the VCAA.

These items represent the minimum number of activities which each

department/program will implement. Departments/programs may choose to expand these minimal activities.

### 3.3.3.2 Scholarship and Creative Activity (formerly 3.4.2.2)

The faculty member should demonstrate continued efforts toward professional development. This can take the form of contributions to one's academic field through scholarship, artistic activity or an active role in professional organizations. At minimum it requires demonstrated effort at professional self-development through teaching improvement and keeping abreast of the state of the art in one's field.

### 3.3.3.3 Service (formerly 3.4.2.3)

The faculty member should be an active contributor to the university community. Service needs and opportunities will vary with program requirements, allocations of financial and personnel resources, changing patterns of student demand, etc. Therefore, the priority of this consideration varies from program to program. Three types of faculty service are considered:

1. To the department: Contributions to program and curricular development and evaluation, availability and effectiveness in student advising, contributions to administrative functions within the department and in the rest of the university, effective service on committees, etc., are considered here. Effective working relationships with colleagues and staff are important elements in this same category.
2. To the university: Initiative and demonstrated readiness to serve the academic community is especially important in a small institution. Includes service in both elected and appointed functions.
3. To the community: To the community, especially those relevant to one's professional competence, flows from the nature of a publicly-supported university. Consideration is given to presentations to various community groups, involvement with the local schools, memberships on boards, media presentations and a wide range of activities comprising the university's contribution to building up the community.

### 3.3.4 Evaluation of Department Chairs (formerly 3.4.4)

- a. During the final semester of the Chair's appointment to the Chair position, or whenever the VCAA deems it necessary, he will initiate the evaluation process by soliciting evaluations from the departmental faculty.
- b. Each faculty member of the department (excluding the Chair) will complete a "Faculty Evaluation of Chair" form and return the signed form to the VCAA. Each Faculty member will complete the form without consulting anyone else. The completed forms are confidential and will not be shown to the Chair.
- c. Upon receipt of all forms the VCAA will review and analyze the information conveyed, taking note of salient strengths, weaknesses, or problems of the department or the Chair, and also taking note of difference of opinion among the respondents. The VCAA will also review past departmental reports for the time period covered by the evaluation (with updates if desired) to get additional information on the accomplishments of the Chair.
- d. At his discretion the VCAA may consult other administrators, staff, or faculty with whom the Chair interacts.
- e. After reviewing all the above responses the VCAA may feel the need for further clarification and information. In such a case he will meet with each member individually, or with all members collectively if he feels it would be more helpful.
- f. He will then prepare for the Chair a written summary of his perceptions of the strengths and

weaknesses of the Chair's performance and of any problems which need to be addressed. This summary will be discussed with the Chair who may, if he wishes, reply in writing.

- g. The summary and reply, if any, will be kept on file. The department members' evaluation forms will be destroyed.
- h. The VCAA will then notify the Chair of his decision to reappoint or not to reappoint.
- i. In instances in which the Chair is reappointed, but where sufficient serious problems appear, evaluations should be conducted each year until the problem has been resolved.

### 3.3.5 Evaluation of Program Directors (formerly 3.4.5)

Program Directors typically are appointed for three year terms and are evaluated in much the same way as Department Chairs. Faculty teaching in the program and other persons knowledgeable about the program (e.g., members of advisory committees) are asked to complete evaluations and submit them to the VCAA. Subsequently steps c-i for Evaluation of Departmental Chairs are followed (see [Section 3.3.4](#)).

## 3.4 Annual Evaluation of Faculty

### 3.4.1 Purpose

All full-time faculty members participate in an annual evaluation that has both formative and summative functions. Department chairs provide feedback on each faculty member's accomplishments, rate each individual on teaching, scholarship/creative activity and service and make recommendations regarding salary increases (i.e., merit raises, salary equity adjustments). Annual evaluations are reviewed by the VCAA who makes the final determination regarding raises. These annual evaluations become part of each faculty member's personnel file and are considered in all personnel and performance (i.e., post-tenure) reviews.

### 3.4.2 Procedure

The steps taken in annual reviews are as follows:

1. In May, each continuing faculty member submits a completed Faculty Record to his/her Department Chair covering activities from May 1 of the previous year to April 30 of the current year.
2. The Department Chair reviews the Record along with student evaluation rating data, summaries of student comments, peer reviews of the faculty member's teaching and whatever other materials the faculty member chooses to submit. Note: Faculty teaching outside the department (e.g., in Humanities) should request that student/peer evaluation information be forwarded to the Department Chair.
3. After reviewing the materials, the Chair completes an evaluation form including a narrative discussion of the faculty member's activities and rating scales on teaching, scholarship/creative activity and service. The Chair also makes a recommendation regarding a salary increase including a rationale when required (e.g., exceptional level of merit).
4. The faculty member reviews the Chair's evaluation/recommendation and signs a statement to this effect (which does not imply endorsement of the Chair's evaluation). The faculty member has the right to discuss the evaluation with the Chair prior to its submission to the Office of Academic Affairs.
5. The Faculty Record and Chair's Evaluation are submitted to the Office of Academic Affairs. After reviewing the documents and any other pertinent information the VCAA recommends both the award and the amount of the award to the Chancellor.
6. The Board of Trustees approves new salaries and forwards those of tenured faculty members to the Board of Governors for their approval.

### 3.5 Policies and Procedures Governing Reappointment, Tenure and Promotion

The following sections apply specifically to institutional reviews of faculty for the purposes of awarding reappointment, tenure or promotion.

#### 3.5.1 Institutional Policies on Personnel Decisions

It is important for faculty to become familiar with the information in following two documents regarding personnel decisions:

- \* The Code of the UNC Board of Governors (see Section 13.1).
- \* The UNCA Tenure Policies and Regulations (see Section 14.2).

Key information from these documents is summarized in a section of this Handbook titled "Important considerations in personnel decisions" (see Section 3.3.2.2).

#### 3.5.2 Policy on Granting of Rank and Tenure to Administrators (Board of Trustees adopted 1/18/79)

An administrator is defined as anyone whose administrative functions amount to more than fifty percent of his or her assignment load, as long as he or she is on a yearly contract of at least nine-months. Because of the special nature of their positions, librarians are exempt from the provisions of this policy.

1. Tenured faculty members of the institution retain their rank and tenure when receiving an administrative appointment. They are eligible for promotion in academic rank while serving in an administrative position. The same standards for promotion apply to all candidates.
2. When the Chancellor, the Vice Chancellor for Academic Affairs or an Associate Vice Chancellor for Academic Affairs is hired from outside the institution, he or she may be reviewed for a faculty position, rank, and tenure during the hiring process. With the exception of the Chancellor and the VCAA, such individuals must receive the approval and recommendation of the appropriate department before rank is granted. Unless tenure has been granted, conferral of faculty rank does not, however, guarantee the right to assume a faculty position in the department upon conclusion of the administrative appointment.

#### 3.5.3 Guidelines for Awarding of Reappointment, Tenure and Promotion for Faculty (amended by SD1092S)

The candidate for reappointment, tenure or promotion is to present his or her chair with a well documented report of accomplishments in the categories described in Section 3.5.4.4. The Department Chair will review and evaluate each faculty member's level of accomplishment accordingly, after appropriate consultation with the department, and shall make recommendation relative to reappointment, tenure, or promotion. Such recommendations are carefully reviewed by the Committee of the Tenured Faculty and by the VCAA. The following sections present guidelines for that review process in each evaluation category.

Lecturer. The process for reappointment of Lecturers varies by contract status. Lecturers on one-year contracts are reviewed departmentally and reappointed by the Vice Chancellor of Academic Affairs in consultation with the department Chair. However, reappointment after three years of service, whether for a one-year or a multi-year contract, follows the standard institutional process including evaluation by the Committee of Tenured Faculty (see Section 3.5.4). In all instances, reappointment requires evidence of highly effective teaching and successful performance in any other areas specified as components of contract (i.e., service, scholarship/professional/creative activity). If a multi-year contract is issued, changes to expectations regarding successful performance shall be presented each year in the Chair's annual performance evaluation of the lecturer.

Instructor. The rank of Instructor is viewed as both temporary and transitional. It is temporary in that it

cannot be extended beyond two years. (However, the candidate can be offered a terminal one-year appointment.) It is transitional in that the faculty member is expected to acquire the terminal degree necessary for appointment at the Assistant Professor rank in a tenure-track position. As in all UNCA positions, effective teaching is expected of instructors.

Assistant Professor. Assistant Professors are appointed initially to a probationary term of four years, with a review of the faculty member in the third year. An unsuccessful review allows for the fourth year to serve as a grace year. After a successful review, a second probationary contract may be offered for a final four-year term, beginning in the academic year directly following the review. During the sixth year of the full probationary period, a promotion-with-tenure decision is made.

To become reappointed to a second probationary period as an Assistant Professor an individual must have a record of effective teaching, some scholarly/creative activity with the potential for recognized accomplishment in that area, and effective service. A high level of effective service would be considered an asset but is not an expectation of all candidates at this level.

It is expected that an individual seeking promotion to Associate Professor with tenure will have a strong record of effective teaching, recognized accomplishment in scholarly/creative activity, and some level of service both within and outside the department (i.e., to the University or community). In cases where unusual amounts of service are expected from an untenured faculty member, the University will take this into account in making decisions about promotion to Associate Professor.

Associate Professor. Tenure decisions are also made for individuals hired at the rank of Associate Professor. To be eligible for tenure at the rank of Associate Professor a candidate must have a record of excellent teaching, must demonstrate a pattern of professional and scholarly development commensurate with departmental standards, and give evidence of commitment to the University through service both within and outside the department.

Promotion from Associate to Professor requires evidence of continued excellence in teaching and further growth and maturity in scholarly/creative activity. A more significant level of service to the department and to the University or community is expected. While the evaluation will focus on accomplishments since promotion to Associate Professor, the candidate's whole career will be taken into consideration. Because promotion is based largely on accumulated accomplishment while in rank at UNCA, time spent at the rank of Associate Professor will vary according to rate of achievement.

Professor. Tenure decisions are also made for individuals hired at the rank of Professor. An individual seeking tenure as a Professor must have a strong record of excellent teaching, significant accomplishment in scholarly/creative activity, and evidence of commitment to the University through service both within and outside the department.

Extensions to probationary periods. Because reappointment and tenure decisions are governed by timetables, modifications to these timetables must be documented in writing. Section III-F of the UNCA Tenure Policies and Regulations notes that a probationary faculty member who receives a one-year leave of absence also receives an automatic timetable extension of one year. A probationary faculty member who receives a one-semester leave of absence normally does not stop the tenure clock; however, the faculty member may request a one-year timetable extension from the VCAA. Written VCAA acknowledgement or authorization of the extension must be provided to the faculty member, to his or her department chair, and retained in the faculty member's personnel file. See Section 4.2 for descriptions of faculty leaves. A leave of absence due to maternity or primary-care duties (as prescribed by the Family Leave and Medical Act) automatically extends the probationary period by one year unless requested by the faculty member and authorized by the VCAA.

#### 3.5.4 Procedure for Evaluating Faculty Members for Reappointment, Tenure and Promotion (SD3701S)

##### 3.5.4.1 Summary of the Evaluation Procedure

1. With the exception of lecturers on the first two one-year contracts, the evaluation procedure is applied to all faculty members who are on at least a yearly nine-month contract and who are eligible for reappointment, tenure or promotion. The term "candidate" in subsequent items refers to the faculty member undergoing evaluation. The term "Chair" refers to the Department Chair or Program Director responsible for evaluating the candidate.

2. For faculty whose contracts begin in the fall, the evaluation process begins in Fall of the year of review. For faculty whose contracts begin in the spring the tenure clock begins the following academic year.

A. In the case of a contractually required review (i.e., a reappointment or tenure review), the VCAA begins the process by sending a notice of review to each candidate with a copy to the faculty's member's chair. The notice of review specifies the documents to be prepared and the timetable for the review process.

B. In the case of a requested review (i.e., a promotion or early tenure review), the candidate initiates the process, notifying his/her Department Chair of the request for review. Faculty members are encouraged to meet with their Chairs to discuss the request and to consider the likelihood of Chair and Department support before pursuing the request. If the faculty member decides to pursue the request, he/she notifies the VCAA who then sends the candidate a notice of review as described above. Faculty members considering early tenure reviews or promotion reviews prior to the awarding of tenure should note the following information from Section 14.2. A faculty member may request a review for tenure before the contractually specified time. A negative tenure decision in this case is equivalent to a decision to not reappoint the faculty member after completion of the current probationary term. Because a promotion implies tenure, a request for a review for promotion from a non-tenured faculty member has the same consequences.

3. Each faculty member under review prepares an evaluation file including a Candidate's Statement, a Fall semester Faculty Record and an up-to-date curriculum vitae of his/her professional career. (Information about the format and contents of the Candidate's Statement is available in Section 3.5.4.3.) If the candidate desires, letters of recommendation from students and/or colleagues and samples of professional work may be collected for submission at this time. All materials must be submitted to the Chair by the deadline specified in the notice of review.

4. The Chair adds copies of the candidate's annual Faculty Records and Merit Evaluations, student evaluation rating summaries and comments, and peer reviews of the faculty member's teaching to this file. These additional materials should cover the full period of time between the faculty member's last review and the current review. The Chair makes these materials available to the tenured members of the Department for their review.

5. In certain circumstances, this process is modified as described below to ensure a fair and comprehensive evaluation.

A. When the faculty member under review is a Chair or Program Director

When the faculty member under review serves as a department chair or program director, the

VCAA, or designated Associate VCAA, in consultation with the faculty member being evaluated, will assign a tenured faculty member to serve in the role of Chair. The designated Chair will have a tenured faculty appointment outside the department (or program) and within the division (or divisions).

B. When the Department has fewer than three tenured faculty members

If the department has fewer than three tenured faculty members, the Chair will consult with faculty members outside the department chosen in consultation with the candidate and approved by the VCAA. No fewer than three tenured faculty members shall participate fully in the departmental review process. The following are faculty appropriate to consider for inclusion:

- 1) Tenured faculty members in Departments where the faculty member has taught courses.
- 2) Chairs or Program Directors in Departments where the faculty member has taught courses.
- 3) Tenured faculty members in other Departments who are familiar with the faculty member's work.

C. When the faculty member has taught courses outside the Department

When the faculty member has taught courses outside the Department, the Chair should request written evaluations of the faculty member's performance from the Chairs/Directors of those Departments/Programs. The Chair in his/her statement regarding the candidate's performance should address these evaluations.

D. When the faculty member has reassigned time for administrative duties

When the faculty member has reassigned time for administrative duties, the Chair will request a written evaluation of the faculty member's performance from the person who supervises these administrative activities. The Chair in his/her statement regarding the candidate's performance will address this evaluation.

6. After all tenured Department members have reviewed these materials, the Chair assembles these faculty for a vote on the candidate's reappointment, tenure or promotion request.

7. After consulting with the tenured Department members, and reviewing all materials in the evaluation file, the Chair writes an evaluation of the faculty member under review, including the vote of the assembled tenured Department members, and the date of that meeting, as well as the Chair's own recommendation regarding the faculty member. (Information about the format and contents of the Chair's Statement is available in Section 3.5.4.4.)

8. The Chair must submit his/her statement to the faculty member at least 5 days prior to its submission to the Office of Academic Affairs and, if the faculty member so desires, meet with him/her to discuss the recommendation.

A. In all cases, the faculty member may write a supplementary statement including explanatory or

clarifying information after reviewing the Chair's Statement. This supplementary statement should be sent

to the Chair and included in the candidate's evaluation file.

B. In cases where the Chair makes a negative recommendation, the UNCA Tenure Policies and

Regulations (Section 14.2, III-D-1-b) delineate a specific procedure to be followed:

1) In addition to submitting the Chair's Statement to the candidate, the Chair simultaneously communicates the intention to issue a negative recommendation to the VCAA and the faculty member in a separate simple, unelaborated written statement.

2) Within 5 days of receipt of that notice, the faculty member may request a conference with the Chair and the opportunity to provide additional written evidence or views bearing on the faculty member's demonstrated professional competence and potential for future contributions. This statement of rebuttal is included in the faculty member's evaluation file.

3) If the faculty member does not request a conference or provide additional written materials bearing on the case during this 5 day interval, the Chair's evaluation and recommendation are added to the candidate's evaluation file.

9. The candidate and Chair submit copies of only the following materials to the Office of Academic Affairs by the deadline specified in the notice of review: the Candidate's Statement, the Curriculum Vitae, the Fall semester Faculty Record, the student comments, the Chair's Evaluation and, if written, the candidate's statement of clarification or rebuttal.

10. The materials listed in #9, along with the faculty member's annual Faculty Records and Merit Evaluations (provided by the Office of Academic Affairs) and student evaluation rating summaries (provided by the Office of Institutional Research) are made available to the Committee of Tenured Faculty. During the entire process from Tenure Committee to the review of the Chancellor, confidentiality is of paramount importance. Only individuals authorized to be involved in the review may have knowledge of the content of the review or share the vote tally. Members of the Committee are asked not to discuss any review material apart from the whole committee and to focus their comments and arrive at their conclusions based on the contents of the candidate's dossier. The Committee of Tenured Faculty, upon completion of the reviews, meets with the VCAA to transmit, with comment, its vote on their recommendation regarding the faculty member's reappointment, tenure or promotion. The VCAA may involve the Associate Vice Chancellor(s) of Academic Affairs in a consultative role so as to help assure equity of standards. The vote, including its tally, along with the comment material will be held in confidence thereafter by all members of the Committee and the VCAA (and any involved AVCAAs). After the VCAA shares the vote tally and comment material from the Committee with the Chancellor, the Chancellor will also hold this information in confidence, and will refer to the VCAA without comment or context all queries regarding a review. The Chancellor's communication roles are restricted to forwarding a favorable decision to the Board of Trustees and notifying the faculty member of an unfavorable decision. Under no conditions will the vote tally of the Committee be shared beyond the circle of reviewers. The VCAA will meet with the Committee after he or she knows whether the Chancellor will recommend the conferral of tenure and/or promotion so as to apprise the Committee members on the outcome of the process. The Committee members will hold this information in strict confidence.

11. After reviewing all materials, including the Chair's statement and the recorded vote of the assembled tenured Department members, and the vote of the Committee of Tenured Faculty, the VCAA makes a decision regarding the faculty member's reappointment, tenure or promotion.

12. The UNCA Tenure Policies and Regulations specify the subsequent actions required by the VCAA, the Chancellor, and the Board of Trustees. In the case of a favorable VCAA recommendation, the decision is communicated to the faculty member and the Chancellor, and the process continues. In the case of an unfavorable VCAA recommendation, the faculty member has the right to conferences with the VCAA and the Committee of Tenured Faculty, and the right to seek review of the VCAA decision before the Faculty Hearings Committee. Candidates should consult the UNCA Tenure Policies and Regulations (Section 14.2) for a more detailed description of all aspects of the process.

3.5.4.2 Documents for Evaluation by the Office of Academic Affairs

An evaluation folder must be established in the Office of Academic Affairs for each candidate under review for reappointment, tenure or promotion. Documents in this folder are reviewed by the Committee of Tenured Faculty and the VCAA. The Academic Affairs folder contains only the following documents:

1. The Candidate's Statement (submitted by the candidate)
2. The Professional Vitae (submitted by the candidate)
3. The Fall semester Faculty Record (submitted by the candidate)
4. The Candidate's Statement of Clarification, Explanation or Rebuttal, if written (submitted by the candidate)
5. The Chair/Director's Evaluation and Recommendation (submitted by the Chair/Director)
6. Comments from Student Evaluation Forms (submitted by the Chair/Director)
7. Student Evaluation Rating Form Summaries (provided by the Office of Institutional Research)
8. All appropriate annual Faculty Records (collected by VCAA)
9. All appropriate annual Merit Evaluations (collected by VCAA)

The tenure committee or the VCAA may request samples of teaching and scholarly/creative materials.

#### 3.5.4.3 Guidelines for Preparation of Documents by Candidates

Candidates are required to prepare three documents: the Candidate's Statement, the Professional Vitae and the Fall Semester Faculty Record. These documents first are submitted for review by the Chair and Department and then are forwarded to the Office of Academic Affairs where they are reviewed by the Committee of Tenured Faculty and the VCAA. Unless requested, candidates should not forward other supporting materials such as syllabi, course outlines, sample exams, and samples of scholarly or artistic work, testimonials, or letters from other Chairs/Directors or colleagues.

##### 1. The Candidate's Statement

A. Purpose: The Candidate's Statement should be viewed as a cover letter to the Vice Chancellor for Academic Affairs. The statement provides an opportunity for the candidate to integrate, expand, explain, and draw attention to information in the Annual Faculty Records. In addition, the statement can be used to discuss factors affecting the candidate's performance, factors not ordinarily covered in the listing of activities by categories.

B. Format: The Candidate's Statement should be written in narrative form. The specific orientation or focus of the statement is the candidate's choice. Statements typically are 4-6 pages in length.

C. Issues to Address: The Chair's Statement should address performance in the areas of teaching, scholarly and creative activity, and service. What follows are some possible issues to address in the various categories of evaluation. The lists in no way imply that lengthy statements are expected. They are suggestive but not prescriptive.

1) Teaching: As an undergraduate, liberal arts-oriented institution, UNCA values outstanding teaching above all other faculty accomplishments. Teaching is the art of helping students to learn. Consequently, it extends beyond the classroom to include individual teacher-student interaction, availability to students, and readiness to assist them. The following are suggested issues to address concerning teaching:

- \* philosophy of teaching
- \* methods employed (examples can be given)
- \* significant curricular or pedagogical contributions
- \* interdisciplinary teaching activities
- \* involvement of students in special academic projects
- \* mentorship of undergraduate research projects
- \* grants for pedagogical innovation
- \* awards for teaching given in open competitions
- \* future plans
- \* factors to consider regarding performance in these areas (e.g., required v. elective courses, lower v. upper division courses, teaching within discipline v. teaching outside discipline, major v. service course, advising freshmen v. majors, etc.)

2) Scholarly and Creative Activity: Members of the faculty are expected to engage in scholarly or creative activity. These activities should be evaluated by their contribution to an academic area. Scholarly and creative activity that involves students and/or interdisciplinary work is noteworthy. In an undergraduate, liberal arts-oriented institution, research and scholarship can be especially valuable as they enhance teaching. The following are suggested issues to address concerning scholarly and creative activity:

- \* participation in ongoing research or creative activity, including production or performance of art, music, literature, or drama
- \* submission of grant proposals and grant-funded activities
- \* publications in journals (indicate if refereed), review articles, and scholarly books
- \* other writings such as textbooks, book reviews, or software; or non-print instructional materials
- \* attendance and participation in professional meetings, presentation of oral/poster papers, chairing of paper sessions, participation in symposia
- \* awards for scholarly or creative work
- \* editorships and peer reviews
- \* professional development activities
- \* work completed (but not yet published or presented) or in progress
- \* future plans
- \* factors to consider regarding performance in these areas (e.g., competitiveness/stature of journals/conferences in one's discipline, changes in one's line of research, obligations in other areas, etc.)

3) Service: Members of the faculty are expected to participate actively in university and community life. Advising is a service activity that is considered an essential part of the teaching-learning process. Other outstanding service activities that involve the faculty member's professional competence will be most relevant to the evaluation. The following are suggested issues to address concerning service:

- \* administration of programs and tasks that contribute to the cultural, educational, and social welfare of the university and community
- \* election or appointment to committees, task forces, commissions, boards, or public offices
- \* advising activities
- \* development of resources
- \* professional activity as judged by election or appointment to boards, offices in societies, and committees
- \* awards and prizes given in recognition of service
- \* positions of leadership
- \* public lectures, workshops, and consultations
- \* benefits to student-faculty relations, to one's department, to the University, and to the local, regional, national, or international community
- \* factors to consider regarding performance in these areas (e.g., opportunities for service, obligations in other areas)

## 2. The Professional Vitae

A. Purpose: The complete vita puts the candidate's professional work at UNCA into perspective relative to the individual's career in general. This permits the committee to assess the individual's activities at UNCA in light of his/her previous level of activity. This is particularly useful for candidates new to UNCA.

B. Format: The vita should be written in the format appropriate to applying for an academic position. It should include information about the candidate's education, degrees, awards and honors, professional employment, as well as the candidate's most important papers, publications, artistic activities; grant activities, professional consultancies, or service activities.

## 3. The Fall Semester Faculty Record

A. Purpose: The Fall semester Faculty Record summarizes the candidate's current and ongoing activities.

B. Format: The Fall semester Faculty Record should be written in the same format used for the year-end Faculty Record.

### 3.5.4.4 Guidelines for Preparation of Documents by Chairs/Directors

Chairs are responsible for writing an evaluation of the candidate's performance, including a specific recommendation regarding reappointment, tenure or promotion, and for assembling all comments from annual student evaluation forms administered since the candidate's last review. These documents are forwarded to the Office of Academic Affairs where they are reviewed by the Committee of Tenured Faculty and the VCAA. Chairs should not forward other supporting materials such as syllabi, course outlines, sample exams, and samples of scholarly or artistic work, testimonials, or letters from other Chairs/Directors or colleagues.

### 1. Chair's Evaluation

A. Purpose: The Chair's Evaluation has always been central to decisions concerning reappointment, tenure, and promotion. It is a summary evaluation which, when viewed together with the evaluations appended to the Annual Faculty Record, provides an historical account of the candidate's progress in the eyes of his or her Chair.

B. Format: The Chair's Evaluation should be written in simple narrative form, addressing all issues listed in the guidelines for evaluation that are relevant for the candidate in question. (For example, comments on supervision of student projects may not be relevant for all candidates.)

C. Issues to Address: The Chair's Evaluation should address performance in the areas of teaching, scholarly and creative activity, and service.

1) Required issues: The Chair is required to address the following points in the Chair's Evaluation. Evaluations failing to cover these points will be returned for revision.

\* The statement must report the results of the vote taken at the meeting of the tenured faculty in the department and the date of that meeting.

\* If the candidate is a Lecturer or holds any other special faculty appointment, the Chair should make clear why such an appointment is appropriate and the specific expectations of this individual as previously established in consultation with the Vice Chancellor for Academic Affairs. Chairs should review the description of Lecturer and other Specialized Faculty Appointments in the UNCA Tenure Policies and Regulations (Section 14.2).

\* If the candidate has reassigned time from teaching, the Chair should make clear the amount of reassigned time awarded and the specific departmental expectations in view of this reassigned time.

\* The statement should provide a brief description of the department peer evaluation of teaching process and summarize the results of peer evaluation of the candidate.

2) Evaluation of teaching: Chairs should address the appropriate points regarding

teaching from the following list in the Chair's Evaluation.

\* appropriateness of candidate's training and expertise to departmental and institutional needs

\* trends, patterns or tendencies in student evaluations interpreted in light of the nature of the courses surveyed (e.g.,

major/service/general education, required/elective, upper division/lower division

\* teaching effectiveness as indicated by peer review, senior exit interviews, information from Chairs/Directors of other

departments/programs in which the candidate has taught, or other methods by which the candidate's teaching has been evaluated. (Comparison may be made to others in the department or others teaching similar courses with similar loads.)

\* class materials such as textbooks, exams; syllabi/course policies

\* curricular/pedagogical innovations by the candidate

\* supervision of student projects by candidate

\* utilization of reassigned time for teaching

\* when problems exist in teaching, factors likely to be influencing performance (e.g., types of courses, types of students)

3) Evaluation of scholarly and creative activity: Chairs should address the following points regarding scholarly and creative activity in the Chair's Evaluation. It is imperative that the Chair evaluate these activities in a clear and comprehensive manner because members of the Committee of Tenured Faculty, and the VCAA, often are individuals outside of the discipline.

\* basis on which the candidate's work is being evaluated (e.g., Chair's appraisal, consultation with colleagues familiar with the work within or outside the institution)

\* quality of the candidate's work, along with corroborative data and/or specific examples

\* significance of candidate's activities to his/her teaching, to the Department, to the University, to knowledge in his or her field

\* utilization of reassigned time for scholarly and creative activity

\* when activities in this area are minimal, factors likely to be influencing productivity (e.g., competitiveness of journals, conferences, etc. in the candidate's scholarly or professional area, teaching obligations)

4) Evaluation of service: Chairs should address the following points regarding service in the Chair's Evaluation.

\* basis on which candidate's work is being evaluated (e.g., Chair's appraisal, interviews of colleagues and/or community members with whom the candidate has worked)

\* significance of the candidate's work to the Department, the institution, the community

\* candidate's performance in advising, including corroborative data and/or specific examples

\* quality of the candidate's other service activities, including corroborative data and/or specific examples

\* when activities in this area are minimal, factors likely to be responsible (e.g. opportunities for service, obligations in other areas)

D. Recommendation: The Chair's Evaluation should conclude with a clear recommendation and a summary of the department/program's expectations, past and future, for the candidate. If the Chair requests reappointment, tenure, or promotion for the candidate, there should be no equivocation. Half-hearted statements will be interpreted as an indication of lack of support for the candidate. In turn, a Chair's recommendation for denial of reappointment, tenure, or promotion should be firm and well reasoned. Courtesy to the candidate requires no less.

Before preparing his/her recommendation the Chair consults with the assembled tenured faculty of the department/program. The Chair should weigh the opinion of the tenured faculty carefully. In cases where the tenured faculty does not concur with the Chair or expresses serious reservations with the Chair's recommendation, the Chair in the recommendation should delineate these.

## 2. Comments from Student Evaluation Forms

The Chair is required to provide all comments from annual student evaluation forms administered since the candidate's last review. These comments should be typed but unedited. (The Office of Institutional Research provides numerical summaries of the student evaluation ratings to the Office of Academic Affairs.)

### 3.5 Policies and Procedures Governing Reappointment, Tenure and Promotion

The following sections apply specifically to institutional reviews of faculty for the purposes of awarding reappointment, tenure or promotion.

#### 3.5.1 Institutional Policies on Personnel Decisions

It is important for faculty to become familiar with the information in following two documents regarding personnel decisions:

- \* The Code of the UNC Board of Governors (see [Section 13.1](#)).
- \* The UNCA Tenure Policies and Regulations (see [Section 14.2](#)).

Key information from these documents is summarized in a section of this Handbook titled "Important considerations in personnel decisions" (see [Section 3.3.2.2](#)).

#### 3.5.2 Policy on Granting of Rank and Tenure to Administrators (Board of Trustees adopted 1/18/79)

An administrator is defined as anyone whose administrative functions amount to more than fifty percent of his assignment load, regardless of whether he is on a nine-month or twelve-month contract. Because of the special nature of their positions, librarians are exempt from the provisions of this policy.

1. Tenured faculty members of the institution retain their rank and tenure when receiving an administrative appointment; however, they are ineligible for promotion in academic rank while serving in an administrative position.
2. With the exception of the Chancellor and the VCAA, administrators hired from outside the institution may not be appointed to any faculty rank except that of lecturer in their recognized discipline; in all cases, such individuals must receive the approval and recommendation of the appropriate department before rank is granted.
3. In the cases of untenured faculty members of the institution who are moving to an administrative position, the following applies:

Individuals may request a tenure decision at the time of the administrative appointment. If tenure is not granted, the following conditions prevail: upon accepting an administrative position, individuals must take a leave-of-absence from their faculty position with the provisions that, during this absence: she/he is removed from the tenure-track appointment and must remain off the tenure track for the duration of the administrative appointment; not to exceed three years. Beyond three years she/he may return to the original

faculty rank only upon the recommendation of the appropriate department chair, the VCAA, and the Chancellor.

### 3.5.3 Guidelines for Awarding of Reappointment, Tenure and Promotion for Faculty (amended by [SD1092S](#))

The candidate for reappointment, tenure or promotion is expected to present his or her chair with a well documented report of accomplishments in the categories described in Section 3.5.4.4. The department Chair will review and evaluate each faculty member's level of accomplishment accordingly and, after appropriate consultation with the department, shall make recommendation relative to reappointment and tenure, and may advance recommendations relative to promotion. Such recommendations are carefully reviewed by the Committee of the Tenured Faculty and by the VCAA.

The decision on the granting of tenure may precede the decision on promotion, although it is assumed that tenure will be awarded only to faculty who demonstrate the potential for promotion.

In their early years at UNCA, faculty members should emphasize teaching and scholarly and creative activity. In cases where unusual amounts of service are expected from an untenured faculty member, the University will take this into account in making decisions about reappointment, tenure and promotion. It is expected that an individual will have achievements in all three categories (teaching, scholarly and creative activity, and service). In all cases there must be clear evidence of highly effective teaching. It is normally expected that candidates will also demonstrate significant contributions in one of the other two areas.

Because promotion is based largely on accumulated accomplishment while in rank at UNCA, time spent in rank will vary according to the rate of achievement. Longevity per se is not considered sufficient grounds for promotion. In the interest of fairness it is desirable that approximately even standards prevail across the university. However, differences among departments and disciplines, as well as differing responsibilities among individual faculty members, require that these guidelines be implemented with some flexibility.

It is normally expected that promotion to a senior rank (Associate or Full Professor) requires an outstanding level of achievement in either teaching or scholarly and creative activity, with at least a significant level of contribution in the other area, as well as in service. While the evaluation will focus on accomplishments since the last promotion, the candidate's whole career will be taken into consideration.

### 3.5.4 Procedure for Evaluating Faculty Members for Reappointment, Tenure and Promotion ([SD3701S](#))

#### 3.5.4.1 Summary of the Evaluation Procedure

1. The evaluation procedure is applied to all faculty members on nine or twelve month contracts who are eligible for reappointment, tenure or promotion. The term "candidate" in subsequent items refers to the faculty member undergoing evaluation. The term "Chair" refers to the Department Chair or Program Director responsible for evaluating the candidate.
2. For faculty whose contracts begin in August, the evaluation process begins in Fall of the year of review. Faculty whose contracts begin at other times should consult with the VCAA for their specific review timelines.
  - A. In the case of a contractually required review (i.e., a reappointment or tenure review), the VCAA begins the process by sending a notice of review to each candidate with a copy to the faculty's member's chair. The notice of review specifies the documents to be prepared and the timetable for the review process.
  - B. In the case of a requested review (i.e., a promotion or early tenure review),

the candidate initiates the process, notifying his/her Department Chair of the request for review. Faculty members are encouraged to meet with their Chairs to discuss the request and to consider the likelihood of Chair and Department support before pursuing the request. If the faculty member decides to pursue the request, he/she notifies the VCAA who then sends the candidate a notice of review as described above. Faculty members considering early tenure reviews or promotion reviews prior to the awarding of tenure should note the following information:

1) If a faculty member requests an early tenure review and is denied tenure, the consequence is the same as being denied tenure at a contractually scheduled review (see UNCA Tenure Policies and Regulations, [Section 14.2](#), III-D-3).

2) A request for promotion prior to the awarding of tenure automatically requires an early tenure review (UNCA Tenure Policies and Regulations, [Section 14.2](#), III-B-2). If the faculty member is denied tenure, the consequence is the same as being denied tenure at a contractually scheduled review. However, the faculty member may be awarded tenure and denied promotion, in which case he/she may request promotion again at a later date.

3. Each faculty member under review prepares an evaluation file including a Candidate's Statement, a Fall semester Faculty Record and an up-to-date curriculum vitae of his/her professional career. (Information about the format and contents of the Candidate's Statement is available in [Section 3.5.4.3](#).) If the candidate desires, letters of recommendation from students and/or colleagues and samples of professional work may be collected for submission at this time. All materials must be submitted to the Chair by the deadline specified in the notice of review.

4. The Chair adds copies of the candidate's annual Faculty Records and Merit Evaluations, student evaluation rating summaries and comments, and peer reviews of the faculty member's teaching to this file. These additional materials should cover the full period of time between the faculty member's last review and the current review. The Chair makes these materials available to the tenured members of the Department for their review.

5. In certain circumstances, this process is modified as described below to ensure a fair and comprehensive evaluation.

A. When the faculty member under review is a Chair or Program Director  
When the faculty member under review is a Chair, the UNCA Tenure Policies and Regulations specify that the VCAA execute the tasks normally assigned to the Chair in the review process (see [Section 14.2](#), footnote 4). This modification also applies in cases where the candidate is a Program Director.

B. When the Department has fewer than three tenured faculty members  
When the Department has fewer than three tenured faculty members, the Chair may include other faculty members in the departmental review process. The UNCA Tenure Policies and Regulations ([Section 14.2](#), III-D-1-a) specify that the Chair may include other Department members senior in length of service to the faculty member under review. In addition, with prior approval from the VCAA, faculty outside the Department may be included. The following are faculty appropriate to consider for inclusion:

- 1) Tenured faculty members in Departments where the faculty member has taught courses.
- 2) Chairs or Program Directors in Departments where the faculty member has taught courses.
- 3) Tenured faculty members in other Departments who are familiar with the faculty

member's work.

Subsequent references to the "tenured Department members" in this document include all faculty who participate in the departmental review process.

C. When the faculty member has taught courses outside the Department

When the faculty member has taught courses outside the Department, the Chair should request written evaluations of the faculty member's performance from the Chairs/Directors of those Departments/Programs. The Chair in his/her statement regarding the candidate's performance should address these evaluations.

D. When the faculty member has reassigned time for administrative duties

When the faculty member has reassigned time for administrative duties, the Chair should request a written evaluation of the faculty member's performance from the person who supervises these administrative activities. The Chair in his/her statement regarding the candidate's performance should address this evaluation.

6. After all tenured Department members have reviewed these materials, the Chair assembles these faculty for a vote on the candidate's reappointment, tenure or promotion request.

7. After consulting with the tenured Department members, and reviewing all materials in the evaluation file, the Chair writes an evaluation of the faculty member under review, including the vote of the assembled tenured Department members, and the date of that meeting, as well as the Chair's own recommendation regarding the faculty member. (Information about the format and contents of the Chair's Statement is available in [Section 3.5.4.4.](#))

8. The Chair must submit his/her statement to the faculty member at least 5 days prior to its submission to the Office of Academic Affairs and, if the faculty member so desires, meet with him/her to discuss the recommendation.

A. In all cases, the faculty member may write a supplementary statement including explanatory or clarifying information after reviewing the Chair's Statement. This supplementary statement should be sent to the Chair and included in the candidate's evaluation file.

B. In cases where the Chair makes a negative recommendation, the UNCA Tenure Policies and Regulations ([Section 14.2](#), III-D-1-b) delineate a specific procedure to be followed:

1) In addition to submitting the Chair's Statement to the candidate, the Chair simultaneously communicates the intention to issue a negative recommendation to the VCAA and the faculty member in a separate simple, unelaborated written statement.

2) Within 5 days of receipt of that notice, the faculty member may request a conference with the Chair and the opportunity to provide additional written evidence or views bearing on the faculty member's demonstrated professional competence and potential for future contributions. This statement of rebuttal is included in the faculty member's evaluation file.

3) If the faculty member does not request a conference or provide additional written materials bearing on the case during this 5 day interval, the Chair's evaluation and recommendation are added to the candidate's evaluation file.

9. The candidate and Chair submit copies of only the following materials to the Office of Academic Affairs by the deadline specified in the notice of review: the Candidate's Statement, the Curriculum Vitae, the Fall semester Faculty Record, the student comments, the Chair's Evaluation and, if written, the candidate's statement of clarification or rebuttal.

10. The materials listed in #9, along with the faculty member's annual Faculty Records and Merit Evaluations (provided by the Office of Academic Affairs) and student evaluation rating summaries (provided by the Office of Institutional Research) are made available to the Committee of Tenured Faculty. The Committee of Tenured Faculty reviews the materials and sends to the VCAA a vote on their recommendation regarding the faculty member's reappointment, tenure or promotion.

11. After reviewing all materials, including the Chair's statement and the recorded vote of the assembled tenured Department members, and the vote of the Committee of Tenured Faculty, the VCAA makes a decision regarding the faculty member's reappointment, tenure or promotion.

12. The UNCA Tenure Policies and Regulations specify the subsequent actions required by the VCAA, the Chancellor, the Board of Trustees and the Board of Governors. In the case of a favorable VCAA recommendation, the decision is communicated to the faculty member and the Chancellor, and the process continues. In the case of an unfavorable VCAA recommendation, the faculty member has the right to conferences with the VCAA and the Committee of Tenured Faculty, and the right to seek review of the VCAA decision before the Faculty Hearings Committee. Candidates should consult the UNCA Tenure Policies and Regulations ([Section 14.2](#)) for a more detailed description of all aspects of the process.

#### 3.5.4.2 Documents for Evaluation by the Office of Academic Affairs

An evaluation folder must be established in the Office of Academic Affairs for each candidate under review for reappointment, tenure or promotion. Documents in this folder are reviewed by the Committee of Tenured Faculty and the VCAA. The Academic Affairs folder contains only the following documents:

1. The Candidate's Statement (submitted by the candidate)
2. The Professional Vitae (submitted by the candidate)
3. The Fall semester Faculty Record (submitted by the candidate)
4. The Candidate's Statement of Clarification, Explanation or Rebuttal, if written (submitted by the candidate)
5. The Chair/Director's Evaluation and Recommendation (submitted by the Chair/Director)
6. Comments from Student Evaluation Forms (submitted by the Chair/Director)
7. Student Evaluation Rating Form Summaries (provided by the Office of Institutional Research)
8. All appropriate annual Faculty Records (collected by VCAA)
9. All appropriate annual Merit Evaluations (collected by VCAA)

#### 3.5.4.3 Guidelines for Preparation of Documents by Candidates

Candidates are required to prepare three documents: the Candidate's Statement, the Professional Vitae and the Fall Semester Faculty Record. These documents first are submitted for review by the Chair and Department and then are forwarded to the Office of Academic Affairs where they are reviewed by the Committee of Tenured Faculty and the VCAA. Candidates should not forward other supporting materials such as syllabi, course outlines, sample exams, and samples of scholarly or artistic work, testimonials, or letters from other Chairs/Directors or colleagues.

## 1. The Candidate's Statement

- A. Purpose: The Candidate's Statement should be viewed as a cover letter to the Vice Chancellor for Academic Affairs. The statement provides an opportunity for the candidate to integrate, expand, explain, and draw attention to information in the Annual Faculty Records. In addition, the statement can be used to discuss factors affecting the candidate's performance, factors not ordinarily covered in the listing of activities by categories.
- B. Format: The Candidate's Statement should be written in narrative form. The specific orientation or focus of the statement is the candidate's choice. Statements typically are 4-6 pages in length.
- C. Issues to Address: The Candidate's Statement should address performance in the areas of teaching, scholarly and creative activity, and service. What follows are some possible issues to address in the various categories of evaluation. The lists in no way imply that lengthy statements are expected. They are suggestive but not prescriptive.
1. Teaching: As an undergraduate, liberal arts-oriented institution, UNCA values outstanding teaching above all other faculty accomplishments. Teaching is the art of helping students to learn. Consequently, it extends beyond the classroom to include individual teacher-student interaction, availability to students, and readiness to assist them. The following are suggested issues to address concerning teaching:
    - \* philosophy of teaching
    - \* methods employed (examples can be given)
    - \* significant curricular or pedagogical contributions
    - \* interdisciplinary teaching activities
    - \* involvement of students in special academic projects
    - \* mentorship of undergraduate research projects
    - \* grants for pedagogical innovation
    - \* awards for teaching given in open competitions
    - \* future plans
    - \* factors to consider regarding performance in these areas (e.g., required v. elective courses, lower v. upper division courses, teaching within discipline v. teaching outside discipline, major v. service course, advising freshmen v. majors, etc.)
  2. Scholarly and Creative Activity: Members of the faculty are expected to engage in scholarly or creative activity. These activities should be evaluated by their contribution to an academic area. Scholarly and creative activity that involves students and/or interdisciplinary work is noteworthy. In an undergraduate, liberal arts-oriented institution, research and scholarship can be especially valuable as they enhance teaching. The following are suggested issues to address concerning scholarly and creative activity:
    - \* participation in ongoing research or creative activity, including production or performance of art, music, literature, or drama
    - \* submission of grant proposals and grant-funded activities
    - \* publications in journals (indicate if refereed), review articles, and scholarly books
    - \* other writings such as textbooks, book reviews, or software; or non-print instructional materials
    - \* attendance and participation in professional meetings, presentation of oral/poster papers, chairing of paper sessions, participation in symposia
    - \* awards for scholarly or creative work
    - \* editorships and peer reviews
    - \* professional development activities
    - \* work completed (but not yet published or presented) or in progress
    - \* future plans

- \* factors to consider regarding performance in these areas (e.g., competitiveness/stature of journals/conferences in one's discipline, changes in one's line of research, obligations in other areas, etc.)

3. Service: Members of the faculty are expected to participate actively in university and community life. Advising is a service activity that is considered an essential part of the teaching-learning process. Other outstanding service activities that involve the faculty member's professional competence will be most relevant to the evaluation. The following are suggested issues to address concerning service:

- \* administration of programs and tasks that contribute to the cultural, educational, and social welfare of the university and community
- \* election or appointment to committees, task forces, commissions, boards, or public offices
- \* advising activities
- \* development of resources
- \* professional activity as judged by election or appointment to boards, offices in societies, and committees
- \* awards and prizes given in recognition of service
- \* positions of leadership
- \* public lectures, workshops, and consultations
- \* benefits to student-faculty relations, to one's department, to the University, and to the local, regional, national, or international community
- \* factors to consider regarding performance in these areas (e.g., opportunities for service, obligations in other areas)

## 2. The Professional Vitae

- A. Purpose: The complete vita puts the candidate's professional work at UNCA into perspective relative to the individual's career in general. This permits the committee to assess the individual's activities at UNCA in light of his/her previous level of activity. This is particularly useful for candidates new to UNCA.
- B. Format: The vita should be written in the format appropriate to applying for an academic position. It should include information about the candidate's education, degrees, awards and honors, professional employment, as well as the candidate's most important papers, publications, artistic activities; grant activities, professional consultancies, or service activities.

## 3. The Fall Semester Faculty Record

- A. Purpose: The Fall semester Faculty Record summarizes the candidate's current and ongoing activities.
- B. Format: The Fall semester Faculty Record should be written in the same format used for the year-end Faculty Record.

### 3.5.4.4 Guidelines for Preparation of Documents by Chairs/Directors

Chairs are responsible for writing an evaluation of the candidate's performance, including a specific recommendation regarding reappointment, tenure or promotion, and for assembling all comments from annual student evaluation forms administered since the candidate's last review. These documents are forwarded to the Office of Academic Affairs where they are reviewed by the Committee of Tenured Faculty and the VCAA. Chairs should not forward other supporting materials such as syllabi, course outlines, sample exams, and samples of scholarly or artistic work, testimonials, or letters from other Chairs/Directors or colleagues.

#### 1. Chair's Evaluation

- A. Purpose: The Chair's Evaluation has always been central to decisions concerning reappointment, tenure, and promotion. It is a summary evaluation which, when viewed together with the evaluations appended to the Annual Faculty Record, provides an historical account of the candidate's progress in the eyes of his or her Chair.
- B. Format: The Chair's Evaluation should be written in simple narrative form, addressing all issues listed in the guidelines for evaluation that are relevant for the candidate in question. (For example, comments on supervision of student projects may not be relevant for all candidates.)
- C. Issues to Address: The Chair's Evaluation should address performance in the areas of teaching, scholarly and creative activity, and service.
1. Required issues: The Chair is required to address the following points in the Chair's Evaluation. Evaluations failing to cover these points will be returned for revision.
    - \* The statement must report the results of the vote taken at the meeting of the tenured faculty in the department and the date of that meeting.
    - \* If the candidate is a Lecturer or holds any other special faculty appointment, the Chair should make clear why such an appointment is appropriate and the specific expectations of this individual as previously established in consultation with the Vice Chancellor for Academic Affairs. Chairs should review the description of special faculty appointments in the UNCA Tenure Policies and Regulations ([Section 14.2, III-C-5](#)).
    - \* If the candidate has reassigned time from teaching, the Chair should make clear the amount of reassigned time awarded and the specific departmental expectations in view of this reassigned time.
    - \* The UNC Board of Governors requires peer evaluation of teaching. The statement should provide a brief description of the department peer evaluation process and summarize the results of peer evaluation of the candidate.
  2. Evaluation of teaching: Chairs should address the appropriate points regarding teaching from the following list in the Chair's Evaluation.
    - \* appropriateness of candidate's training and expertise to departmental and institutional needs
    - \* trends, patterns or tendencies in student evaluations interpreted in light of the nature of the courses surveyed (e.g., major/service/general education, required/elective, upper division/lower division)
    - \* teaching effectiveness as indicated by peer review, senior exit interviews, information from Chairs/Directors of other departments/programs in which the candidate has taught, or other methods by which the candidate's teaching has been evaluated. (Comparison may be made to others in the department or others teaching similar courses with similar loads.)
    - \* class materials such as textbooks, exams; syllabi/course policies
    - \* curricular/pedagogical innovations by the candidate
    - \* supervision of student projects by candidate
    - \* utilization of reassigned time for teaching
    - \* when problems exist in teaching, factors likely to be influencing performance (e.g., types of courses, types of students)
  3. Evaluation of scholarly and creative activity: Chairs should address the following points regarding scholarly and creative activity in the Chair's Evaluation. It is imperative that the Chair evaluate these activities in a clear and comprehensive manner because members of the Committee of Tenured Faculty, and the VCAA, often are individuals outside of the discipline.
    - \* basis on which the candidate's work is being evaluated (e.g., Chair's appraisal, consultation with colleagues familiar with the work within or

outside the institution)

- \* quality of the candidate's work, along with corroborative data and/or specific examples

- \* significance of candidate's activities to his/her teaching, to the Department, to the University, to knowledge in his or her field

- \* utilization of reassigned time for scholarly and creative activity

- \* when activities in this area are minimal, factors likely to be influencing productivity (e.g., competitiveness of journals, conferences, etc. in the candidate's scholarly or professional area, teaching obligations)

4. Evaluation of service: Chairs should address the following points regarding service in the Chair's Evaluation.

- \* basis on which candidate's work is being evaluated (e.g., Chair's appraisal, interviews of colleagues and/or community members with whom the candidate has worked)

- \* significance of the candidate's work to the Department, the institution, the community

- \* candidate's performance in advising, including corroborative data and/or specific examples

- \* quality of the candidate's other service activities, including corroborative data and/or specific examples

- \* when activities in this area are minimal, factors likely to be responsible (e.g. opportunities for service, obligations in other areas)

D. Recommendation: The Chair's Evaluation should conclude with a clear recommendation and a summary of the department/program's expectations, past and future, for the candidate. If the Chair requests reappointment, tenure, or promotion for the candidate, there should be no equivocation. Half-hearted statements will be interpreted as an indication of lack of support for the candidate. In turn, a Chair's recommendation for denial of reappointment, tenure, or promotion should be firm and well reasoned. Courtesy to the candidate requires no less.

Before preparing his/her recommendation the Chair consults with the assembled tenured faculty of the department/program. The Chair should weigh the opinion of the tenured faculty carefully. In cases where the tenured faculty does not concur with the Chair or expresses serious reservations with the Chair's recommendation, the Chair in the recommendation should delineate these.

## 2. Comments from Student Evaluation Forms

The Chair is required to provide all comments from annual student evaluation forms administered since the candidate's last review. These comments should be typed but unedited. (The Office of Institutional Research provides numerical summaries of the student evaluation ratings to the Office of Academic Affairs.)

## 3.6 Grievance Procedure (amended by [SD4189S](#))

### 3.6.1 Grievance Committee Organization

1.

The Grievance Committee shall organize itself within one week of the Full Faculty meeting. The Secretary of the Senate shall call the initial meeting and preside over the election of a Chair and Secretary. After this meeting, the Secretary of the Senate will report the results of the election to the faculty.

2. Upon the receipt of a grievance petition, the Chair shall, within one week, summon the committee to meet.

3. Any committee member who is a party to the grievance or who is in the same academic department as the petitioner(s) shall disqualify himself. In addition, a faculty member who feels he or she has a conflict of interest may, after consultation with the Chair of the Grievance Committee and the Chair of the Faculty Senate, be disqualified.
4. The Grievance Committee shall assume its duties at the beginning of the academic year and shall continue in those duties until the new committee is formed the following year.

### 3.6.2 Initial Screening

Mere receipt of a petition does not establish the need for a full grievance hearing. The first effort of the committee is to "decide whether the facts merit a detailed investigation". This determination shall be made only by a designated committee member who will secure from the grievant details necessary to explain the petition. Such inquiry shall be made only of the grievant, and findings shall be reported back to the committee simply as allegations. The purpose of this inquiry is to allow members to understand the petition as delivered, to amplify written charges, to remove possible misunderstandings of or ambiguities in the petition, and to ascertain whether at least prima facie the grievant has raised a significant issue.

### 3.6.3 Mediation

The Grievance Committee may upon request and agreement of the involved parties, first attempt to mediate the dispute without initiating a formal inquiry. Authorization for this procedure is found in the Tenure Policies, [Section 14.2](#), VII, C, paragraph 2, which permits the Committee to "mediate voluntary adjustment by the parties . . ." This procedure can be used in instances requiring dispatch, in cases where disagreements need adjustment, and when requested by the petitioners. Proceeding with mediation does not prejudice the case against a later formal grievance inquiry, which may be used where mediation is unsuccessful.

The procedural steps outlined in Part IV, (The Formal Inquiry) do not apply to mediation, although confidentiality and other basic steps of discreet inquiry will prevail. In mediation efforts, the Committee provides its good offices and essentially acts as a broker in the dispute. Failure of either party to accept the committee's final offer signals the end of mediation. Committee proposals in these cases shall not be forwarded to administrative officers as in the case of the Formal Inquiry.

This inquiry, as all others, shall be made confidentially and shall not be communicated to anyone outside the committee.

### 3.6.4 Formal Inquiry (see also [Section 13.1.4](#))

After conducting an initial screening, the committee may, based on the petition and the amplifying details uncovered, decide by majority vote that the petition warrants a formal inquiry. The formal inquiry should begin within forty days of the receipt of the petition unless all parties agree in writing to an extension or the grievance is filed within forty days of spring commencement.

In conducting a formal inquiry, the Grievance Committee shall offer the petitioner(s) and the accused:

- confidentiality of proceedings
- hearings with all parties to the petition present
- the right to bring legal counsel
- the right to offer evidence supporting or refuting charges made in the petition, to cross examine adverse witnesses, to inspect documents presented, and to offer evidence in explanation and rebuttal
- the opportunity to present a summary of their position and to reply to charges made during the hearing
- the right to challenge a committee member's impartiality and right to serve in the formal hearing. If challenged, the committee will make a finding in executive session before proceeding with the

hearing.

The committee shall offer to keep a tape of its hearings, and shall allow supervised access to the tape by the petitioners and the accused. A transcript of the tape will not be prepared except on request of one of the parties who shall bear the cost of the transcript.

The committee shall prepare minutes of each of its meetings, summarizing activity, and listing in detail its findings and the reasons supporting them.

The Grievance Committee will forward a copy of its decision to the appropriate administrative officer and to each of the parties in the petition.

Forwarding its findings and recommendations ends the Grievance Committee's participation in the dispute. Grievants dissatisfied with decisions by the Grievance Committee possess the right under Section 501C4 of the University Code to appeal directly to the Chancellor.

### 3.7 Post-tenure review ([SD1000F](#)) (planned as 3.12 and subsections in Senate document)

Post-Tenure review at UNC Asheville is a periodic, comprehensive, cumulative review of tenured members of the faculty that emphasizes peer participation. The primary purpose of Post-Tenure Review (PTR) is to ensure continued faculty development and promote faculty vitality.

#### 3.7.1 Objectives of Post-Tenure Review

Entirely separate from reviews for reappointment, tenure, and promotion, PTR is a formative process that focuses on identifying specific areas of strength among senior faculty and, when appropriate, areas requiring more concentrated development efforts. PTR recognizes and respects disciplinary differences in pedagogy and in the focus of faculty professional activities. This procedure recognizes that each faculty member is reviewed annually by the department chair and that this review is a comprehensive evaluation of teaching, scholarship, and service. The PTR creates a summary of several years of professional activity that may address trends not immediately obvious in an annual comprehensive review and annual faculty record. As professionals, faculty will welcome opportunities for and are committed to professional growth. The faculty assume primary responsibility for the implementation of activities which foster professional growth in ways that support the missions of their programs and the University as well as their own professional career(s). Professional development plans (see [Section 3.7.3](#) below) will identify resource support necessary to accomplish specified goals. The VCAA is responsible for approval of these plans and allocation of any special resource support required to accomplish the objectives of the plan(s).

#### 3.7.2 Procedure for Evaluation

1. The term "faculty member" includes all persons on a nine or twelve-month contract who teach one half or more of a full load and librarians with faculty rank.
2. After an initial phase-in period, tenured faculty members shall be evaluated no less frequently than every five years. During this phase-in period, faculty who have gone the longest since their last review for

tenure or promotion will be evaluated first. The VCAA may approve the postponement of Post-Tenure Review in a case of illness, leave of absence, family emergency or other similar circumstances.

3. A review for promotion will take precedence over the PTR process and may replace it as follows. When faculty members apply for promotion in the same year they are to be evaluated for PTR, the PTR will be postponed. If successful, the review for promotion will satisfy the requirement for PTR and will start a new five-year PTR clock for the faculty member who is promoted. If the review for promotion is not successful, however, the faculty member will complete the PTR process in the following year, even if the application for promotion is renewed. Thus, post-tenure reviews will be deferred by an application for promotion only once.

4. In the Spring before the academic year in which a tenured faculty member is to be evaluated, the VCAA begins the evaluation process by notifying the selected tenured faculty members and requesting them to begin assembling materials for the review committee. In this process, the Vice Chancellor for Academic Affairs serves as facilitator and convener.

5. The evaluation will be performed by a University-wide committee called the Post-Tenure Review Committee (PTRC).

6. Evaluation of tenured faculty members is peer evaluation. The committee will consider a variety of materials. Peer observation of teaching will always be one of the procedures employed in the evaluation.

7. The Post Tenure Review Committee (PTRC) will review a dossier containing documents from several sources. The evaluatee will submit the items noted (see A 1-4, below) to the Chair of his or her department. The Chair will provide items 5 and 6. For evaluation of Chairs, the most senior tenured member of the department will normally assume the duties of the Chair, as described below.

#### A. Completed Dossier

The evaluatee's dossier is assembled by the Chair (or, for evaluation of Chairs, by the most senior tenured member of the department) and submitted to the PTRC. The complete dossier will include, in order:

- 1) The Evaluatee's Statement (submitted by Evaluatee to Chair)
- 2) The Professional Curriculum Vitae (submitted by Evaluatee to Chair)
- 3) Chair's Evaluation (prepared by the Chair, or for the review of Chairs, by the most senior tenured member of the department)
- 4) Results from Peer Observation of Classroom Teaching (prepared by the Chair)
- 5) Annual Faculty Records (past five years, collected by VCAA and submitted to the Chair)
- 6) Merit Evaluations (past five years, collected by VCAA)

and submitted to the Chair)

7) Summary of numbers from course evaluations over the past five years (provided by Office of Institutional Research to the Chair). Written student comments may be requested by the PTRC and will be made available.

#### B. The Evaluatee's Statement

1) Purpose: The Evaluatee's Statement should be a reflective, self-assessment that comments on the evaluatee's past, present and future contributions to the department, the university and their missions. This statement may also be used to discuss factors and extenuating circumstances affecting the evaluatee's performance, which are not usually covered in the listing of activities by category. The evaluatee should refer to categories outlined in [Section 3.5.4.3](#) of the Faculty Handbook.

2) Format: The Evaluatee's Statement should be written as a cover letter to the Chair of the PTRC. The statement is written in narrative form; possible issues to address, along with categories and guidelines for evaluating performance, are discussed in [Section 3.5.4.3](#). The Evaluatee should also outline briefly, his or her professional plans for the next five years, again, in the context of the department and university mission, which may also include a discussion of resources required.

#### C. The Professional Curriculum Vitae

1) Purpose: The complete curriculum vitae puts the evaluatee's professional work at UNCA into perspective relative to the individual's career in general. This allows the PTRC to evaluate the individual's recent activities or changing emphases at UNCA in light of his or her previous levels of activity and responsibilities.

2) Format: The vita should be written in a format appropriate to apply for an academic position in the discipline. It should include information about the evaluatee's education, degrees, awards, honors, professional employment and most important, papers/publications/artistic activities, grant activities, professional consultancies and major service activities.

#### D. Materials supporting professional activity (submitted by evaluatee to Department Chair, if requested)

1) Purpose: Materials selected by the evaluatee are meant to emphasize or augment the vita regarding teaching, scholarly and service activities. Materials provided should be chosen to illuminate the quality of the evaluatee's activities rather than duplicate those reported in

the vita.

2) Format: Materials provided by the evaluatee should be representative and only a sampling, supporting:

a) Teaching: Representative syllabi, assignments, student work or other materials illustrating teaching practices and student learning.

b) Scholarship/Creative Activity: Representative scholarly papers, letters of commendation, awards, reviews of scholarly, creative or performance activities.

c) Service: Representative professional service activities to local or greater community, letters of commendation, awards, etc.

E. Results of Peer Observation of Teaching (provided by the Chair of the department and assembled in the dossier submitted to the PTRC)

1) Purpose: Evaluations of teaching by peer observation supplement other measures of effective teaching.

2) Format: Each peer observer should submit a one to two page written summary of his or her observations to the faculty member, and the Chair of the evaluatee's department. Reports must include specific comments on the dimensions cited above.

F. Chair's Evaluation (provided by the Chair of the department and assembled in the dossier submitted to the PTRC)

1) Purpose: The Chair's Evaluation has always been central to decisions concerning reappointment, tenure and promotion. It is a summary evaluation that, when viewed together with the evaluations appended to the Faculty record, provides an historical account of the evaluatee's overall performance as viewed by the Chair.

2) Format: The Chair's Evaluation should be written in simple narrative form, to the Chair of the PTRC, addressing the evaluatee's past, present and future contributions to the department, the university and their missions. This statement may also be used to address factors and extenuating circumstances affecting the evaluatee's performance, which are not usually covered in the listing of activities by category. The Chair must consult with faculty colleagues and report on that

consultation (as is the case for reappointment, tenure and promotion reviews, see [Section 3.5.4.4](#)). For purposes of faculty development, the Chair should discuss the evaluation with the faculty member, prior to submission of the evaluation to the PTRC.

8. The faculty member and his or her chair will provide all materials to the Office of Academic Affairs by December 1.

9. For Post-Tenure Review of Chairs, the most senior tenured member of the department will normally assume the duties of the Chair. However, a Chair who perceives a conflict of interest with that person may petition the VCAA to appoint another tenured faculty member to those responsibilities. If no tenured member is available within the department, the VCAA may appoint one from a department within the same division of the university, giving weight to seniority of UNCA service and consulting with the Committee on Faculty Welfare and Development.

### 3.7.3 Results of Post-Tenure Review

1. The PTRC will write a report that will go to the faculty member, the department chair, and the Vice Chancellor for Academic Affairs. The report will be submitted by March 1.

2. The evaluatee has the right to challenge any of the contents of the PTRC's report by submitting, to the Vice Chancellor for Academic Affairs, any further evidence, mitigating or complicating circumstances, etc. This must be in a letter received in the Vice Chancellor's office within fourteen calendar days of the submission of the PTRC's report. The VCAA will respond within twenty-one calendar days of receiving the challenge letter.

3. The PTRC is advisory to the VCAA and like the committee for tenure review makes recommendations directly to the VCAA. During initial review of an evaluatee, the PTRC makes one of two recommendations:

A. The faculty member has performed at a Successful level. The Post-Tenure Review process will then be complete. The PTR Committee Report will be sent to the faculty member, with copies to the Chair and the VCAA. The Report will express collegial appreciation for contributions to the mission of UNC Asheville, and will take note of any performances, accomplishments or contributions that appear excellent or exemplary. The Report may express support for the provision of university resources such as a Teaching-Scholarship Year, or an Off-Campus Scholarly Assignment when the faculty member has shown that this will benefit future excellence.

B. The evaluatee has one or more areas that require concentrated development efforts. The PTR Committee advisory report dossier will be sent to the VCAA for further review and final decision, with copies to the evaluatee and the Chair. The Report will identify the area or areas of concern while noting any performances or accomplishments that appear commendable or excellent. The faculty member may challenge

the advisory report as provided above.

If the VCAA affirms the Report after considering a challenge, or affirms an unchallenged report, the faculty member will construct a Development Plan in consultation with the Chair and the Associate VCAA assigned as liaison to the PTR process. The Plan will address the area or areas that warrant improvement. The Plan will include a time when the evaluatee will again be reviewed by the PTRC - no less than one year later, up to three years later. The Chair and the VCAA will review the plan to determine resource implications. The Plan must be approved by the VCAA.

Development Plans may include provision for a Peer Mentor who is requested by the Evaluatee and approved by the VCAA. Peer Mentors should be senior members of the faculty who are skillful in collegial relationships and recognized for excellence in the area(s) requiring improvement. On request a Peer Mentor may be appointed before the Development Plan is finalized.

4. At the conclusion of the term specified in the development plan the evaluatee will be reviewed a second time by the PTRC. The committee will review the original file, the development plan, and a new file documenting developmental progress. In all of the following contingency proceedings, the PTR Advisory Report will be sent to the VCAA for review and final decision, with copies to the evaluatee and the chair. The PTRC now can make one of three recommendations to the VCAA:

A. The evaluatee is performing at a Successful Level. The advisory Report will recognize developmental progress and take note of any added accomplishments, performances or contributions to the mission of UNCA which are commendable or excellent.

B. The evaluatee has made some progress toward remediating problem areas but should continue his/her efforts,

C. The evaluatee has failed to make any progress toward improvement and warrants sanctions. In a case that warrants sanctions the VCAA will decide the nature of these sanctions. Before implementing these the VCAA should consult with the PTRC, much as the VCAA now consults with the Committee of Tenured Faculty before issuing a denial of tenure, but the final decision, as with tenure, is up to the VCAA.

If the VCAA affirms a PTRC Report that recommends continued development work, the evaluatee will revise the plan in consultation with his/her Chair and the Associate Vice Chancellor for Academic Affairs assigned as liaison to the PTR process and come before the PTRC one final time in 1-2 years.

5. If a final review is warranted, the PTRC now can make only one of two recommendations:

A. The PTRC advises that the evaluatee is performing at a Successful Level. The report will acknowledge developmental progress and take note of any new performances, accomplishments or contributions to the

mission of UNCA that appear excellent or commendable.

B. The PTRC advises that the evaluatee has failed to make sufficient progress toward improvement and warrants sanctions.

6. Any sanctions including discharge or other disciplinary action imposed on faculty members for continuing deficiency in performance shall be in compliance with the criteria and procedures for due process as established in Chapter VI, Sections 602, 603, and 605 of The Code of the University of North Carolina.

### 3.8 FORMS for Section 3.0

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- [Faculty Evaluation of Chair](#) (in PDF format)

[Faculty Record \(condensed\)](#)(in PDF format)

## 4.0 FACULTY DEVELOPMENT AND WORKING CONDITIONS

### 4.1 Faculty Professional Development

Faculty development includes enhancement, support, and reward of the development of teaching, scholarship and balancing the demands of faculty roles.

#### 4.1.2 Faculty Exchanges

Faculty may participate in national or international exchanges with the approval of their department chairs and the VCAA. Information about faculty exchange opportunities is available from the Office of Academic Affairs.

#### 4.1.3 Institutional Grants (see [Section 6.5](#))

#### 4.1.4 Off-Campus Scholarly Assignment - ([SD1488S](#))

##### 4.1.4.1 Purpose

Off-campus scholarly assignments are a means by which UNCA supports continued professional growth for its faculty. Such assignments provide institutional encouragement and support to the faculty in developing, maintaining, and broadening academic and instructional competencies that are valued by the individual faculty member, his or her academic program, and by the university.

##### 4.1.4.2 Eligibility

1. All full-time teaching faculty members who have served at UNCA for a minimum of four years are eligible; however, members with tenure will be given preference.
2. No faculty member will normally be eligible to receive an off-campus scholarly assignment more than once every six years. Exceptions may be negotiated for extraordinary opportunities which may arise.
3. An off-campus scholarly assignment may be granted for up to one full year. The university will support the recipient with either one semester at full salary or two semesters at one-half salary. Health insurance and

retirement benefit coverage varies with the conditions of the off-campus scholarly assignment. Discuss with the Personnel Office and/or the Office of Academic Affairs how fringe benefits will be handled.

4. The recipient may elect to count the time in this off-campus assignment toward promotion and tenure, or may defer. The candidate's written proposal should indicate the manner in which the applicant wishes the time to be counted.
5. It is expected that most departments will be able to adjust offerings and assignments to accommodate the off-campus assignment without significantly complicating student programs. In some instances, adjunct faculty funds may be needed to sustain the programs. In all cases, the Chair of the affected department or program director will negotiate in advance with the VCAA the exact level of support for the affected department or program.
6. As a general rule, a faculty member's proposal for an off-campus scholarly assignment must be made at least nine months in advance of the assignment.
7. The faculty member and Chair are strongly encouraged to review the description of "leaves of absence" in [Section 14.2](#) and to consult with the VCAA to differentiate such leaves from "off-campus scholarly assignments."

#### 4.1.4.3 Procedures for Application, Approval, and Accountability

1. Chairs and program directors should be involved in all phases of developing an off-campus scholarly assignment proposal. Interested faculty members should initiate the process by discussing a proposed project with their Chair. Projects may then be developed as written proposals which involve a detailed statement of the research or other professional development that the applicant expects to undertake. The proposal must also include a section which describes how the faculty member's project is to be evaluated and by whom.
2. The Chair must circulate the proposed project within his or her academic program and must consult with the

tenured members of the program concerning the benefits to the applicant's scholarship, to his or her professional development in teaching, and/or to how the proposal will contribute to the improvement of the academic program and the university. In cases where the Chair has rejected a proposed project, the faculty member may appeal the decision to the VCAA.

3. Once a final draft of the proposal has been accepted and approved by the department Chair, and the time-frame for the off-campus scholarly project identified, the Chair is responsible for arranging all final details of university support with the VCAA. The VCAA, after reading the proposal and consulting with the Chair (and in some cases, the faculty member) will approve or deny the applicant's request. The VCAA will communicate in writing to the faculty member, with a copy to the department Chair, his or her decision. A negative decision may be accompanied by brief but specific reasons for rejecting the application, such as a statement regarding the feasibility of the project, or lack of resources. Rejection of a proposal should include ways in which the proposal might be improved to enhance acceptance in the future.
4. If the VCAA approves of the off-campus scholarly assignment, a contract for such an assignment will be prepared which will designate the specific conditions and dates for the off-campus scholarly assignment. Where the off-campus assignment requires institutional nomination or approval of the applicant, the Office of the VCAA will be responsible for expediting the process to meet external agency requirements and deadlines. The contract will also require the faculty member to guarantee as one of the conditions for the assignment, that he or she will return to full-time teaching at UNCA for a minimum of one full academic year following the off-campus scholarly assignment.
5. The Board of Trustees of UNCA must grant final approval for all off-campus scholarly assignments.
6. Upon completion of an off-campus scholarly assignment, the recipient must prepare a brief written report describing all professional activities during the period of the assignment, and provide an evaluation of accomplishments. The report, with the Chair's

evaluation, or other designated evaluator's comments, must be filed with both the department Chair and the VCAA.

NOTE: Chairs who wish to apply for off-campus scholarly assignments should initiate the process with the VCAA, but should otherwise follow the general procedures outlined above.

#### 4.1.4.4 Limitations:

1. The VCAA will insure that minorities and women receive an equitable share of off-campus scholarly assignments.
2. Because of normal budgetary limitations, it is assumed that approximately 3% of the total full-time faculty may be allocated off-campus scholarly assignments in any given year. Faculty are encouraged to continue seeking private or federal grant support for fellowships to support additional faculty development, and travel.

#### 4.1.5 Professional Travel Policy

The University provides support for faculty to travel on university related business. In all cases in which the faculty member is traveling on University business, he/she must have received prior authorization from their Department Chair and the VCAA. The reason for prior authorization is to insure that the faculty member is covered under Workman's Compensation in the event of injury or accident. This requirement applies whether or not the faculty member is requesting reimbursement from University funds. See [UNCA PPM #3](#) for more details.

##### 4.1.5.1 Funding

Academic Affairs strongly encourages all faculty to be actively involved in their professional disciplines. As an inducement faculty will receive full funding support up to a predetermined maximum in order to travel to conferences, workshops, symposia, etc. The specific activities the university will support are as follows:

- a. Instruction related travel: All travel for the purpose of

- conducting a course will be supported. Field trips, school visits, internship visitations, and related activities will receive normal university funding.
- b. University required travel: All travel required by the University will be supported.
- c. Funding maximums change from year to year.

The State of North Carolina imposes clear maximums on reimbursements for food and lodging for travel in the State of North Carolina and outside the State. These reimbursements are subject to change, therefore faculty should consult the business office for the currently approved rates. The State imposes no limit on transportation expenses, but does insist that individuals travel by the least expensive mode that is feasible.

#### 4.1.5.2 Procedure

Specific forms must be completed relative to Faculty Travel. Each faculty secretary has a supply of those forms and is familiar with the procedures involved. The needed forms are listed below:

- a. Instate Travel Authorization Form (must be completed prior to making a trip).
- b. Out-of-State Travel Authorization Form (must be completed prior to making a trip). This form is also used for excess registration fees.
- c. Form for request to use a state car
- d. Travel Reimbursement Form

**Driver's License on File:** The individual is required to have on file with the University a copy of a valid driver's license if he/she wishes to use a State Vehicle.

**Use of personal car:** One may elect to use their personal car and be reimbursed at the approved rate.

Questions relative to faculty travel should be directed to the VCAA. Also faculty should consult [UNCA PPM #3](#).

#### 4.1.6 Tuition free courses for Faculty and Staff (see [Section 7.17](#))

4.1.7 External Professional Activities of Faculty and Professional Staff (see [Section 13.2.4](#))

4.1.8 Center for Teaching and Learning (see [Section 11.9](#))

## 4.2 Faculty Leaves of Absence

Approval for either a special assignment or a leave of absence requires approval of the faculty member's Department Chair/Program Director, the VCAA, the Chancellor, and the UNCA Board of Trustees. See Section III of UNCA Tenure Policies and Regulations, located in [Section 14.2](#).

### 4.2.1 With Pay

UNC does not have a formal system of state funded sabbaticals. UNC does allow faculty to serve with pay on certain special assignments. Family/medical leave and leaves of absence paid by non-state funds also are permissible.

#### 4.2.1.1 Special Assignments

UNCA permits leaves paid by state funds for two types of special assignments described in [Section 4.1](#):

- \* Faculty Exchange
- \* Off-Campus Scholarly Assignment

#### 4.2.1.2 Family and Medical Leave ([SD4900S](#), as amended by document #####)

Members of UNCA faculty entitled to benefits may apply under this policy for up to a semester off with full pay. While brief absences from faculty duties, including teaching, can usually be accommodated informally, those that involve prolonged illness and/or disability are approached in a manner consistent with The Family Leave and Medical Act, The Code of The University of North Carolina and The Regulations on Academic Freedom, Tenure and Due Process of The University of North Carolina at Asheville. This leave is not allowable as terminal leave payment when the faculty member leaves the employment of the University. It may not be used to extend years of creditable state service for retirement

benefits. However, it may be exhausted prior to participation in the Disability Income Plan, provided to state employees.

### I. Coverage

This policy applies to persons holding at least three-quarter time regular faculty appointments (professor, associate/assistant professor, lecturer, instructor) who are also eligible for participation in either the Teachers' and State Employees' Retirement System for North Carolina State Retirement Program or the Optional Retirement Program. It does not apply to faculty members with twelve-month appointments annually; these persons are covered under a separate leave policy of the Board of Governors. It does not apply to persons with adjunct faculty appointments.

### II. Benefit

A faculty member for whom any of the following conditions apply may request up to one semester off with full pay:

- \* medically verifiable extended illness or serious disability
- \* pregnancy
- \* bereavement
- \* primary care-giving responsibilities for an infant or seriously ill child, spouse/domestic partner, parent or other dependent
- \* other medical or family situations which may require absence from work

The leave period begins with the first day of the absence. More than one disability leave may be granted in an academic year. Approved, but not used, leave shall not accumulate nor be carried forward from academic year to academic year. This policy does not preclude requesting leaves for non-medical or serious disability reasons.

### III. Use of Leave

The period of leave provided under this policy may be used for medically verifiable sickness or injury which prevents the faculty member from performing usual duties, including temporary disability connected with childbearing and recovery. A faculty member anticipating the need for temporary disability leave relating to maternity should notify the department chair/program director in writing as soon as possible.

Female faculty shall not be penalized in their condition of employment because they require time away from work caused by or contributed to by pregnancy, miscarriage, abortion, childbirth, or recovery. Disabilities resulting from pregnancy shall be treated the same as any other temporary disability. The type and nature of the faculty member's duties during pregnancy shall be determined by the department chair/program director in consultation with the faculty member and upon advice she has received from her physician.

A faculty member may seek leave needed as a consequence of a medically verifiable illness/disability of a member of the immediate family (defined as spouse, domestic partner, parents, children --including step relationships or other legal dependents).

#### IV. Administration of Benefit

It is the responsibility of the faculty member to request the use of leave provided by this policy as soon as possible upon learning of the need for the leave. This request will normally be made in a letter to the department head. The department head may request medical verification of the faculty member's illness or disability, including a physician's statement about the probable length of absence from normal duties. If the request is for the purpose of caring for a faculty member's family member, domestic partner or dependent, the department chair/program director may request medical verification of the illness or disability of that person. This information will be confidential and will be stored in the Office of Academic Affairs or the Office of Human Resources. To facilitate the gathering of necessary verification, the department chair/program director may request the assistance of the Human Resources Department.

The department chair/program director will make a recommendation to the Vice Chancellor for Academic Affairs concerning whether or not to grant the request for leave. When the request is the result of the faculty member's illness or disability, the department chair/program director will recommend leave if the need for leave is readily evident or if it is supported by medical information. When the request is to care for the faculty member's family member, domestic

partner or dependent, the department chair/program director may base the recommendation on other factors, including the needs of the unit, timing within the academic year, effect on students, ability of the unit to compensate for the absence, etc.

The Vice Chancellor of Academic Affairs is responsible for making a decision on whether or not to approve leave after reviewing the department chair/program director's recommendation. The Vice Chancellor for Academic Affairs will provide written notification of the decision to the department chair/program director with a copy to the faculty member. The Vice Chancellor of Academic Affairs will provide a copy of the notice to the Office of the Chancellor and the Human Resources Department. Whenever the Vice Chancellor of Academic Affairs approves leave under this policy, he/she is responsible for working out an arrangement with the department chair/program director for covering the duties of the person on leave.

Leave may be granted for up to the period actually required by the disability or the end of the faculty member's contract period (academic year), whichever occurs first. Leave beyond this period is subject to approval by the Vice Chancellor for Academic Affairs after consultation with the faculty member's department chair/program director.

If illness or disability requires an absence from faculty duties beyond the approved salary continuation period, the faculty member may petition for a leave of absence without pay under procedures described in the Handbook for Faculty and in University policies implementing the Family and Medical Leave Act. The faculty member may also apply to the Human Resources Department for salary continuation through the Disability Income Plan or through other disability programs offered to University employees on an optional basis.

#### V. Appeals

The Vice Chancellor of Academic Affairs' decision not to grant a request for leave under this policy may be appealed to the Chancellor.

#### VI. Confidentiality

Communications concerning leave requested or granted under this policy are subject to the same confidentiality requirements as other personnel records.

#### VII. Record-Keeping

Because this policy provides an important financial benefit, accurate records on its invocation must be maintained. The Office of the Vice Chancellor for Academic Affairs will maintain the official records and, every three years from the date of approval or sooner if necessary, will make general reports on its use to other University administrators and to the Faculty Senate.

#### VIII. Coordination with Other Policies

The Regulations on Academic Freedom, Tenure and Due Process provide that "[T]ime spent on leave of absence shall not count as probationary service unless the faculty member and the institution agree to the contrary at the time leave is granted."

The terms of this policy pertain only to a leave with full pay for a specified period because of illness or disability. This policy has no effect on provisions for leave without pay as described in the Handbook for Faculty.

The leave with full pay provided for under this policy shall have no effect on the faculty member's other employment benefits.

#### 4.2.1.3 Leaves Paid By Non-State Funds

Leaves of absence paid from non-state funds may be allowed with the approval of the UNCA Board of Trustees and the President of the University.

### 4.2.2 Without Pay

#### 4.2.2.1 Elected Office and Civil Leaves (see [Section 13.2.5](#))

#### 4.2.2.2 Requested Unpaid Leave

A leave of absence without pay is possible with the approval

of the Chancellor and the UNCA Board of Trustees. Leave requests are initiated at the department or program level and proceed through the chair or director to the Office of the Vice Chancellor of Academic Affairs. The VCAA makes a recommendation to the Chancellor.

### 4.3 Working Conditions

#### 4.3.1 Academic Regalia

Faculty are expected to wear academic regalia at commencement and special ceremonies such as installation of the Chancellor and at the Fall Convocation. Academic regalia may be rented through the UNCA Bookstore.

#### 4.3.2 Alcoholic Beverage Policy (see [Section 7.1](#))

#### 4.3.3 Attendance at Faculty Meetings and Formal Exercises

Faculty are expected to attend all formal exercises such as commencement, convocation, departmental faculty meetings, assigned committee meetings, and scheduled duty during registration days. If a faculty member for some reason cannot meet his/her scheduled responsibilities he/she is to notify the Department Chair/Program Director or Committee Chair.

All full-time faculty members are expected to attend all called faculty meetings. The Department Chair is to be notified if a faculty member cannot attend a meeting of the faculty. Faculty meetings are called at the beginning and end of each academic semester plus at the end of the second five-week summer session.

Special faculty meetings may be called by the President of the University, the Chancellor, or the VCAA. Faculty also may request a Faculty Meeting through the Executive Committee of the Faculty Senate. (See Constitution of the Faculty Senate, [Section 14.1](#)). Such requests should include a proposed agenda, rationale for the special meeting and suggested date and time. Should the Executive Committee approve the request, the VCAA will call the meeting.

#### 4.3.4 Drug Abuse and Controlled Substance Policy (see [Section 7.5](#))

### 4.3.5 Office Support

#### 4.3.5.1 Office Space and Clerical Assistance

Full-time faculty can expect in his/her office a desk, book shelving, filing cabinet and chairs, a telephone, access to a departmental secretary for provision of course related clerical services and typing and as time permits typing of manuscripts, and mail service to the departments. Budget permitting, a work study student who may assist faculty may be assigned to an academic department. Within budget constraints faculty may utilize the services of Printing Services and Publications. A limited number of private carrels are available in the library (see [Section 5.8.4](#)).

#### Guidelines for Work Assigned to Faculty Secretaries

A. Workload Priorities: Faculty secretaries are assigned the following priorities for their work:

1. course outlines, course syllabi, handouts, assignments, and examinations.
2. Receptionist duties including answering the phone and fielding questions from students and visitors.
3. Essential UNCA reports, official correspondence, budgets, etc. for the chair/director. (Annual reports, department self-studies, course schedules, etc.)
4. Routine filing and office work.
5. Duties peculiar to a department (special reports, box office, ticket sales, distribution and return of keys, etc.)
6. Essential reports, official correspondence, etc. for faculty. (Official faculty committee activities, academic advising, etc.)
7. Scholarly activities including grant proposals, articles for publication, reviews, etc.
8. Typing manuscripts for a book. Secretaries may do this only if time allows. Where appropriate secretaries should be compensated separately by the faculty for work performed outside regular work hours.
9. University-wide needs may supersede any of the above.

## B. Activities to be Discouraged

1. Activities that take secretaries out of their offices for a prolonged period of time during the normal workday.
2. Any work for off-campus organizations (e.g., civic groups) in which a faculty member may be involved. When in doubt the secretary should consult the chair/director or the VCAA.

## C. Activities Prohibited

1. Typing personal correspondence for anyone.
2. Violating copyright laws at the request of anyone.
3. Proctoring examinations
4. Supervising a class for a faculty member
5. Grading of any course-related work: examinations, quizzes, papers, reports, homework, etc.
6. Performing any non-work related activities. When in doubt the secretary should consult the chair/director or the VCAA.

### 4.3.5.2 Computer Services (see [Section 5.3](#))

### 4.3.5.3 Mail Services (see [Section 7.11](#))

### 4.3.5.4 Ordering Equipment and Supplies

Equipment and supplies are purchased with departmental funds. Purchase orders must be completed, usually by the department secretary, and approved by the department chair/program director. See UNCA PPM #14 for more information.

## 4.3.6 Research Policies

### 4.3.6.1 Animal Subjects Policy

The UNCA Animal Care Committee (ACC) must approve projects which utilize live animals. ACC addresses public concerns about humane treatment of experimental animals, assures compliance with relevant legislation, monitors moral and ethical obligations to other living organisms, provides institutional assurances for granting agencies, and protects investigators and students from unsubstantiated or unwarranted allegations of improper

procedures.

Any project by a UNCA investigator (faculty or student) or any teaching procedure which requires the use of live animals must submit an application for animal use to ACC. These rules do not apply to plants, bacteria or protozoans. Information concerning applicable guidelines may be obtained from the ACC. If a previously approved project is revised or requires significant changes from the approved techniques, a supplemental form listing the changes must be submitted.

Applications can be obtained from and should be returned to the Director of Special Academic Programs. The form should be typed and each questions should be answered in specific detail or noted "not applicable". All applications require one copy of the application form and one copy of the complete grant proposal or instructor's syllabus (for teaching activities). After review and approval (2-3 weeks normally), the Chair of the ACC will send notification of approval to the Principal Investigator or to the student's research advisor.

#### 4.3.6.2 Human Subjects Policy ([SD0393F](#))

##### 4.3.6.2.1 Purpose

The protection of the rights and welfare of human subjects of research is the primary goal of this policy. By its adoption the university recognizes the dignity, autonomy and privacy of persons who may become the subjects of research that is conducted under the auspices of UNCA.

##### 4.3.6.2.2 Policy

The UNCA Institutional Review Board (IRB) is charged with the responsibility of reviewing all research proposals involving human subjects, according to the Code of Federal Regulations (45 CFR 46, June 18, 1991.) These regulations require IRB approval for federally-funded research on human subjects and also require that the Institution have a policy on such studies "regardless of whether the research is subject to federal regulation." (#46.103 (b)(1).) This policy allows departments to adopt their own, more restrictive review procedures. The UNCA policy on human subjects applies not only to the research of individual faculty and staff members

but also to the research projects assigned to students. Since most of UNCA's research has in the past involved minimal risk to human subjects, the review procedure for most projects is also minimal.

#### 4.3.6.2.3 Procedures

1. Before beginning any study involving human subjects, a brief proposal must be submitted to the Chair of the IRB (see [SD0393](#) for sample forms).
2. If the Chair or a delegated member of the IRB determines that the study involves only "minimal risk", approval may be given. "Minimal risk means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests." (46.102, i)
3. If it is decided that more than "minimal risk" to human subjects may be involved, the full IRB will consider the proposal. The researcher (or faculty member assigning student projects) will be invited to explain the project to the IRB.
4. According to Federal Regulations (46.109), the IRB shall "have the authority to approve, require modifications in (to secure approval) or disapprove all research activity covered by this policy." The Regulations further state that the Institution (UNCA) may reverse an approval given by the IRB, but it cannot overrule a negative decision by the IRB.
5. Independent research projects which individual students design and carry out under faculty supervision must be reviewed and approved by the IRB (see [SD0393](#) for sample forms).
6. All other student research assignments, such as those in research methods courses, etc., will be reviewed by the course instructor, who will be acting as the delegate of the IRB. The instructor will report to the IRB through means of a check list.
7. IRB approval of a project is limited to one calendar year.

8. A quorum shall be a majority of the five members of the IRB. Approval of a project requires the approving vote of the majority of those present.

#### 4.3.6.2.4 Institutional Review Board

Membership of the IRB shall conform to federal guidelines (46.107).

1. There shall be five members, approved by the Chancellor. Faculty members as well as administrative staff are eligible for appointment to the IRB.
2. Three-year terms shall be staggered so that at least one is appointed each year. Reappointment to a second term of three years is allowable for the sake of continuity.
3. Members shall not be all male or all female.
4. There must be representation from the natural science, social science, and humanities areas of the university.
5. One member must not be otherwise affiliated with UNCA.

#### 4.3.7 Smoking Policy (see [Section 7.14](#))

#### 4.3.8 Policy on Children in the Workplace ([SD1697S](#))

UNCA recognizes that faculty members may occasionally need to bring their children with them to work. However, faculty members are expected to observe the following guidelines when doing so.

##### Guidelines:

1. Parents will assume responsibility for direct supervision of their children. Young children are not to be left unsupervised in public areas (lounges, student center, library, etc.), nor are they to be left in the care of university staff.
2. Parents should prevent children from creating excessive noise or disturbing others in the work environment.
3. Parents will assume liability for their children.
4. Parents should not bring sick children to campus.

Rationale: For many parents child care is a major issue in the conflict between work and family involvement. Since there are occasions when faculty must bring their children to campus, the guidelines above establish some common behavioral expectations. Faculty members have private offices which will allow them to keep their children out of the

general departmental workspaces. Because faculty schedules are flexible, they may bring children to the campus for shorter periods of time during the day.

#### 4.3.9 Employment/Supervision of Related Persons (see [Section 13.2.2](#))

#### 4.3.10 Mediation Center ([SD1797S](#)) (formerly 3.10.8)

The Mediation Center is dedicated to helping the university community resolve conflict. Toward this end it offers confidential mediation services at no charge, educational workshops, and group facilitation services. Mediators are UNCA students, faculty, and staff who have completed significant mediation training. Situations appropriate for mediation may include roommate conflicts, grade disputes, dating relationships, property damage, grievances, student organization differences, faculty/staff conflicts, and student/parent issues. The Center is located at 218 Phillips Hall. For more information or a confidential appointment, call 232-5120 or e-mail [mediate@unca.edu](mailto:mediate@unca.edu).

#### 4.3.11 Non-Discrimination: Ethnic/Gender/Sexual Orientation (formerly 3.8.5)

UNCA subscribes to The Code of The University of North Carolina, Section 103, which states:

Admission to, employment by, and promotion in the University of North Carolina and all its constituent institutions shall be on the basis of merit and there shall be no discrimination on the basis of race, color, creed, religion, sex, or national origin.

Furthermore, the University follows N.C.G.S. 126-16 which states:

All state...agencies...of North Carolina shall give equal opportunity for employment without regard to race, religion, color, creed, national origin, age, or physical disability to all persons qualified, except where specific age, sex, or physical requirements constitute bona fide occupational qualifications necessary to proper and efficient administration. The section with respect to equal opportunity as to age shall be limited to individuals who are at least 40 years of age.

#### Sexual Orientation ([SD4091S](#))

It is the policy of The University of North Carolina at Asheville that an individual's sexual orientation is irrelevant to educational and employment decisions. Any non-faculty employee of The University of North Carolina at Asheville having a complaint of discrimination because of sexual orientation should notify the immediate supervisor or the

Director of Personnel. A faculty member should notify the VCAA; a student should notify the VCSA. At any time, a student or employee may call the Affirmative Action Officer or the Counseling Center. The Senate requests that the VCAA arrange with other chancellors a consistent procedure for pursuing complaints of discrimination.

#### 4.3.12 Racial and Sexual Harassment (formerly 3.8.6)

##### 4.3.12.1 Policy (formerly 3.8.6.1)

The University has defined discriminatory personal conduct as "speech or action by a University employee that gives offense by its biased or prejudiced nature, with or without effect on a specific incident of another person's University experience."

Included in such misconduct is sexual harassment, which may be summarily defined from relevant regulations as "the improper introduction into a University relationship of speech or conduct of a sexual nature."

([SD6096S](#)) Sexual harassment and discrimination are illegal and endanger the environment of civility and mutual respect that must prevail if the University is to fulfill its mission. The University of North Carolina at Asheville is committed to providing and promoting an atmosphere in which employees can realize their maximum potential in the work place and students can engage fully in the learning process. Toward this end, all members of the University community must understand that sexual harassment, sexual discrimination, and sexual exploitation of professional relationships violate the University's policy and will not be tolerated. The University will take every step to resolve grievances promptly. Any act by the University's employees or students of reprisal, interference, or any other form of retaliation, whether direct or indirect, against a student or employee for raising concerns covered by this policy is also a violation of this policy. Accordingly, members of the University community are prohibited from acts of reprisal against individuals who bring complaints or are involved as witnesses in any action connected with this policy.

##### A. Applicability

This policy applies to all applicants for employment and admission to University programs, officers and employees of the University, students, persons who serve the University as its agents and are under the control of the University and all others who teach, conduct business or participate in activities at the University. Specific adherence to this policy shall be made an express term of every contracted services agreement entered into by the

University.

## B. Sexual Harassment - Definitions (See 29 CFR 1604.11)

Two categories of sexual harassment between members of the opposite or same sex are recognized:

1. Quid Pro Quo: Sexual harassment presented as a "bargain" (quid pro quo). Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature by one in a superior position constitutes "bargained-for sexual harassment" when submission by another is made either an explicit or implicit term or condition of employment or of academic standing. In this case apparent consent of the submitting party is less relevant than the extent to which the sexual conduct is unwelcome. As defined here, "bargained-for sexual harassment" normally arises in the context of an authority relationship. This relationship may be direct as in the case of a supervisor and subordinate or teacher and student or it may be indirect when the harasser has the power to direct others who have authority over the victim.

2. Environmental Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute "environmental sexual harassment" when such conduct has the purpose or effect of creating an intimidating, hostile, or offensive environment which unreasonably interferes with another's work, academic performance, or privacy. Environmental harassment can inflict emotional and psychological harm on individuals and can make relationships and the work or study environment unpleasant, threatening and unproductive. However, there is no requirement that evidence of actual emotional or psychological harm be shown in order for environmental sexual harassment to be found to have occurred.

In determining whether alleged conduct constitutes sexual harassment as defined in the policy, the record as a whole will be considered as well as the context in which the conduct occurred. "Environment sexual harassment" normally arises from a repeated or pervasive course of conduct whereas "bargained-for sexual harassment" can be based on a single act.

Facts will be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular susceptibility of an individual, unless that susceptibility is known to the alleged harasser.

## C. Penalties

Penalties will be determined on the basis of the facts of each case and the extent of harm to the University's interests, as well as any University record

indicating previous similar wrong doing by the accused person. Penalties will be set according to regulations governing student conduct and employment relationships. These regulations are described in the UNCA Policy and Procedure Manual, the UNCA Student Handbook, the UNCA Faculty Handbook and the North Carolina Office of State Personnel Manual.

#### D. Anti-retaliation Assurance

This policy seeks to encourage students and employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment. Any act of reprisal violates this policy and will result promptly in appropriate disciplinary action.

#### E. Improper Complaints

This policy shall not be used to bring frivolous or malicious complaints against students or employees. If a complaint has been made in bad faith, disciplinary action will be taken against the person bringing the complaint.

#### F. Confidentiality

Information generated in the course of informal reviews and formal investigations necessary to enforcing this policy will be given the full extent of confidentiality accorded by law to employee personnel records and student educational records. Any person who, without authorization, reveals such information will be subject to disciplinary action. The sharing of the content of complaints will be on a "need to know" basis and will depend on the type of review and response required by the complainant. In any case when a complaint is being mediated and/or investigated, the accused will be informed of the specific details of the complaint.

#### G. Responsibility for Implementation

A University employee who has knowledge of conduct involving sexual harassment that may have occurred must take action to address the matter immediately. Not to do so may result in serious consequences for the University and will be considered a breach of responsibility.

#### 4.3.12.2 Procedures ([SD0396F](#)) (formerly 3.8.6.2)

Applicable to: Applicants for employment; current and former employees of the University who are/were subject to the State Personnel Act; current and former employees of the University who are/were exempt from the State Personnel Act; persons who serve the University as its agents and are under the control of the University and all others who teach, conduct business or participate in activities at the University.

Procedures: The purpose of these procedures is to provide a prompt and fair

resolution of problems and to preserve the due process rights of all involved, including the rights to receive notice of complaints and to have an opportunity for an impartial investigation.

These procedures also are created to provide for discipline of violators of UNCA Sexual Harassment Policy. However, University administration may take immediate and reasonable action to stop harassment if necessary, and is not limited to the process provided herein.

In the event you believe sexual harassment has occurred or is occurring, you are encouraged to communicate clearly, preferably in writing, to the harasser and state that the conduct is not acceptable. You are also encouraged to maintain careful written records of the harassment and to continue to maintain current records throughout the process.

If the conduct has not stopped after your communication or if you do not wish to make the initial contact with the harasser, you may contact your immediate supervisor, a department head/chair, vice chancellor, sexual harassment policy advisor, or the University Affirmative Action Officer/Director of Human Resources. The person to whom the report is made may work informally to resolve the matter. If both parties are satisfied with the outcome of the informal process, the matter ends. University employees should send to the Affirmative Action Officer a written record of the nature of the allegation, the parties involved, the advice given to the complainant, and the resolution reached. It is preferable the report be signed by the person making the complaint.

Complaints of violations of the UNCA Sexual Harassment Policy will be accepted in writing or orally, and anonymous complaints will be taken seriously and investigated. Anyone who has observed sexual harassment should report it to their immediate supervisor, a department head/chair, vice chancellor, a sexual harassment policy advisor or the University Affirmative Action Officer. The right to issue a complaint is not limited to someone who is the direct target of the harassment.

Once a complaint is made to a University official, the official will document the complaint and forward it to the Affirmative Action Officer. The Affirmative Action Officer will maintain all records related to such cases separately from the University employee's personnel file. Unresolved complaints will be investigated promptly and impartially. The supervisor, department head/chair, or vice chancellor should consult with the University Affirmative Action Officer/Director of Human Resources to determine a course of action to resolve the complaint informally.

If the complaint cannot be resolved informally, a University investigatory team will complete an investigation, make a determination of whether sexual harassment has occurred, and forward recommendations to the Chancellor for measures to resolve the issue, including disciplinary action if appropriate. The Chancellor will provide both parties to the complaint with written notice of all determinations and recommendations. The Chancellor shall have the final and ultimate determinations of discipline based primarily upon the investigations and recommendations derived from the outlined process.

All reasonable attempts will be made to complete this entire process in a timely manner. Informal complaints shall be resolved within 30 days of the date of the complaint being filed. Formal complaints shall be resolved within 30 days of the date the complaint is received by the Affirmative Action Officer.

Confidentiality shall be maintained to the greatest extent possible within the requirements of conducting reasonable investigations. Only those who have an immediate need to know will or may find out about the identity of the parties. Any retaliation against a complainant or witnesses is prohibited specifically by policy and the person will be disciplined in accordance with prescribed disciplinary measures defined by state or university policy as applicable.

Grievances: Any current or former State employee who feels he/she has been sexually harassed in violation of UNCA policy and North Carolina General Statutes 126-16 may file a grievance through the UNCA grievance procedures (as applicable to SPA, EPA non-teaching or EPA faculty.)

Consistent with North Carolina General Statutes 126-36 and 36.1, any applicant for State employment or any current or former State employee who feels that he/she has been sexually harassed may request a hearing by the State Personnel Commission without first following the UNCA grievance procedure. Such request must be made in compliance with procedures as set forth in the Disciplinary Action, Suspension and Dismissal Policy, Section 9 of the North Carolina Personnel Manual.

Sexual harassment is a violation of Title IV of the Civil Rights Act of 1964. Employees or applicants may choose to file a complaint of sexual harassment directly and formally with the Equal Employment Opportunity Commission.

Disciplinary action taken by the Chancellor against any party of the complaint is grievable under the particular grievance process of the job

classification, (i.e., EPA faculty, EPA non-teaching, or SPA as appropriate).

\*A list of current sexual harassment policy advisors may be obtained through the Vice Chancellor of Academic Affairs, the Vice Chancellor of Student Affairs, residence administrators, the Human Resources Office, the Affirmative Action Officer, or your supervisor.

#### 4.3.13 Workplace Violence ([SD3497S](#))

This policy applies to EPA and SPA full-time and part-time employees with permanent, probationary, trainee, time-limited permanent, temporary, or adjunct faculty appointments while engaged in any work for or on behalf of the University or on University premises.

##### 1. Definitions

Workplace Violence includes, but is not limited to, intimidation, threats, physical attack or property damage. Threat is the expression of an intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has present the ability to carry it out and without regard to whether the expression is contingent, conditional or future. Physical Attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects. Property Damage is intentional damage to property which includes property owned by the State, employees, visitors or vendors. Intimidation includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce, or induce duress.

##### 2. Policy

It is the intent of The University of North Carolina at Asheville to provide a workplace for all employees which is free of violence. In doing so, the University is complying with and supporting the Federal Occupational Safety and Health Act of 1970, which requires employers provide their employees with a safe and healthy work environment; and the North Carolina Office of State Personnel Policy No. 9 on Workplace Violence. To this end, it is the policy of UNCA to prohibit any form of workplace violence.

##### 3. Prohibited Actions and Sanctions

It is a violation of this policy to engage in workplace violence as defined above, or use or possess an unauthorized weapon during a time covered by this policy. Violations of this policy shall be considered unacceptable personal conduct for SPA employees as provided in Section 9 of the State Personnel Policy Manual "Disciplinary Action, Suspension, and Dismissal"

and shall subject the employee to a disciplinary action up to and including dismissal. Violations of this policy will be addressed in accordance with the relevant procedures and penalties as provided in the Faculty Handbook section 3.6.1 (the Grievance Procedure) and section 13.1.1, Chapter VI, THE CODE section 603 (Due Process Before Discharge or the Imposition of Serious Sanction).

In situations considered to be potentially volatile or where fitness for duty concerns exist, management has the option to consider the use of a management directed referral as outlined in the UNCA Policy on Employee Assistance Program.

#### 4. Exceptions to Policy

An employee may possess a weapon if possession:

- \* Is in compliance with North Carolina law (North Carolina law prohibits weapons on state property.); and
- \* Is authorized by the University Chancellor or his/her designee; or
- \* Is by an employee who is a certified law enforcement officer; or
- \* Is required as a part of the employee's job duties with the State of North Carolina; or
- \* Is connected with training received by the employee in order to perform the responsibilities of their job with the State of North Carolina.

#### 5. Retaliation

Employees who act in good faith by reporting real or implied violent behavior or violations of this policy will not be retaliated against or subjected to harassment.

Advisory Note: All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, visitors, students, strangers, and third party vendors on campus. Any report of violence will be handled in a confidential manner, with information released only on a need-to-know basis.

#### 4.3.14 Conflict of Interest ([SD3596S](#))

The Code of The University of North Carolina affirms that the basic mission of the faculty is "the transmission and advancement of knowledge and understanding." Faculty employment entails the three responsibilities of teaching, scholarly research and publication, and other professional service to the institution and to society. Realization of those objectives is facilitated and encouraged by certain distinctive characteristics of employment within an academic community which differs markedly from the conventional work-

day and work-week employment models in most business and industrial settings.

At UNCA faculty and professional staff responsibilities extend beyond time-specific assignments such as in-class teaching, designated office hours, etc. to include a broad range of professional activities necessary to accomplish our public liberal arts university mission. Achievement of these responsibilities necessitates a more fluid schedule and time commitment than is expected for hourly employees or in a non-academic setting. The freedom afforded these professionals carries with it a substantial responsibility to the University and our students.

Issues associated with the use of discretionary time and professional talent often concern what is commonly called Conflict of Commitment and Conflict of Interest. These terms are defined as follows (quoted from UNC BOG statement, 4/16/93):

"Conflict of commitment relates to an individual's distribution of effort between obligations to one's university employment and one's participation in other activities outside of university employment. The latter may include such generally encouraged extensions of professional expertise as professional consulting. Such activities promote professional development and enrich the individual's contributions to the institution, to the profession, and to society. However, a conflict of commitment occurs when the pursuit of such outside activities involves an inordinate investment of time that interferes with the faculty member's obligations to students, to colleagues, and to the missions of the university."

"Conflict of interest relates to situations in which financial or other personal considerations may compromise, may involve the potential for compromising, or may have the appearance of compromising a faculty member's objectivity in meeting university duties or responsibilities, including research activities. The bias that such conflicts may impart can affect many university duties, including decisions about personnel; the purchase of equipment and other supplies; the collection, analysis and interpretation of data; the sharing of research results; the choice of research protocols; and the use of statistical methods. A faculty member may have a conflict of interest when he or she, or any member of that person's immediate family, has a personal interest in an activity that

may affect decision making with respect to university teaching, research or administration."

### Policy on Conflict of Commitment

Policies and practices currently in place at UNCA allow for regular and frequent review of faculty and professional staff and reporting of activities which may interfere with normal teaching and learning responsibilities and administrative functions. These policies and practices are described in the UNCA Faculty Handbook and in the UNCA Policies and Procedures Manual.

### Policy on Conflict of Interest

All faculty members and professional staff persons must arrange their professional activities and financial interests to avoid circumstances that do (or may) prevent or limit objectivity in the performance of university responsibilities or that otherwise do (or may) affect adversely any university interests.

#### 1. Categories of Potential Conflicts of Interest

Activities that may involve conflicts of interest can be categorized under three general headings. First, those that otherwise might appear to involve such a conflict but that in fact do not, are allowable, and need not be reported; second, those that are questionable and must be reported, but that may be allowable with administrative approval; and third, those that generally are not allowable.

##### A. Activities Allowable, with no Reporting Required

Activities external to university employment which may present the appearance of a technical conflict, but that in fact do not have the potential for affecting the objectivity of the faculty member's performance of university responsibilities. At most, some such situations could prompt questions about conflicts of commitment. Examples of these activities include:

- 1) A university employee receiving royalties from the publication of books or for the licensure of patented inventions subject to the UNC Patent and Copyright Policies.
- 2) A university employee having an equity interest in a corporation, the exclusive function of which is to accommodate the employee's external consulting activities.
- 3) A university employee receiving nominal compensation, in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on review panels, presentation of scholarly

works, and participation in accreditation reviews.

#### B. Activities Requiring Disclosure for Administrative Review

This category includes activities of faculty and professional staff which suggest the possibility of conflicting loyalties that can impair objectivity but for which disclosure and resulting analysis of relationships may render the activity permissible, perhaps with certain types of limitation or monitoring. Examples of activities in this category include but are not limited to:

- 1) Required purchase of textbooks or instructional materials written by faculty or immediate family members and which produces compensation for the author(s).
- 2) Maintenance of financial interests in a business which competes with services provided by the university.
- 3) Serving on a board of directors or advisory board of an enterprise which provides financial support for university research and which provides financial support to the university employee or a member of his/her family.

#### C. Activities or Relationships that Generally are not Allowable

Situations that are not generally permissible, because they involve potential conflicts of interest or they present obvious opportunities or inducements to favor personal interests over institutional interests. Before proceeding with such an endeavor, the faculty member must sustain the burden of demonstrating that in fact his or her objectivity would not be affected or university interests otherwise would not be damaged. These situations include but are not limited to:

- 1) Participation in university research involving a technology owned by or contractually obligated to (by license or exercise of an option to license, or otherwise) a business in which the individual or a member of his or her immediate family has a consulting relationship, has an ownership interest, or holds an executive position.
- 2) Participation in university research which is funded by a grant or contract from a business in which the individual or a member of his or her immediate family has an ownership interest.
- 3) Assignment of students or other trainees to university research projects sponsored by a business in which the individual or a member of his or her immediate family has an ownership interest or to a project from which the university employee may otherwise derive personal gain.
- 4) Acceptance of support for university research under conditions that require research results to be held confidential, unpublished, or inordinately delayed in publication (other than as allowed by University Patent and Copyright Policies or by policy of the Board of Governors dated February 12, 1988, Administrative Memorandum No. 260).
- 5) Referrals of university business to an external enterprise in which the

individual or a member of his or her immediate family has a financial interest.

6) Association of an employee's own name with the university in such a way as to profit financially by trading on the reputation or goodwill of the university.

### Avoiding Conflict of Interest

In August of each year, the CC and CI forms will be distributed to covered university employees by the appropriate Vice Chancellor. By the end of the first week of classes of each Fall Semester, all faculty members and professional staff are to submit to their immediate supervisor a completed Conflict of Commitment and Conflict of Interest form. Submissions are: to departmental chair or program director for faculty; to the VCAA for department chairs/program directors; to the appropriate Vice Chancellor for all professional staff; and, for the VC's, to the Chancellor. These records will be maintained in employees' personnel files.

Faculty members and professional staff are responsible for revising the information on their CC and CI form in order to keep it current. Revisions may be made as necessary at any time during the academic year and must be made in advance of the initiation of a new activity which may appear to involve either a Conflict of Commitment or Conflict of Interest.

## 4.3.15 Computing and Networking Usage Policy

### 1. Introduction

The University of North Carolina at Asheville's (hereinafter "University") computing and telecommunications networks, computing equipment and computing resources are owned by the University and are provided primarily to support the academic and administrative functions of the University. The use of this equipment and technologies is governed by federal and state law, and University policies and procedures. Additional rules and regulations may be adopted by various divisions and departments to meet specific administrative or academic needs. Any adopted requirements must be in compliance with applicable federal and state laws, and this policy.

### 2. Regulatory Limitations

A. The University may monitor access to the equipment and networking structures and systems for the following purposes:

1. To insure the security and operating performance of its systems and networks.

2. To enforce University policies.

B. The University reserves the right to limit access when federal or state laws or University policies are violated or where University contractual obligations or University operations may be impeded.

C. The University may authorize confidential passwords or other secure entry identification; however, employees have no expectation of privacy in the material sent or received by them over the University computing systems or networks. While general content review will not be undertaken, monitoring of this material may occur for the reasons specified above.

D. The University generally does not monitor or restrict material residing on University computers housed within a private domicile or on non-University computers, whether or not such computers are attached or able to connect to campus networks.

E. All material prepared and utilized for work purposes and posted to or sent over University computing and other telecommunicating equipment, systems or networks must be accurate and must correctly identify the creator and receiver of such.

### 3. Permissible Use

Employees are expected to follow this policy and any related University rules, regulations and procedures for University work produced on computing equipment, systems and networks. Employees may access these technologies for personal uses if the following restrictions are followed:

A. The use is lawful under federal or state law.

B. The use is not prohibited by Board of Governors, University or institutional policies.

C. The use does not overload the University computing equipment or systems, or otherwise harm or negatively impact the system's performance.

D. The use does not result in commercial gain or private profit (other than allowable under University intellectual property policies).

E. The use does not state or imply University sponsorship or endorsement.

F. The use does not involve unauthorized passwords or identifying data that attempts to circumvent system security or in any way attempts to gain unauthorized access.

#### 4. Violation of Policy

A. Any violation of this policy is "misconduct" under EPA policies (faculty and EPA non-faculty) and "unacceptable personal conduct" under SPA policies.

B. Sanctions for violation of this policy may include one or more of the following: a revocation of access privileges; a written warning or written reprimand; demotion; suspension without pay; dismissal; or prosecution for criminal violations.

#### 5. Application of Public Records Law

All information created or received for work purposes and contained in University computing equipment files, servers or electronic mail (e-mail) depositories are public records and are available to the public unless an exception to the Public Records Law applies. This information may be purged or destroyed only in accordance with the University records retention schedule and State Division of Archives regulations.

#### 4.4 FORMS for Section 4.0

No forms for this section.

## 5.0 ACADEMIC POLICIES AND SERVICES

### 5.1 Bookstore

The UNCA Bookstore is located in the Highsmith Center and is open to University faculty, staff, and students. In addition to textbooks, the store stocks a wide variety of trade titles and welcomes suggestions regarding specific trade titles we should keep in stock. The Bookstore also has a "Books by UNCA Faculty" section which carries books written by UNCA faculty.

The store has a variety of merchandise and services such as faculty academic regalia rental and purchase, book special ordering, discounted Biltmore Estate tickets, and daily newspapers and academic oriented periodicals available for sale. Faculty are encouraged to make suggestions to the manager about the Bookstore. More information is available at <http://www.unca.edu/bookstore/>.

### 5.2 Classroom Policies

#### 5.2.1 Evaluating Students

##### Evaluation Prior to Official Drop Date

Faculty must provide students with an evaluation of their performance prior to the official drop date each semester; this may be through test grades or other appropriate evaluation technique.

##### 5.2.1.1 Reporting Grades

Faculty must complete grade forms received from the Registrar's Office near the end of the semester and return these forms in person to the Registrar's Office by the published deadlines. Spring semester senior grades must be turned in earlier than other grades to accommodate printing the graduation program. Contact the Registrar's Office for more information or link to <http://www.unca.edu/enroll/grading.html>.

##### Posting of Grades (VCAA, 1987)

Because of the Buckley Amendment the public posting of grades may place a faculty member and the University in legal

jeopardy. According to the "Legal Guide," prepared by the American Association of Collegiate Registrars in conjunction with the National Association of College and University Attorneys, faculty members should not post grades in a public location (including a faculty member's office door) "unless identification of students is impossible and the grades are listed in random order." Grades cannot be posted using names or social security numbers. The only safe method of posting grades would be to have students submit a code word which only the student and instructor would know. A better method would be to ask students to provide instructors with self-addressed stamped envelopes.

#### 5.2.1.2 Final Examinations Policy ([SD3782](#))

The final exam schedule for each semester is available at <http://www.unca.edu/enroll/index.html#schedules>.

1. Exams are scheduled the last week of each semester in the same place and at the same beginning time as the courses themselves.
2. Courses in the MWF mode have exams scheduled on M, W, or F. Courses in the T, Th mode have exams on T or Th.
3. Exams for courses at 6:00 p.m. or on Saturday are held in the usual class period.
4. Term I courses have their exams during the last class period.
5. A student may petition an instructor for an individual exam at a time and place to be arranged by the instructor.
6. The assigning of a comprehensive final examination is optional. However, each member of the faculty is expected to use the assigned period for appropriate educational activities.
7. Faculty members may excuse graduating seniors from taking final exams during the last semester of their program.
8. Infrequent evaluation is considered detrimental to learning. Hence, the final exam should not be the only criterion for a student's final grade.

### 5.2.2 Instructional Space

The Office of Enrollment Services schedules use of instructional space. Specific requests are to be made through that office. Each department has specific classrooms over which it has priority use but not exclusive use. (see [UNCA PPM #20](#) for additional information.)

### 5.2.3 Material written by faculty

UNCA encourages faculty to engage in scholarship which may lead to published articles, monographs, texts, workbooks, etc. To avoid economic conflict of interest when students are required to purchase material published or produced by UNCA faculty, UNCA requires:

- a. Any material faculty require students to purchase must be sold through the UNCA bookstore.
- b. Any material authored by UNCA faculty, administrators or staff which is sold through the UNCA bookstore is priced such that:
  1. The bookstore receives all profit from such sales, and;
  2. The author(s) are reimbursed for their explicit out of pocket costs associated with production of the material.
  3. Any net publishing royalties accruing to UNCA Faculty, Administration, or Staff due to sale of their material to UNCA students is to be placed in a general scholarship fund administered by the UNCA foundation.

### 5.2.4 Photocopying Materials

All faculty are expected to comply with federal laws relating to the photocopying of materials. Plastic cards are available through Printing Services to use in making photocopies. Departments may purchase these cards for faculty for university related use. Faculty, staff, and students may also purchase these cards for personal use. These cards reduce the cost of photocopying over putting coins in machines; these cards may be used in any photocopy machine on campus.

### 5.2.5 Syllabus and Class Policies

Distribution of Information at the Beginning at Each Semester (VCAA, 8-12-85)

To assist students in deciding on the nature of the course in which they have

enrolled, to help students understand what will be expected of them, and to help students plan their work in the course, it is strongly suggested each faculty member provide the following in writing to each student in every course at one of the first class sessions of each semester:

- a. A course syllabus describing the course as it will be presented by the individual faculty members;
- b. A statement of class policies which the faculty member will follow.

This request to inform students does not in any way impose on a faculty member any policies or any particular approaches to teaching that he or she does not now subscribe to. It is sound teaching practice to inform students in writing about the course (as he or she conceives it) and the policies that govern students in that class (whatever those policies might be).

Experience shows that students are interested in your responses to the following questions:

### 1. Course Syllabus

- a. Is the course required for the major?
- b. Does it have prerequisites?
- c. What are the course objectives? What is it supposed to do? What in general are the students expected to get out of it?
- d. What is the text? Any required readings? Any suggested readings?
- e. What are the main topics that will be covered? Can you give a kind of timetable of when we might expect to be dealing with each of these?
- f. How will we be evaluated? About how many exams or quizzes? Can we know the dates of these? How are grades in these exams and quizzes weighted to yield the final grade?

### 2. Class Policies

- a. Must we attend each class session? Do you have a policy on "cuts"?
- b. Can we make up missed quizzes or exams? If so, how? How does a missed class effect the final grade (if it does)?
- c. What happens if snow or other severe weather makes it impossible to get to class, especially if an exam or a special assignment is scheduled?
- d. Will you accept late homework or papers? Will lateness affect the grade?
- e. Does "class participation" count toward the final grade? Can you tell us how much?

- f. Can you tell us what must be done to pass, to get an "A", etc.?  
Is 60 a passing grade; is 90 an A, etc?
- g. Do you have a specific format for papers? Must they be typed?
- h. Any other policies that affect behavior or performance in this class?

Written statements need not touch on each of these items and may actually mention a few more. The lack of a written statement of an actual policy, however, gives the clear assumption that policy does not exist or is not important. Problems with student grievances are most easily resolved by getting policy in writing and making sure that each student has a copy.

#### 5.2.6 Working with Students with Disabilities ([SD5096S](#))

Each student brings unique abilities, experiences, and learning styles to your classroom. Students with disabilities who are accepted at UNCA are capable of college work and should have course requirements consistent with those for other students. However, some accommodation or modification may be needed.

Whether or not a student has a disability which requires accommodation is decided by a relevant health professional rather than a faculty member in order to take advantage of the protections offered by the Americans with Disabilities Act (ADA).

Students with disabilities are required to file documentation of the disability with the Disabilities Services Office (DSO) no later than the withdrawal date for the semester/term in which the accommodation is being requested or as soon as the student discovers need. That documentation should include suggestions for needed accommodations. Once a faculty member has been notified by the DSO that some accommodations are needed, the faculty member should meet with either the DSO or the student or both to discuss course expectations and what accommodations might be appropriate. The office can be accessed directly at <http://www.unca.edu/sdev/disability.htm>.

As faculty, you may encounter students with a variety of disabilities. For example, students may have mobility problems, hearing or vision problems, learning disabilities, or emotional disorders. University of North Carolina at Asheville has developed mechanisms to (1) identify students with disabilities and (2) link those students with services designed to foster their educational progress. Faculty can help disabled students to succeed. While

there is little clarification on what the ADA may require, a special task force developed a list of general guidelines. Talk with the disabilities coordinator to clarify how individual cases fit into these guidelines:

- a. Students cannot be excluded from a course or from a course of study solely on the basis of a disability unless the student is unable to meet the licensing, certification, or physical requirements of that course or career. Such exclusion should be approached cautiously.
- b. Modifications or waivers in degree or course requirements may be necessary to meet the requirements of some students with disabilities.
- c. Auxiliary aids must be permitted in the classroom if they are required to ensure full participation of disabled students. For example, this may include a tape recorder, a reader, a writer, a computer, or a sign language translator.
- d. Prohibitive rules, such as banning tape recorders from the classroom, must be waived for some students with disabilities.
- e. Modified or alternative testing and evaluation methods for measuring student achievement may be necessary for students with attention deficit disorder; impaired sensory, manual, or speaking skills (except where those skills are being measured); or learning disabilities.
- f. Classes may have to be rescheduled or moved to permit access for students with mobility impairments.
- g. Special equipment or devices used in the classroom and, in some cases, teaching techniques that rely upon sight, hearing, or mobility of students, may require adaptation in individual cases.

Many students first become aware of their learning disabilities because of the observation of our faculty who then contact the counseling center or suggest that the student do so.

#### 5.2.6.1 Working with Students who have Learning Disabilities

To be diagnosed as learning disabled, a person must experience learning problems that are not the result of either a sensory impairment (like blindness or deafness), mental retardation, or being culturally disadvantaged. That means that an individual cannot be diagnosed as learning disabled without also being of at least average intelligence. If a learning disabled student has been accepted at UNCA, he or she has demonstrated the capability to study at the college level, assuming some consideration of his/her disability.

A learning disability is real, although it is not as obvious as

paralysis, blindness, or deafness. Learning disabled students are likely to have difficulty concentrating on a lecture while taking notes or in the presence of background noise, reading, organizing, or memorizing information, taking timed tests, and speaking or reading in front of groups. Some suggestions which seem to help those students with learning disabilities are listed below.

Syllabus: Provide a detailed syllabus. Don't change the syllabus unless it can't be helped; then, provide a revised syllabus or assignment sheet.

Instructional suggestions:

- a. Organize instructional information in a logical sequence.
- b. Keep oral instructions logical and concise. Reinforce oral instructions with a brief cue word.
- c. Repeat or re-word complicated directions.
- d. Provide visual reinforcement of oral instructions or lectures, using the blackboard, overheads, handouts.
- e. Present important points more than once.
- f. For a laboratory class, provide an individual orientation to the laboratory and its equipment and allow extra practice with tasks and equipment to minimize student anxiety. Clearly and legibly label equipment, tools, and materials. Color code for enhanced visual recognition. Make available cue cards or labels designating the steps of procedure to help the student master the sequence. If needed, use specialized adaptive equipment to help with exact measurements.
- g. If a student lacks social skills or has difficulty sustaining focused attention, either talk with the student privately or talk with the disabilities coordinator for suggestions. Sometimes the student is best served by sitting in the center of the front row as close to the instructor as possible.

Testing suggestions:

- a. The disabilities coordinator may suggest that some students may need a separate room, oral testing, scribes, or readers. If it is difficult to transfer answers to another sheet, either allow the student to write on the exam sheet or even dictate their responses to a scribe.
- b. They may also benefit from shorter and more frequent tests, extended time for tests, or certain formats of a written test. Sometimes it may be recommended that a student be allowed

a dictionary or thesaurus or a computer spell-checking program or, when appropriate, a calculator.

c. Clearly separate items on an exam sheet. Students usually need time to assimilate information, so tests that cover recently presented material may cause difficulty.

Out-of-class activities:

a. Additional time may be needed to assist students with understanding projects, reading drafts of papers, or reviewing instructions.

b. Sometimes alternative or supplementary assignments may be needed to evaluate the student's abilities. Taped interviews, slide presentations, photographic essays, or hand-made models may lead to more accurate evaluations.

Overall: The disabilities coordinator should have specific suggestions for each student from the health professional who provided the documentation. Before making changes to your course/exam material, talk with the coordinator and the student to be certain the changes are needed. If there is a question about testing, ask if there are other ways to test the mastery of your course. Naturally, some tasks are deemed essential functions of the course and may not be readily modified. When in doubt, talk with the coordinator.

Students with disabilities have the right of confidentiality about the nature of the disability. Not every student will choose to have a disability revealed to the instructor. However, if the student wants accommodations, the student must provide to the coordinator documentation as well as permission to talk to the instructor prior to the withdraw date of that semester/term

If there's a problem: Mechanisms for student complaints should begin with talking to you, the instructor. If resolution is not reached, the student should be referred to the Faculty Conciliator in a timely fashion. The student has only 10 days from the date of the incident to talk with the Faculty Conciliator, so your response should come in time to allow for that next discussion. If the Faculty Conciliator is not able to resolve the problem, the issue is referred to the Academic Grievance Committee.

### 5.2.6.2 Working with Students who have Emotional Disorders

If the disabilities coordinator advises you that a student with an emotional disorder is/will be in one of your classes, the coordinator will also advise you of appropriate accommodations. If you observe a change in a student's behavior or if you become concerned about a student, send the student to the Counseling Center.

### 5.2.7 Textbooks

In the Spring and Fall the UNCA bookstore manager requests textbook orders be submitted for the subsequent semester. Faculty complete book order requests and submit them to the Department Chair/Program Director. In the case where textbook selection is a committee or department decision the Chair/Program Director completes the book order form. All book order forms are signed by and submitted to the bookstore by the Department Chair/Program Director who has the final authority in text selection. Care should be taken that excessive costs for any course be minimized.

### 5.2.8 Videotaping Policy

The following policy for the regulation for the use of copyrighted video tapes at UNCA has been developed in accordance with pertinent Federal Law. The fair use of copyrighted video tapes on campus allows for two general purposes.

1. Home Use. This includes usage by individuals in the dormitories.
2. Educational Use. Under this purpose an instructor may use a copyrighted video tape for his or her class. Similar usage can be made by a student organization that is affiliated with an academic program in the pursuit of its education objectives. Private rooms in Highsmith Center may be used by such student groups for this purpose.

In neither of these two types of usage can there be any charge or payment requested. The Media Center is forbidden by law from duplicating any copyrighted video tape.

#### Off-Air Recording Guidelines

A committee composed of producers and users have finally come to an agreement on guidelines for off-air recording of television broadcast for use

in instructional activities. Even though the guidelines may never become part of the law, their acceptance by the Congressional Subcommittee and their inclusion as an official document of that Subcommittee will provide support in cases of suit for misuse. The guidelines are as follows:

- a. Off-air recording guidelines apply only to non-profit educational institutions.
- b. A broadcast may be recorded simultaneously with the broadcast transmission and retained for a period of 45 calendar days after the date of recording. Upon conclusion of the retention period, all off-air recordings must be erased or destroyed.
- c. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities. It may be repeated once and only once when instructional reinforcement is necessary in the classrooms and similar places devoted to instruction within a single building, cluster or campus as well as in the homes of students during the first 10 school days of the retention period.
- d. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No program may be recorded more than one time regardless of the number of times it is broadcast.
- e. A limited number of copies may be reproduced from each recording to meet the legitimate needs of teachers under these guidelines. Each such copy shall be subject to all provisions governing the original off-air recording.
- f. After the first ten consecutive school days the only recording allowed is for teacher evaluation. This evaluation is to be used to determine the likelihood of using the program in the series or in purchasing a copy of the program.
- g. Off-air recordings need not be used in their entirety. The sequence of use must follow the order of the program and the recording may not be altered.
- h. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
- i. Educational institutions are expected to establish procedures to maintain the integrity of these guidelines.

### 5.2.9 Visual aids, etc.

Available office supplies include transparencies. Faculty may also use the Printing Services to make slides.

### 5.2.10 Student Travel for Class ([SD2994S](#))

Students who will be traveling as part of a course or department sponsored activity should complete a Travel/Medical Authorization Form (available at the Weizenblatt Health Center). Students should complete the forms and return them to the faculty member in charge of the outing. After all forms have been received by the sponsoring faculty member, he or she should bring the forms to the Health Center where they will be placed in the student's medical file. Please contact the Health Center for more information.

## 5.3 Computer Center and Computing

The Computer Center provides the primary support for members of the faculty who use computing and networking in their curricular applications and their research. In addition, it manages all the student computer classrooms and labs, and all of the university's "smart classrooms" (classrooms with Internet-connected computers, data projectors, and other a/v equipment).

The Computer Center staff offices, along with its central computing and networking facilities, are located on the ground floor of Robinson Hall. Information about computer use policies, account set-up and operation, labs and classrooms, and workshops is available at <http://www.unca.edu/compcenter/>.

### 5.3.1 Computer Center Services

The Computer Center provides a complete suite of computing and networking services to the university:

#### System Procurement and Installation

The Computer Center helps campus users configure and buy personal computer systems (Windows computers, Apple Macintoshes). Staff members meet on an appointment basis with prospective personal computer purchasers to assess needs and recommend hardware and software configurations. Using their knowledge about the best purchasing arrangements and sources for systems and software, staff members provide complete information for purchase requisitions for standard hardware and software configurations. Upon delivery of an ordered system, they unpack it, set it up, test it, and inventory it. They then install the software, deliver the system to the user's office, and connect it to the network.

Additionally, staff members help faculty with tools to access central campus

servers and databases, including particularly the popular *Web for Faculty* software that allows easy faculty access to student and course records contained in the Student Information System. SAS and SPSSX are also accessible on the central systems, and SAS is available as well in a personal computer configuration.

### Hardware Repair

The Computer Center repairs all UNCA-owned computers and peripherals, at no charge to the user department.

### Workshops

Computer Center staff members give regular workshops on a variety of computing and networking topics. Most workshops are hands-on and are given in computing labs. Typical workshops for Windows computer users include Windows concepts and techniques, the Microsoft Office suite and Pegasus electronic mail. Frequent Macintosh topics are Macintosh Basics, Microsoft Word, Macintosh multimedia tools, Eudora electronic mail, and Excel. Sessions on web page creation and maintenance have also been popular. Workshop schedules are announced at the beginning of each semester in a mailing to all campus offices. They are open to UNCA faculty and staff, and are free of charge.

### Computer Labs and “Smart Classrooms”

The computer center manages UNCA’s computing classroom/labs (facilities with 12-20 computers in which hands-on classes may be taught); and its “smart classrooms” (classrooms with an instructor’s station containing an Internet-connected computer, data projector, and other a/v equipment.)

UNCA has both PC and Mac classroom/labs and smart classrooms (see the Computer Center web page for a comprehensive list). All facilities are connected to the network and have a base of personal productivity and Internet access software. As necessary, faculty may make arrangements for the installation of course-specific software.

Enrollment Services is responsible for assigning smart classrooms and classroom/labs for regularly scheduled classes. The Computer Center schedules one-time sessions and other limited-use activities.

### 5.3.2 Policy on Misuse of Computers and Software (1-10-85)

In order to regularize the use of computers on this campus in accord with North Carolina criminal statutes and in conformity with accepted

professional and ethical standards, the following policy is now in effect.

Possession of a computer account entitles an individual to use UNCA's computing equipment and resources for official activities of the university. Misuse of the computer account is strictly forbidden. "Misuse" includes, but is not necessarily limited to, the following activities:

1. Unauthorized attempts to modify computer equipment, including terminals or other peripherals, or to deny access to such equipment to other users.
2. Use of an account for a purpose for which it is not intended, i.e., personal or commercial enterprises not consistent with the mission of the university; or allowing such use by other individuals.
3. An individual's unauthorized use of an account not belonging to him or her.
4. Unauthorized attempts to read, alter, change, execute, or delete files belonging to other users.
5. An individual's use of computer operating system privileges not expressly authorized for him or her by computer center or other appropriate university personnel.
6. Violations of property rights and copyrights in data and computer programs.
7. Any other action which interferes with the proper functioning of the system or impinges on another user's rights.

The Computer Center and other appropriate personnel will investigate cases of suspected misuse. As the first step of the investigation, the suspected misuser's account will be locked, and the misuser will be informed that he/she is under investigation. Computer Center personnel will request permission from the suspected misuser to examine the account with his/her present. If permission is denied, the Computer Center will keep the account locked, will inform appropriate campus bodies of its intent to investigate, and will then examine the account. During an examination, the Computer Center reserves the right to look at all of the information in a user's account. The account will remain locked until the investigation is complete and a determination as to misuse has been made.

In cases of computer misuse, the university may take appropriate disciplinary action against the user. All disciplinary actions instituted for computer misuse shall be consistent with current personnel policies for the state employees and student judicial codes for students. Irrespective of internal disciplinary proceedings the university reserves the right to proceed

criminally or civilly against the accused misuser for alleged violations of current applicable state, federal or local laws. (see UNCA PPM #31)

### 5.3.3 Microcomputer Software Policy (2-3-86)

Unauthorized copying or use of computer software is a violation of Federal law and often a breach of a licensing agreement. The UNCA Computer Center will create copies of microcomputer software for archival purposes only. Furthermore, the Center will not provide support for users of unauthorized copies of software packages.

Since the University does not condone the unauthorized copying or use of computer software, such action is not considered to be taken in the course of employment. Consequently, the University will not provide legal defense for individuals who may be accused of making unauthorized copies of software, even if these individuals maintain that such action was taken in the course of their employment.

## 5.4 Curricular Change

Requests for curriculum changes or implementation of new curriculum originate at the department/program level or with a planning committee in the case of new programs. All requests are forwarded to the Academic Policies Committee (APC) of the Faculty Senate. All requests must relate to a program's learning objectives for students. The APC forwards its recommendation to the Faculty Senate which in turn forwards its recommendation to the Chancellor. The Chancellor's approval is required before a requested curriculum change may become part of an existing program. Curriculum for a new program requires approval of the President of the University and the Board of Governors.

### 5.4.1 Curriculum/Catalog Changes

Curricular changes to existing programs must be approved by the Faculty Senate and inserted into the University Catalog. The procedure is to submit proposals to the Academic Policies Committee (APC) of the Faculty Senate, which in turn forwards approved proposals to the full Senate. Each fall, APC distributes a memo to all Department Chairs and Program Directors that specifies the procedures and formats for this process. Key points from this memo are abstracted below.

#### Procedures

1. Proposals must be accompanied by a cover letter and follow a required format.

2. Proposals must be submitted both to APC and to the Registrar's Office. Review by the Registrar must be completed one week before the proposal is considered by APC.
3. Proposals must be submitted on high density floppy disks and in hard copy format.
4. Proposals that may affect operations in other departments must include memos indicating consultation with affected departments. These memos also must follow a required format.
5. Departments should send representatives to APC on the date that the proposal is discussed and to Senate on the date that the approved proposal is sent forward for discussion.
6. Proposals approved by Senate also must be approved by the VCAA and, in some cases, the Chancellor before they take effect.

### Proposal Format

1. "**APC Document #**\_\_\_\_\_": The number will be supplied by APC.
2. "**Effective Date**": Semester and year proposed changes would begin.
3. "**Delete XXX**" (where relevant): should include current course number, title and description where appropriate, or statement heading, page number, and affected paragraph.
4. "**Add XXX**" (where relevant): should replace the above material or reference a specific insertion page and paragraph number in the 200\_\_ - 200\_\_ Catalog.
5. "**Impact Statement**": A brief statement describing how the proposal will affect major, minor, and University requirements. This statement must also include:
  - memos from departments that will be affected by the proposed changes describing how the changes will affect them; and
  - a statement explaining how the proposed change is likely to affect the submitting department or program's future staffing needs and course offerings. (Proposals without these inclusions will be returned possibly delaying consideration.)
6. "**Rationale**": A brief statement justifying the change(s). If a rationale is intended to become a policy in its own right, it should be a separate submission.

### Deadline

Because the annual Catalog deadline typically is in March, and because Senate rules require two readings for each document, proposed catalog

changes must be received by mid-November to ensure publication in the next year's Catalog.

#### 5.4.2 Program Changes

##### UNC System Procedures

Information on required UNC procedures for developing academic degree programs (Office of the President, Administrative Memorandum 406) is available at

[http://www.northcarolina.edu/aa/reports/plan\\_intent/doc\\_index.cfm](http://www.northcarolina.edu/aa/reports/plan_intent/doc_index.cfm).

Information on required UNC procedures for planning and conducting degree-related distance education (Office of the President, Administrative Memorandum 407) is available at

[http://www.northcarolina.edu/aa/reports/mem407/doc\\_index.cfm](http://www.northcarolina.edu/aa/reports/mem407/doc_index.cfm).

##### UNCA Internal procedures (SD0281)

New degree programs are to receive approval from the Faculty Senate prior to submission to the Board of Trustees and the UNC General Administration. As described below this approval process requires a minimum of two considerations by the Faculty Senate.

1. At the time of submitting a request to plan a degree program such request should receive approval of IDC and the Faculty Senate. This review is to consider the concept, purpose, feasibility, and appropriateness of the request.
  
2. If the institution is granted approval to plan a new degree program the curriculum details are to be reviewed by the APC and their recommendation is sent to the Faculty Senate. The plan should then receive approval of the Faculty Senate prior to submission to the UNC General Administration. This second review is to consider program structure, catalog description, number of required hours in the major, correlate requirements, resource requirements and impact on other departments. Resource requirements include faculty positions, course offerings, library, computer, laboratory, budget and those matters pertaining directly to the academic program. This review of resource requirements is to guarantee consideration has been given to these matters.

Should the proposed program be returned by the UNC General Administration for substantive revision, these revisions are to be considered by APC and the Faculty Senate prior to resubmission of the proposal. The Chair of APC will monitor a proposal from the time it is first approved for planning by the UNC General Administration.

## Statement of IDC's Role in the Development of Academic Programs ([SD3982](#))

1. IDC reaffirms its responsibility established by 1982 Senate Document #2 (revision three), to give a first review to new academic programs.
2. IDC represents the UPC in its academic program review function.
3. IDC will review proposals with the UPC for advice and comment. The recommendations of the IDC will be sent to the Senate.

### 5.5 Enrollment Services

The Office of Enrollment Services includes the Registrar's Office, the Academic Advising Office and the Financial Aid Office. Personnel in Enrollment Services coordinate the construction of department/program class schedules, the scheduling of classrooms and the maintenance of class and advisee records on the Web for Faculty system (see [Section 3.1.4.6](#)).

Information about Enrollment Services activities, as well as the course schedule for each semester, the final exam schedule and the schedule for late start of classes, is available at <http://www.unca.edu/enroll/>.

### 5.6 Intellectual Property (see [Section 9.4](#))

### 5.7 Media Center (formerly Learning Resources Center)

The Media Center provides media services, equipment, and facilities to faculty, students, and staff in support of UNCA's academic and co-curricular programs. Located on the lower floor in Ramsey Library, it is composed of a circulation desk and workroom, video production facilities, a smart classroom, and listening and viewing stations. The Media Center also is responsible for use of Lipinsky Auditorium.

Web access to the Media Center is available via the Library's home page (<http://bullpup.lib.unca.edu/library>). The Media Center may be contacted by phone (251-6996 or 251-6540) and services may be requested by email ([media\\_request@unca.edu](mailto:media_request@unca.edu)). Please provide at least 24 hours notice when requesting services.

Distance Learning Services, once part of the Media Center, is now part of the Computer Center. Located in Robinson Hall, it maintains an additional teleclassroom in the Media Center (RL 011). See [Section 5.9](#) for more information.

A lab for the Center for Teaching and Learning also is located in the Media Center (RL 009). Contact Kathy Whatley ([whatley@unca.edu](mailto:whatley@unca.edu), 251-6269) for more information. Technical and computer support for the CTL lab is provided by the Computer Center.

### 5.7.1 Media Materials and Equipment

The following types of media materials and equipment are available from the Media Circulation Desk:

CDs	35 mm slide projectors
audiotapes	overhead transparency projectors
videotapes	CD/audio cassette recorder/players
laser discs	laptops (MAC and PC)
DVDs	video/data projectors
computer discs	portable lecterns with sound
CD-ROMs	camcorders and tripods
media kits	laser disc and DVD player
media reserves	VCRs
LPs (33 1/3 vinyl discs)	record (LP) player

Faculty and staff are permitted to check out materials and equipment. Students may use them in-house or check them out with a faculty member's authorization. Equipment checks out for one day only. Due date alterations are available for special needs.

### 5.7.2 Media Services and Classroom Support

The Media Center provides equipment for classrooms. Currently all classrooms have an overhead projects and most also have a TV/VCR unit. With the current establishment of smart classrooms around campus, much of this equipment will become unnecessary. For information about the location of smart classrooms, contact Mike Honeycutt in the Computer Center ([honeycutt@unca.edu](mailto:honeycutt@unca.edu)). For classroom media needs, contact the Media Center by phone (251-6996 or 251-6540) or email

[media\\_request@unca.edu](mailto:media_request@unca.edu)).

### 5.7.3 Production Services

The Media Center also provides audio and video production services in its TV studio, in classrooms and in the field. Program transfer and duplication, satellite downlink services and video editing services also are available. For production information and scheduling, contact Kent Thompson by phone (215-6425) or email [kthompson@unca.edu](mailto:kthompson@unca.edu)).

### 5.7.4 Media Center Facilities

A smart classroom, the Whitman Room (RL 101) is available for academic and campus functions. First-time users must schedule an equipment orientation session prior to use. RL 101 can accommodate 50 people and houses a video/data projector, sound system, an overhead graphic camera (the Elmo), a VCR, a DVD player, PC computer, slide projector and an overhead transparency projector. Other facilities include small video viewing rooms and a number of listening/viewing carrels. For information and scheduling, contact the Media Center by phone (251-6996 or 251-6540) or email [media\\_request@unca.edu](mailto:media_request@unca.edu)).

### 5.7.5 Lipinsky Auditorium and Lobby

Lipinsky Auditorium, a 615-person facility, is available for classes, lectures, cultural events and other campus and community programs. For information and scheduling, contact Leigh Svenson by phone (251-6630) or email [lsvenson@unca.edu](mailto:lsvenson@unca.edu)).

### 5.7.6 Hours of Operation

Monday-Thursday, 8 AM - 9 PM

Friday, 8 AM - 6 PM

Saturday, 10 AM - 6 PM

Sunday, 1 PM - 9 PM

(Hours during summer and vacation periods will vary.)

## 5.8 Library

Ramsey Library seeks to support and promote instructional programs on the UNCA campus and to respond to the diverse information needs of students, faculty, and

administration in addition to enriching the intellectual climate of the campus by affording all members of the academic community an avenue for independent learning. Library faculty contribute to the teaching-learning process through individual and group instruction, and, along with the library assistants, carry on administrative, technical and public services activities directed toward providing information resources in fields pertinent to the programs of the University. Library faculty and staff actively seek the advice and suggestions of UNCA faculty in improving the quality of the collections and services as well as expanding their range.

Be sure to visit the Library's web site at <http://bullpup.lib.unca.edu/library/> for further information the catalog, electronic resources, and assistance.

### 5.8.1 Assignment Alert

If an entire class is requesting a particular kind of non-reserve material, or material on a particular subject, the Public Services staff can provide much better service when they know about this in advance. Faculty is encouraged to notify the reference department about pending assignments involving library usage. An Assignment Alert form is conveniently located on the library's web site at [http://bullpup.lib.unca.edu/library/forms/assign\\_alert.html](http://bullpup.lib.unca.edu/library/forms/assign_alert.html), or you may e-mail the reference staff at [libref@unca.edu](mailto:libref@unca.edu).

### 5.8.2 Circulation

Books checked out to faculty are due at semester's end. It is necessary that books be returned or renewed (this can be done via the library's web site PRIOR to the due date – the web site does not permit self-renewal once a book is overdue) for purposes of inventory and circulation-file maintenance. In the interests of students, staff, and other faculty, and due to the limited size of the collection, the library requests that all books charged to faculty be returned when not being used in order to make them available to others.

Books not returned or renewed by the due date are assumed to be lost. Faculty are liable for the cost of the book and a processing fee.

Government Documents. Ramsey Library has been a selective depository for United States government publications since 1965, and for North Carolina state government documents since 1989. The Library receives approximately 1/3 of all available federal and state documents, and provides convenient access to electronic government resources on CD-ROM and the World Wide Web in the Library's reference area. Most federal and state print documents

may be checked out.

Recall. All books needed by another borrower may be recalled three weeks from the check-out date. If not returned within one week of recall, faculty are liable for the cost of the book and a processing fee.

Reference Books generally do not circulate. In unusual circumstances arrangements may be made by a reference librarian for a faculty member to borrow a reference work for a very short period.

Search and Notify. If you cannot locate a book, please ask the circulation staff to search for it and notify you of the results. UNCA ID cards are required at the time of check-out.

Video Cassettes circulate to faculty for one week. Other use is limited to the library.

### 5.8.3 Electronic Resources

The Library provides access to hundreds of online resources in the sciences, humanities, social sciences, business, and education available from the Library's home page: <http://bullpup.lib.unca.edu/library>. These include an increasing number of full-text periodical indexes and online journals. A reference librarian will be happy to assist you in accessing these resources in the library, from your office, or from home. Just call the Reference Desk at 251-6111 or e-mail us at [libref@unca.edu](mailto:libref@unca.edu).

### 5.8.4 Faculty Research Carrel Policy

The Library has a limited number of locked research carrels available for faculty use. Any regular (non-adjunct) member of the faculty actively engaged in research, a writing project, or curriculum-related projects requiring ready access to library resources is eligible to apply for a carrel. Applications for carrels should be made in writing or via the web to the University Librarian. Carrel Request Forms are available on the Library's web site and in the Library's Administrative Office (RL200). Applicants provide a brief description of their research project and explain their need for a locked carrel.

### Guidelines

- Assignments are made on the basis of demonstrated need.

- Carrels will be assigned for a specific period, not to exceed one semester, after which time carrel holders may apply for renewal, but without priority over other applicants.
- It may be necessary to assign more than one person per carrel due to the limited number of carrels. Applicants will be consulted before the library makes a shared assignment.
- Assignments are made to eligible faculty in the order of receipt of requests, thus early requesters have greater assurance of the most favorable carrel locations. While a majority of carrels have windows, several are not located on outside walls.
- Carrel assignments are not made to part-time, adjunct or full-time faculty for use as offices.
- Duplicate keys are not kept at the Circulation Desk. Assigned users retain their carrel key for the period of the assignment.
- While Ramsey Library will take all reasonable measures to protect the security of carrel holders' personal belongings stored in locked carrels, liability for personal items rests with the owner.
- Library materials should not be left in locked carrels unless they are properly charged out on a regular faculty loan. Reference materials may be used but not left in carrels. Repeated violations will abrogate the carrel assignment for the current semester.
- Food, drinks, and the use of tobacco products are prohibited.
- As a courtesy to other readers, current newspapers and journals should not be taken from Current Periodicals to private carrels.
- Carrels are available for use only during regular library hours.

### 5.8.5 Instructional Services

The library offers a wide variety of instructional programs designed to instill knowledge, skills, and attitudes that will enable the undergraduate to make effective use of library and information resources. Library staff teach the required LR 102 course. They also provide course-related lectures in the bibliography of subject disciplines, suggest appropriate search strategies and library resources, prepare written search strategies on chosen subjects, and do comprehensive annotated bibliographies.

To arrange for any of these services contact the Reference Department. Please try to allow at least two weeks for the preparation of a class lecture and at least a month for the preparation of written guides.

### 5.8.6 Library Displays

Faculty members are invited to suggest and participate in displays in the

Malcolm Blowers Gallery (main floor) or Special Collections Gallery (upper floor). Displays may encourage interest in cultural events, or they may have an academic focus. Please contact a member of the Library Exhibit Committee (251-6436).

#### 5.8.7 Order Procedures

The library's acquisition budget is allocated by broad subject areas for the purchase of retrospective and current books, periodicals, and non-print materials needed to support the curricular offerings of the academic departments. A member of the library faculty is assigned to each academic department as a subject bibliographer and liaison. Your bibliographer is eager to work with you to identify gaps in our collections and to ensure we meet the information needs of you and your students. Contact information for your bibliographer can be found on the Library's web site at <http://bullpup.lib.unca.edu/library/libdir/bibliographers.html>. The Technical Services staff is responsible for the ordering, receipt and processing of all library materials.

##### 5.8.7.1 Audiovisual Materials and Computer Software

Procedures for requesting audiovisual materials and computer software are as follows:

- \* Phonodiscs, CD's, and audiocassette tapes: follow standard book order procedures.
- \* Other sound and visual media (including videocassette tapes, video discs, DVD's, filmstrips, etc.)--all requests should be submitted to the subject bibliographer using the Recommendation For Purchase of Audiovisual Materials form, available from the library.

Purchase decisions will be made by the Collection Development Committee based on the merits of each request.

#### 5.8.7.2 Books

Department chairs or a designated faculty representative are encouraged to work with the department's faculty to ensure that sufficient book requests are submitted to spend allocated funds. Book request cards are available from the departmental secretaries or from the Technical Services Department in the library. The following information must be typed or written legibly on these cards:

Author's name: Should be complete.

Title

Publisher: If obscure or a small publisher, include the address on the back of the card or attach to the card the brochure from which you took the information.

Date: Should be noted on the card as well as desired edition.

ISBN: If available.

Priority: (see [Section 5.8.7.4](#))

Department: Yours.

Requested by: Type, rubber-stamp or legibly write your surname.

A book request card should be submitted or a catalog marked for each title to be ordered. The Library sends *Choice* book review cards and

Yankee Book Peddler slips (yellow) to each department monthly as selection aids. Faculty members sign, indicate department and priority (see [Section 5.8.7.4](#)), and return cards for those titles that they wish to acquire.

MARCH 1st of each year is the cut-off date for receiving requests that will be paid from the current book allocation. Since the library attempts to slightly over-encumber each subject budget (inevitably some books will never come and we typically receive a small discount), requests should be submitted continually throughout the year to maintain a backlog of cards for ordering. Money not spent or encumbered by any subject area before April 15th will be used for the over-encumbered subject areas.

Requests for the purchase of books should be sent to the librarian assigned as bibliographer for your subject (see <http://bullpup.lib.unca.edu/library/libdir/bibliographers.html>).

Inquiries about acquisition procedures, book order problems, or cataloging procedures should be directed to the Technical Services Librarian.

### 5.8.7.3 Periodicals

Requests for current periodical subscriptions and microfilm back files, as well as for deletion of titles currently received, should be directed to your subject bibliographer. All requests should be made on the standard Periodical Request

Form, available from the library. If the title falls within the scope of the requester's academic department, it will be charged to the department budget allocation. If it is outside the requester's academic area, consideration will be given to purchasing it with library general funds. Requests must be submitted by 1 September in order to have receipt or deletion of the title beginning with the following calendar year.

#### 5.8.7.4 Priority Codes

All requests for library materials should be coded as priority 1+, priority 1, or priority 2. Priority 1+ indicates that the materials are to be ordered immediately, or as soon as funds are available, even if already owned by WCU or ASU libraries. Priority 1 indicates that the book should be ordered only if the book is NOT held by one of the WNCLN libraries. Priority 2 indicates that requests are to be held until March 1, and then ordered if funds have not been expended on priority 1 items. Priority 2 items that cannot be ordered in a given fiscal year will be returned to the department for re-coding or discard.

#### 5.8.8 Photocopying

Coin-operated and copicard photocopying is available. For charges to departmental accounts: (1) a by-pass key is available at the Circulation Desk; (2) a record of the copy transaction must be recorded in the copy logbook at the Circulation Desk. Each time a department's student

assistant is sent to do copying, he/she must bring an authorization form filled in by the faculty or staff member. Copies of these forms are available from the department secretaries. The library staff does not provide photocopying services.

### 5.8.9 Reference/Information Services

The reference collection includes encyclopedias, handbooks, almanacs, directories, manuals, yearbooks and bibliographies. Contact Reference Personnel for assistance:

- In solving bibliographical problems, locating materials, using the library catalog, or determining appropriate research strategies.
- In using the reference collection.
- With queries of factual nature, such as names, locations, definitions, dates, etc.
- In locating materials for student research.
- With well-defined literature searches.

### 5.8.10 Reserve Service

Materials are placed on reserve to equalize student accessibility to limited resources that will be used heavily for class assignments. The reserve service should be used primarily for assigned reading lists, rather than recommended reading. Electronic reserve service is also available.

Materials that may be placed on reserve include:

- Library books.
- Photocopies of materials not in the library's collection. (Please pay close attention to the criteria for “fair use” under U.S. copyright law and the UNCA Copyright Use & Ownership Policy).
- Personal copies (Please claim at the end of the reserve period.).

Materials that should generally NOT be placed on reserve:

- Reference books.
- Current issues of popular library periodicals.
- Large quantities of "suggested readings" or course packs.

Policy/Procedure: Complete a Library Reserve Request Form, available at the Circulation Desk or upon request through campus mail. Print and audiovisual reserves require 48-hour notice; electronic reserves a 2-week notice. Please do not announce reserves in class until sufficient time has passed for the requested materials to be processed.

Loan Period: Determined by the individual faculty member as two hours, one day, three days, or one week. For two-hour check-out reserves it is necessary to specify if an item may or may not leave the library.

### 5.8.11 Resource Sharing

#### ABC Express Document Delivery Service

ABC Express is a document delivery service for the exchange of library materials between libraries at

Appalachian State University, Western Carolina University and UNCA who together form the Western North Carolina Library Network (WNCLN). The online public catalog displays the books, journals, and other materials owned by the three institutions. Books and journals requested through this exchange are delivered to the requesting library by van, and usually arrive within two days. This service is available to students, faculty, and staff.

Procedure: UNCA users may request materials from WCU and ASU via a request screen on the online catalog or on forms available at the reference desk. It is the responsibility of the borrower to consult the online catalog to determine the availability of items in the network, and to retrieve materials upon delivery.

Books and journals are delivered to the library circulation desk on Monday, Wednesday, and Friday. Requests should be submitted by 3:00 p.m. on the day prior to the scheduled delivery. Borrowers should pick up and return materials on time (speed of service means no notification of arrival will be given).

Most ABC materials, e.g., books, circulate for three weeks with one renewal. Journals are for library use only and are returned to the lending library on the next van. Borrowers must make any desired copies themselves. The fine for overdue material is twenty cents (\$.20) per day.

**Please note that unlike UNCA library materials, UNCA faculty must pay the fines for overdue ABC Express materials since**

**they are charged by WCU or ASU.**

### Interlibrary Loan Service

For materials not available in WNCLN, an interlibrary loan system (ILL) provides resource sharing on a state, national, and international level.

Procedure: Requests for materials may be submitted on convenient electronic forms available on the library web site or on paper forms available at the reference desk. The borrower's main responsibility is to provide accurate and complete information on the interlibrary loan form to enhance accuracy and speed in the process. The Library absorbs the cost of interlibrary loan for faculty research materials.

We encourage faculty members to request books on interlibrary loan or through the ABC Express service rather than place orders for library purchase whenever they question the appropriateness of adding the title to our permanent collection.

### 5.8.12 Special Collections and University Archives

The Special Collections and University Archives unit of D. Hiden Ramsey Library preserves and makes accessible those materials the uniqueness, rarity or cost of which would make replacement difficult, impossible or financially prohibitive. Toward this end, the unit collects and provides restricted and environmentally safe storage for several categories of information including manuscripts, oral histories, photographs, rare books and assorted other

formats. Many of the materials held by Special Collections came from the Southern Highlands Research Center that operated at UNCA from 1977 until 1995. Special Collections gratefully acknowledges the rich acquisitions of the Center and the comprehensive processing work completed by the Center directors and staff.

### Collections

Holdings are especially rich in photographic images of the area. Some collections of particular interest include:

- American Association of University Women (AAUW) Papers
- Asheville YWCA Archive
- Choosing to Remember: From Shoah to the Mountains
- E.M. Ball Collection
- Heritage of Black Highlanders Collection
- League of Women Voters of Asheville/Buncombe County Papers
- R. Henry Scadin Collection
- South Asheville Colored Cemetery Oral History

### Services

Special Collections staff eagerly assist in the use of the non-circulating materials in a comfortably appointed reading room. Photocopy and photo-duplication services are available for a reasonable fee. In addition, Special Collections staff are pleased to offer instruction in the use of archival materials and manuscripts in support of course

work and undergraduate research projects.

For more information, please see the Special Collections web site accessible via the Library's home page or contact the Special Collections staff: Coordinator at 251-6621; Special Collections Assistant at 251-6645.

### 5.9 Distance Learning Services (DLS)

Distance Learning Services are provided over NCREN (the North Carolina Research and Education Network) which interconnects universities, research institutions, and graduate centers in North Carolina. The network utilizes private microwave links, fiber-optics, high-speed internet and satellite technologies. These systems combine to create an interactive video and data network designed to provide "virtual proximity" to researchers and educators in North Carolina. Virtual proximity means that network users, regardless of where they are located, have access to strategic resources (expertise, computers, laboratories, databases, libraries, and so forth).

NCREN interconnects all sixteen of the UNC institutions as well as the North Carolina Biotechnology Center, Research Triangle Institute, Wake Forest University, the MCNC Center for Communications and the North Carolina Supercomputing Center. The four medical schools in North Carolina--Bowman Gray School of Medicine, Duke, ECU and UNC-CH--have a separate medical channel dedicated for medical research and programs.

Services are provided in two on-campus facilities, the Steelcase Teleconference Center in Robinson Hall and the Square D Teleconference Center in Ramsey Library. Possible facilities uses include:

- Attendance at NCREN seminars, conferences, workshops and telecourses.
- Attendance at UNCA seminars, conferences and workshops.
- North Carolina Super Computer Center computer accounts and training.
- Conferences and meetings with peers across N.C.
- Faculty and/or undergraduate research projects with peers across N.C.

For additional information and scheduling, contact Greg Dillingham, DLS Manager ([gregd@unca.edu](mailto:gregd@unca.edu), 251-6333) or John Myers, DLS Programs Coordinator ([jmyers@unca.edu](mailto:jmyers@unca.edu), 251-6057).

### 5.10 Printing Services (formerly University Graphics)

Printing Services is a fee-for-service facility that provides photocopying, offset printing, and design for faculty, staff, and students. Output and design capabilities include manuals and course-packs for the Bookstore; spiral-bound booklets; black-and-white and color copies and transparencies; letterhead and envelopes; business cards; forms; invitations; newsletters; fliers; large-format color signs, posters, and banners; lamination, etc.

Printing Services has a Copy Center in Ramsey Library and also maintains the campus copiers accessed by copy cards and/or account numbers. Copycards may be purchased from Printing Services, the Bookstore, the Copy Center, or vending machine/value adders in the Computer Center and Ramsey Library.

### 5.11 Public Information

UNCA's Public Information (PI) Office serves as the University's news bureau and media liaison, good news or bad. The office is always looking for timely news and faculty experts willing to provide interviews to the press. PI also publishes an external monthly "UNCA Today," and "Monday Morning" (a weekly on-campus publication available online at <http://www.unca.edu/news/mondaymorning>).

Story suggestions and announcements are welcome as are news of faculty achievements; put modesty aside and give PI a call. Be prepared to provide the basic facts of your recent achievement as well as the names and locations of newspapers where the announcement should be sent. Faculty members planning special events that will be open to the public should call Public Information at least six weeks in advance of the event. Many media outlets require information four weeks prior to the event date. PI is happy to answer questions and offer suggestions for faculty preparing for media interviews.

### 5.12 Publications

The UNCA Office of Publications serves as a clearinghouse for all promotional materials destined for off-campus audiences. The Publications office provides uniformity for university publications by ensuring they adhere to the highest standard of visual and editorial excellence.

University policy requires the Office of Publications staff to review and approve, before printing, all promotional materials designated for off-campus distribution. The Office of Publications staff also provides consultation, design, editing and pre-press services at no cost to campus departments. All services are by appointment.

### 5.13 FORMS for Section 5.0

No forms for this section.

## 6.0 FACULTY AWARDS, HONORS AND GRANTS

### 6.1 Honorary Degrees (Board of Trustees, May, 1987) (amended by [SD5500S](#) and [SD0289F](#))

Honorary degrees are awarded by UNCA in three categories:

- a. Recognition of scholarly or intellectual achievement and contribution to the world of arts, letters, science, drama, music, etc.
- b. Recognition of contribution to the civic, political, economics, or cultural leadership of the Asheville community and/or specific interests in the development of UNCA.
- c. Recognition of a speaker at a major university event such as commencement, special convocation, etc.

Doctoral degrees honoris causa are granted by the University with the approval of the UNCA Board of Trustees who would act on the recommendations of the Chancellor. The "Delegation of Duty and Authority to Boards of Trustees," adopted 7/7/72 by the UNC Board of Governors, provides as follows with regard to honorary degrees, awards, and distinctions:

The Board of Trustees shall be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution, subject to such policies as established by the Board of Governors.

Nominations or suggestions of persons to receive honorary degrees are welcomed from all persons interested in the welfare and stature of the University: faculty, trustees, students, and others. The names of persons nominated or suggested are to be reviewed by the Chancellor who submits them to the Board of Trustees. Initial responsibility for receiving and reviewing the recommendations is delegated to the External Affairs Committee of the Board of Trustees. At its discretion, however, the Board may elect to act as a Committee-of-the-whole in considering nominations for honorary degree recipients.

The Board of Trustees awards the honorary degrees and the Chancellor has the responsibility of notifying the proposed recipients of this action. If for any reason the Chancellor were unable to arrange for the degree to be awarded at the scheduled time, he is authorized to postpone the awarding of the degree for no more than one year if the recipient were unable to appear at the previously scheduled time. A maximum of three honorary degrees may be awarded by the institution in any calendar year, unless an exception were made by the Board of Trustees.

### 6.2 Special Awards/Professorships

### 6.2.1 Breman Professor

The Sara and Joseph Breman Foundation and the Helen and Coleman Zageir Foundation have provided a permanent endowment for the Sara and Joseph Breman Professorship of Social Relations. This professorship is awarded for a two-year term to a faculty member residing in one of the Social Science departments listed in the endowment document. A call for applications is made during the fall semester of the Breman Professor's second year.

Applications are reviewed the following spring by the VCAA in consultation with the chairs of the named Social Science departments. The Breman Professor is named in the spring and his or her term begins the subsequent fall.

### 6.2.2 Feldman Professor (formerly 6.2.6) ([SD2493S](#))

Each year the full-time, ranked faculty of UNCA shall select two of its members for receipt of the Ruth and Leon Feldman Professorship Fund prize. This award will honor those faculty who have excelled in one or both of the following fields:

1. Service to the community and to UNCA; and,
2. Demonstrated competence in the areas of teaching, research and published writings.

The selection of these two individuals is the responsibility of the Ruth and Leon Feldman Professorship Review Committee whose composition and procedures are described in [Section 10.3.4](#). The awards are bestowed at the final spring faculty meeting. Recipients of the award will be listed in the UNCA catalog in a section describing the Ruth & Leon Feldman Professorship Fund.

Money from the Ruth & Leon Feldman Fund shall not be used to support the UNCA Distinguished Teacher Award.

### 6.2.3 NEH Professor

Supported by a grant from the National Endowment for the Humanities, the title of NEH professor is bestowed as a reward for scholarship and teaching in the Humanities. The NEH professor teaches a reduced class load (typically 2 courses each semester) and assists with faculty development in the Humanities area. The appointment is made by the VCAA for a term of 3

years. The title currently is held by the Director of Humanities Program.

#### 6.2.4 Teaching Awards

UNCA selects seven faculty each year for recognition of teaching excellence. The first award listed, the UNCA Distinguished Teacher Award, was created by UNCA's Faculty Senate in 1981 ([SD3381](#)). The remaining awards are derived from UNC Administrative Memorandum #343 (4/29/94) as specified in [SD0194F](#).

All teaching award activity (i.e. calls for nominations, review of applications) are conducted by a Teaching Awards Committee, composed of teaching award winners during previous years. The Teaching Awards Committee solicits nominations from students, faculty and alumni each fall and spring. Applications are reviewed and awards are bestowed each spring.

##### 6.2.4.1 UNCA Distinguished Teacher Award ([SD3381](#))

This is UNCA's original teaching award, presented during Spring Commencement to a member of the Faculty who is judged a "Distinguished Teacher." A monetary award accompanies this recognition and all Distinguished Teachers are listed in the UNCA catalog. This award reflects the high priority and importance placed on teaching at UNCA. Any full-time faculty member (Lecturer, Instructor, Assistant Professor, Associate Professor, and Professor) shall be eligible, except for those faculty who have previously won the award.

The concept of a Distinguished Teacher Award carries with it certain assumptions, among which are:

1. Teaching is an art; no exact measurement or measuring devices can ever assure an objective determination of successful teaching since no definition of good teaching is ever wholly accurate or even desirable; effectiveness in the classroom carries with it the indefinable factors of character, personality, enthusiasm, and creativity.
2. The selection of an outstanding teacher by one's peers and one's students will always involve a degree of subjectivity; there can be no guarantee that in any given year, the award

will recognize the single best instructor on campus; instead, the award will recognize one outstanding teacher; over a period of years, the probability is that a variety of good instructors from various fields will have an equal opportunity for recognition.

3. The selection process requires a trust in our colleagues; we must assume that those on the Review Committee will act professionally and in the best interest of the faculty and the university.

4. In spite of inherent flaws in attempting to offer an award where total objectivity cannot be guaranteed, such an award is highly desirable; merit always deserves recognition, and the university benefits from the public acknowledgement that we value and emphasize quality in the classroom.

#### 6.2.4.2 Board of Governors' Award for Teaching Excellence (UNC Administrative Memorandum #343, 4/29/94) ([SD0194F](#))

UNC Administrative Memorandum #343 (4/29/94) created a set of system-wide teaching awards known as the Board of Governors' Awards. Each one bestows a monetary award of \$7,500 on the faculty member selected by the constituent institution as the Board of Governors' Distinguished Teacher. The award is presented each spring in a ceremony at the Board of Governors office. Eligibility is restricted to tenured faculty who have taught at their constituent institutions for at least seven years.

#### 6.2.4.3 Award for Teaching Excellence in the Humanities ([SD0194F](#))

One of the teaching awards developed in response to UNC Administrative Memorandum #343, all full-time faculty who teach courses within a Humanities division department with a rank of lecturer or higher, regardless of tenure status, are eligible for this award. The Humanities Division includes the following departments: Art, Classics, Drama, Foreign Languages, History, Humanities, Library, Literature and Language, Mass Communication, Music, Philosophy (UNCA

Faculty Handbook 1.5). Award amount: \$1,750.

#### 6.2.4.4 Award for Teaching Excellence in the Natural Sciences ([SD0194F](#))

One of the teaching awards developed in response to UNC Administrative Memorandum #343, all full-time faculty who teach courses within a Natural Sciences division department with a rank of lecturer or higher, regardless of tenure status, are eligible for this award. The Natural Sciences Division includes the following departments: Atmospheric Sciences, Biology, Chemistry, Computer Science, Environmental Studies, Mathematics, Physics (UNCA Faculty Handbook 1.5). Award amount: \$1,750.

#### 6.2.4.5 Award for Teaching Excellence in the Social Sciences ([SD0194F](#))

One of the teaching awards developed in response to UNC Administrative Memorandum #343, all full-time faculty who teach courses within a Social Sciences division department with a rank of lecturer or higher, regardless of tenure status, are eligible for this award. The Social Sciences Division includes the following departments: Economics, Education, Health and Fitness, Management, Political Science, Psychology, Sociology (UNCA Faculty Handbook 1.5). Award amount: \$1,750.

#### 6.2.4.6 Award for Excellent Teaching by an Untenured Faculty Member ([SD0194F](#))

One of the teaching awards developed in response to UNC Administrative Memorandum #343, all full-time untenured faculty, regardless of appointment status, with a rank of lecturer or higher are eligible for this award. Award amount: \$1,750.

#### 6.2.4.7 Award for Excellent Teaching by a Non-Full-Time Faculty Member ([SD0194F](#))

One of the teaching awards developed in response to UNC Administrative Memorandum #343, all non-full-time faculty,

regardless of appointment status, are eligible for this award.  
Award amount: \$1,750.

### 6.2.5 Distinguished Service Award ([SD0700F](#))

Because faculty service is integral to every aspect of our campus's operations, and because it complements teaching and research in the overall development of individual faculty members and the faculty as a whole, the Faculty Senate established the University Service Council (see [Section 10.3.7](#)) and included as part of its charge the establishment of an annual award for distinguished service. Procedures and criteria are in development.

### 6.2.6 Oliver Max Garner Award - Board of Governors

The Oliver Max Garner Award is a distinction granted yearly by the Board of Governors to a faculty member on one of the sixteen campuses who has "made the greatest contribution to the welfare of the human race" during the year. Nomination of a UNCA faculty member for this award is made to the Chancellor by the Distinguished Scholars Committee (see [Section 10.3.1](#)).

## 6.3 Visiting Professorships

### 6.3.1 Bergemann Distinguished Visiting Educator (formerly 6.2.2)

The Verna E. Bergemann Distinguished Visiting Educators Fund brings persons of distinguished achievement in education to interact with faculty, students and the general public. The Bergemann Distinguished Visiting Educator is selected by the Education Department faculty in consultation with the VCAA.

### 6.3.2 Highsmith Distinguished Visiting Professor (formerly 6.2.7)

The Allene and William E. Highsmith Distinguished Visiting Scholar Fund brings persons of distinguished achievement for residency at UNCA, at which time they will interact with faculty, students, and the community and will be a source of intellectual stimulation for both campus and community. The Highsmith Distinguished Visiting Scholar is selected by the Distinguished Scholars Committee (see [Section 10.3.1](#)).

## 6.4 Endowed Professorships

#### 6.4.1 Belk Professor (Humanities)

The Carol G. Belk Distinguished Professorship in Humanities was endowed by Irwin Belk in honor of his wife. Subtitled "Ethics In Contemporary Cultures," the Belk Professorship is given to an individual who can share his or her knowledge of the history, development and function of ethics and ethical systems in contemporary world cultures. The Belk Professor may come from any discipline and must have substantial accomplishment in undergraduate teaching, interdisciplinary teaching, scholarship, and campus and community leadership. Duties include teaching two classes per semester, including courses in the Humanities program, scholarship, support of undergraduate research and faculty development activities. No term of appointment is specified.

#### 6.4.2 Carson Professor (Natural Sciences)

The Phillip G. Carson Distinguished Professor in Science may be awarded in any discipline in UNCA's natural sciences division, preferably to an individual whose specialty area stresses interdisciplinary learning. Identified as both a teacher and a scholar, the Carson Professor must have a strong commitment to undergraduate education and to undergraduate research, and is expected to have a wide impact on the university community and the state. Duties include regular teaching of both upper and lower level courses (number of courses not specified), scholarship, support of undergraduate research, faculty development activities, and some public responsibilities. The appointment also provides separate funding for additional expenses. No term of appointment is specified.

#### 6.4.3 Glaxo Professor (Natural Sciences)

The Glaxo Wellcome Professorship in Undergraduate Research may be awarded in any discipline in the physical and natural sciences, preferably to an individual whose expertise can enhance interdisciplinary learning and scholarship. The Glaxo Wellcome Professor is expected to take the lead role in facilitating interdisciplinary science and undergraduate science research. Evidence of commitment to undergraduate education, undergraduate research, and the liberal arts is essential. Preference is given to those with a proven record of securing external funds. Duties include teaching four courses a year (lower and upper division), scholarship, support of undergraduate research, faculty development activities, and some public responsibilities. The appointment is for five years, renewable for a second five years.

## 6.5 Institutional grants

### 6.5.1 University Research Council Grants (formerly 6.2.8)

#### Intramural Faculty Research Award Policies (1982-83)

1. All proposals are to be received by 4:30 p.m. on February 14 or the next business day following the 14th whenever the 14th falls on a Saturday or Sunday.
2. Proposals will be submitted to the Office of Special Academic Programs (SAP) within the Department of University Relations.
3. Anyone who submits a proposal will receive notification of receipt of his/her proposal from SAP.
4. Publicity of the Intramural Faculty Research award opportunity will be the responsibility of the University Research Council (URC) and selection of proposals for funding will be made by the URC members with the approval of the VCAA.
5. Faculty members receiving Intramural Faculty Research awards will be notified by the VCAA.
6. Support should be acknowledged in publications resulting from intramural faculty research grants and one copy of each such publication should be donated to the URC.
7. When the grant period is completed, a final report must be submitted to the URC within thirty days. Requests for extension of the grant period must be received in writing by SAP on or before the end of the grant period.
8. Committee members serving on the URC who submit a proposal to the Intramural Faculty Research Program will be disqualified from the proposal review process. The disqualified members will be replaced by past URC committee members from the same or a closely related academic discipline.

### 6.5.2 University Teaching Council Grants (formerly 6.2.9)

Each year, if funds are available, the University Teaching Council accepts requests for funds for teaching related activities. Contact the University Teaching Council for more information.

### 6.5.3 Computer and Telecommunications Committee Grants (formerly 6.2.3)

Each year on a funds available basis, the Computer and Telecommunications

Committee awards computer hardware and software to faculty on a competitive basis. A notice is distributed to all faculty asking them to apply for these funds. Priority is given to those requests that relate to classroom use and student involvement.

## 6.6 FORMS for Section 6.0

No forms for this section.

## 7.0 ADMINISTRATIVE POLICIES AND SERVICES

Following are highlights of administrative policies. See the UNCA Policy and Procedures Manual (UNCA PPM) for the complete policy statements (available online at <http://www.unca.edu/policies/>).

### 7.1 Alcoholic Beverage Policy

#### State Law

Under no circumstance may any type of alcoholic beverage be sold by any person, organization or corporation on the campus or property of the University (General Statute 18A-40). The term "sale" is broadly interpreted by law enforcement authorities to include such practices as charging admission to events where alcohol is served. In addition, tickets, other exchanges or lists which are in any way restrictive, or in-kind donations are viewed as indirect payment for alcoholic beverages and are, therefore, illegal).

#### University Policies, Regulations and Procedures

These policies are designed to support the positive healthy use or non-use of alcoholic beverages in a responsible manner.

- A. Student fees collected by the University as a part of registration may not be used to purchase alcoholic beverages; this includes Campus Commission for Student Services Funds.
- B. Possession or consumption of liquor, fortified wine or mixed beverages (more than 14 percent alcohol by volume) is prohibited on the University campus, except for approved circumstances and locations.
- C. Possession or consumption of beer or unfortified wine on the UNCA campus is prohibited with the exception of the following conditions:
  1. In all cases, persons must be at least 21 years of age to possess or consume such beverages and must provide proof of age.
  2. Students of legal age may possess and consume beer or unfortified wine only in approved locations. Alcoholic beverages cannot be openly displayed or consumed anywhere on campus except at those approved locations.
- D. Under those special circumstances where alcoholic beverage will be permitted, the University will require the sponsors to adhere to "good practices" as stated in the UNCA Alcohol Beverage Permit. Failure to abide by the "good practices" as set forth in the UNCA Alcohol Beverage Permit will result in loss of privileges to use approved locations and/or prosecution through the student court system.
- E. Residence Halls have limited drinking privileges.
- F. Locations Approved by Special Permission
  1. Highsmith University Center: Limited drinking privileges available.
  2. Owen Conference Center: Possession and consumption of alcoholic beverages is generally prohibited in this area; however, for certain special

events the Chancellor or his/her designated representative may grant a written exception to this policy. In these special circumstances groups may be allowed to possess or consume alcoholic beverages. The written exception shall include the reason for the exception, the area of the center to be utilized and the hours of use. An ABC permit is also required if applicable.

3. Justice Sports, Health and Physical Education Complex: Possession and consumption of all alcoholic beverages is prohibited in areas within and adjacent to the UNCA indoor and outdoor athletic recreational facilities, except in unusual cases for special events. Advance written permission from the Chancellor or his/her designated representative is required.
4. Academic Space: Possession and consumption of alcoholic beverages is prohibited in all areas within and adjacent to instructional facilities, except in unusual cases for special events. Advance written permission is required from the Chancellor or his/her designated representative, with specific reference to the area and hours of use. At no time will alcoholic beverages of more than 14 percent alcohol by volume be permitted.

### Enforcement

Violation of these laws and policies will result in administrative and/or criminal sanctions as set forth in the University Judicial Code or applicable state, federal or local laws.

Students, faculty members, administrators and other employees are responsible for knowing about and complying with the provisions of North Carolina law and University policy on alcohol use, distribution and consumption. Any member of the university community who violates this policy is subject to disciplinary proceedings by the University.

### UNCA Alcohol Advertising Policy

1. On-Campus Events: When the general public is invited to a University event, no alcohol is permitted; therefore, no off-campus advertising of events is permitted when alcohol is allowed. On-campus advertising should make no mention of beer, wine, etc. Only the "Alcohol Permit Approved" may appear on publicity flyers and posters
2. Off-Campus Events: Advertising on-campus of events held off-campus which are sponsored or co-sponsored by University organizations will contain no mention of beer, wine or any form of alcohol.

See [UNCA PPM #26](#) for more information.

7.2 Budget Process for Academic Areas (see [Section 1.5](#))

7.3 Campus Closing

### 7.3.1 Holidays

Each year holidays are published in the UNCA Calendar which is distributed to faculty and is available on the UNCA home page at <http://www.unca.edu/enroll/>.

### 7.3.2 Inclement Weather (see [Section 3.1.4.3.2](#))

## 7.4 Academic Calendar

Annually, the Office of Academic Affairs prepares two academic calendars, one is a final draft of the Academic Calendar for the following year and a preliminary draft of the subsequent year. Both calendars are presented to the Chancellor's Administrative Cabinet for initial approval. The final draft of the following year's calendar is then presented to the Faculty Senate for their adoption. The calendar is available online at <http://www.unca.edu/enroll/calendar/index.html>.

## 7.5 Drug Abuse and Controlled Substance Policy

### Education, Prevention, Counseling and Rehabilitation

Just as the primary purpose of the University of North Carolina at Asheville is education, so also the University's major effort to address drug abuse should be educational in nature. The University shall maintain a comprehensive drug education program available to all members of the academic community (students, faculty, administration and staff). The activities of the program shall be the responsibility of the Drug and Alcohol Education Task Force composed of two faculty members appointed by the VCAA, two students appointed by the Student Government President and two staff/administrators appointed by the Chancellor. The VCSA or his designee shall Chair the committee. the Task Force shall develop and coordinate an ongoing program available to all members of the academic community that:

1. informs members of the academic community about the health hazards associated with drug abuse.
2. emphasizes the incompatibility of drug abuse and maximum achievement of personal and educational goals.
3. encourages members of the campus community to make use of available campus and community counseling, medical, and rehabilitation resources in dealing with drug abuse problems.
4. informs members of the academic community that they also may be subject to criminal prosecution for violating state laws relating to the illegal use, possession, delivery, sale, manufacture or creation of controlled substances.

UNCA shall provide information about drug counseling and rehabilitation services to members of the University community, through campus-based programs for students and through community-based organizations for faculty, staff and students. Persons who voluntarily avail themselves of University services shall be assured that applicable professional standards of confidentiality will be observed.

For Enforcement and Penalties, see [UNCA PPM #36](#).

### Implementation and Reporting

Annually, the Chancellor shall submit to the Board of Trustees a report on campus activities related to illegal drugs for the preceding year. The reports shall include, as a minimum, the following: (1) a listing of the major educational activities conducted during the year; (2) a report on any illegal drug-related incidents, including any sanctions imposed; (3) an assessment by the Chancellor of the effectiveness of the campus program and; (4) any proposed changes in the policy on illegal drugs. A copy of the report shall be provided to the President of the University.

#### 7.5.1 Drug-free Certification for Awardees of Federal Grants and Contracts

For information about this Federal requirement, see the Director of Special Academic Programs.

### 7.6 Emergency Loan Fund

The Emergency Loan Fund is established to provide UNCA faculty/staff a low interest alternative to borrow money for emergency situations. The Emergency Loan Fund is established through the generous gift of a donor and is maintained by the UNCA Foundation. The maximum loan amount will be \$750. Forms are available in the Personnel Office. See [UNCA PPM #47](#) for more information.

### 7.7 Emergency Response

If an emergency should arise on campus:

1. dial "911" to report the situation
2. contact the Office of Public Safety (Security)

If the person reporting the incident cannot reach the Office of Public Safety, they are responsible to:

1. meet responding agency at the main campus entrance at University Heights and

Edgewood Road

2. contact Health Services if it is a medical emergency
3. contact Campus Receptionist who will provide information to parties involved
4. direct all inquiries to the Chancellor or designated representative.

See [UNCA PPM #41](#) for more information.

## 7.8 Employee Assistance Programs

The Employee Assistance Program is designed to identify troubled employees early, motivate them to seek assistance, and refer them to an appropriate resource for assistance. See [UNCA PPM #42](#) for more information.

## 7.9 Faculty Guests

Faculty members are responsible for their personal guests while they are on campus.

## 7.10 Keys

Faculty are not to duplicate keys to University offices or buildings nor loan those keys to other persons. The Departmental Secretary will coordinate requests and issue of keys, and inform the user of the responsibilities associated with the key(s) issued. Users are fully responsible for issued keys.

All keys are coded to identify the user. No key(s) should be passed from one user to another. Users are responsible for key(s) that can be identified to them even if lost by another. All employees leaving UNCA on a permanent basis will take their keys to the Personnel Department. All other key returns will go through the Departmental Secretary or the Key Shop in the Physical Plant.

- a. Full time faculty may receive Departmental Masters, or individual office keys at the discretion of each individual Department, with appropriate approvals.
- b. Adjunct Professors will receive only individual office keys.

NOTE: It is strongly recommend that Departments include a lock down device with all future purchases of computers. We will be happy to assist you in the selection of the lock down devise and the installation when it arrives.

## 7.11 Mail Service

UNCA Mail Services exists to provide timely and error-free mail delivery, collect and post

outgoing US mail, collect and distribute intra-campus mail, assist campus mailers to save by taking maximum advantage of automation discounts, provide accurate and timely billing of postage to campus departments, and stay current with rapidly changing regulations and technology in the mailing industry, publishing these to the campus as needed.

Mail Services handles around two million pieces of mail a year. Our Bulk Mail Unit contributes significant savings to UNCA operating budgets each year by automating our large mailings. Mail Services processes International Global Priority, International Express, US Express and Certified Return Receipt Requested mail, insures packages, and will provide Delivery Confirmation receipts for Priority, Certified, and Express mail upon request. Mail Services does not currently sell postal money orders, envelopes, postcards, or stamps, prepare packages for shipment, or process or mail Registered items. Personal mail may be sent through the mail center but it must be stamped. University stationery must not be used for personal correspondence.

UNCA Mail Services is located behind the Physical Plant Building. The operating hours are Monday through Friday, 7:30 a.m. to 4:30 p.m. More information about mail service is available at [http://www.unca.edu/fac\\_mgmt/mail-manual.html](http://www.unca.edu/fac_mgmt/mail-manual.html) and in [UNCA PPM #38](#).

### 7.12 Parking and Traffic Policies

All UNCA faculty, staff and students must properly register their vehicles with the Public Safety Office. Faculty and staff may purchase parking decals for green designated areas with white lettering for August 1st through July 31st by submitting a completed UNCA vehicle registration card and the proper fee to the Public Safety. Additional decals for a second vehicle may be purchased at a reduced fee.

Citations are issued for violation of parking regulations. Penalties, except handicapped violations, are subject to a 50% discount if paid within seven days. Penalties not paid are subject to payroll deduction and are subject to N.C. General Statutes 105A-6(b). A parking citation may be appealed in writing or in person. First obtain a "Notice of Appeal" form from the Public Safety Office within seven (7) calendar days of the citation. Information on the appeals process, date, time and location can be obtained at that time. Citations more than seven (7) days old will not be accepted for appeal. Parking appeals that have been denied will be authorized a 30% discount of the penalty (except handicapped violations) if paid within seven (7) days of the appeal disposition notice.

For the full text see [UNCA PPM #19](#), or the "Traffic and Parking Regulations" brochure available from the Office of Public Safety.

### 7.13 Safety Health and Environmental Policy

Every employee is entitled to a safe and healthful workplace and the assurance that the University's activities are conducted in a safe and healthful manner not adversely affecting the general public or the environment.

All UNCA employees are responsible for ensuring a work environment which is free from recognized safety, health and environmental hazards. A primary consideration in every job task is to evaluate the safety, health and environmental aspects to avoid detrimental exposure. To accomplish this goal, all personnel must endeavor to provide a safe work place, safe equipment, proper materials, obtain full knowledge and understanding of safety, health and environmental responsibilities, and insist upon safe methods and practices at all times. Personnel will be held accountable for meeting these conditions while working at UNCA.

Safety, health and environmental awareness and results will be valued in personnel performance appraisals along with work performance and quality. Compliance will be ensured through appraisals and inspections performed pursuant to established safety, health and environmental programs.

Guidelines for employees are established in published University Safety Standards and Policies adopted by UNCA. These guidelines reflect the State Employee's Workplace Requirements Program for Safety and Health and are approved by the Chancellor and University Administrative Cabinet.

#### 7.14 Smoking Policy ([SD0993S](#))

As of July 16, 1993, to protect nonsmokers from the health hazards of passive smoke, the Chancellor banned smoking in all indoor areas on campus except for residential rooms. In the case of residential rooms, smoking is permissible when agreed to either by all residents of a room or, when the room is part of a suite, by all residents of the suite. (See also [UNCA PPM #48](#) for more details.)

#### 7.15 Telephone Use

Faculty are provided with telephones and individual office phone numbers. On-campus calls are made by dialing the 4-digit office extension. Local off-campus calls require dialing 9 to reach an outside line. Work-related long distance calls are made via the university's WATS line, accessed by first dialing 8. Personal long distance cards require a calling card or phone charge card.

#### 7.16 Travel Regulations (see [Section 4.1.5](#))

## 7.17 Tuition Free Courses for Faculty and Staff

UNCA participates in two separate programs providing tuition free courses for eligible employees. These two programs are:

### Educational Assistance Program as authorized by the N.C. Office of State Personnel

The details of this program are in Section 6-5 of the Personnel Manual and may be examined in our Personnel Office in the Administration building. Only full-time or part-time employees who have gained permanent status are eligible. Courses may be taken at any accredited high school, business school, community college, technical institute, college, university, or correspondence school. Courses taken under this program must be directly job related (as a UNCA policy restriction). Courses for cultural personal enrichment do not qualify. The course must be taken on the employee's own time unless the course is not offered after working hours, in which case the employee may be granted time during work hours. Under this program the employee must pay all necessary expenses and following successful completion of the course, may request reimbursement of the cost of tuition, registration fees, and laboratory fees. Eligible employees for this program include permanent full-time employees with at least six months of continuous service or permanent part-time employees with at least one year of continuous service. All UNCA personnel taking courses at UNCA are expected to utilize the following program.

### Tuition Remission Program as authorized by the Board of Governors of The University of North Carolina

This program allows for tuition remission for full-time faculty of instructor rank and above the other full-time employees who hold membership in the Teachers' and State Employees' Retirement System or TIAA (this excludes all part-time teachers, all part-time research staff and all temporary employees). The free tuition privilege applies only during the period of one's normal employment. For example, a nine-month employee may not receive a tuition waiver for a summer school course.

Free tuition privileges may be allowed on only one course in each academic term during which one is permitted to register. The University may allow one course tuition free in each term of a semester but an employee receiving tuition remission for a semester course may not receive free tuition for any term course within that semester. Free tuition does not have to be granted by the University. The statute was created for the convenience of the institution to upgrade employee performance. This may or may not accommodate an employee vigorously pursuing a degree by multiple course enrollments rather than simply acquiring a professionally related skill or body of knowledge by taken a pertinent course. The institution possesses discretion in determining if any course by itself or in combination with others would interfere with employment obligations and so should not be blessed with tuition waiver. Free tuition privileges shall be allowed only to employees who meet the requirements for admission to the University and who have been duly admitted by the Office of Admissions. Unless the employee has received an approved written authorization

form, they are expected to pay for the course at registration (or pre-registration) and will be given a refund if subsequent approval is obtained. Free tuition privileges do not include such other charges as registration, laboratory, books, and transportation which must be paid by the student (employee).

An employee meeting these requirements within the limitations of these regulations shall be eligible for free tuition on any of the sixteen constituent institution campuses (1977 legislative amendment).

Each applicant for free tuition privileges must complete and submit through regular administrative channels a form entitled "Request and Authorization for Free Tuition." These forms are available in the office of the VCFA. The forms must be completed in triplicate. The VCFA will forward one copy to the employee, one copy to the Business Office (which will then credit the employee's account) and file one copy.

An employee must have been employed for at least six months of continuous service prior to taking the course (probationary time towards this requirement is counted provided permanent status is obtained prior to the request).

If the course is offered during non-working hours, the employee must take it during those hours (if a UNCA employee). The course must be directly job related and not offered at night for time off to be granted for a UNCA employee to take a course tuition free. Tuition may be granted for a course taken which is not directly job related but the employee must make up the time lost from work on such courses, or take leave. See [UNCA PPM #8](#) for more details.

#### 7.18 Use of or Access to University Facilities

[UNCA PPM #9](#) describes use of Lipinsky Auditorium, [UNCA PPM #20](#) describes policy on space scheduling and use, and [UNCA PPM #24](#) describes building access. Unless granted permission by contract or otherwise approved by the Chancellor, Faculty are not to use University facilities for personal use.

Please contact the individual listed below to schedule use of the spaces listed.

<u>Space</u>	<u>Contact person</u>
Laurel Forum	Christie Aull
Highsmith Center	Rosie Palmisano
LH/Auditorium	Leigh Svenson

KH Lobby(ies)	Annis Lytle
RBH,ZH,CH Lobbies	Marilyn Lonon
Academic Rooms	Marilyn Lonon
HLH & Lecture Halls	Marilyn Lonon
Quad Events	Rick Brophy
Blocking of Parking	Public Safety

7.19 Use of State Owned Vehicles (see [Section 4.1.5.2](#) and [UNCA PPM #1](#))

7.20 FORMS for Section 7.0

No forms for this section.

## 8.0 STUDENT AFFAIRS POLICIES AND PRACTICES

### 8.1 Student Handbook

The UNCA [Student Handbook](#) is available from the Office of Student Life. It contains information on policies and procedures relating to students. A copy is distributed to each department Chair each year. The Handbook also can be downloaded as a PDF file at <http://www.unca.edu/StudentAffairs/handbook.pdf>.

### 8.2 Awards and Grants

#### 8.2.1 Recognition of Student Achievements

An awards ceremony is held each Spring to honor student recipients of academic and campus leadership awards. Departments may present student awards at this ceremony. Contact the Division of Student Affairs for more information (<http://www.unca.edu/sdev/>).

#### 8.2.2 Scholarships

The Financial Aid Office has information and applications for both on-campus and off-campus scholarship programs. Some of these scholarships require students to qualify for financial aid. Encourage students to take advantage of these opportunities. More information is available at <http://www.unca.edu/financialaid>.

#### 8.2.3 Undergraduate Research Council

Contact the Office of Undergraduate Research (<http://www.unca.edu/urp/>) for information and applications for these funds available to students to do research. These grants may include funds for the student to travel to the National Undergraduate Research Conference.

### 8.3 Rights and Responsibilities

#### 8.3.1 Academic Honesty ([SD4396S](#))

Any act of plagiarism or cheating is academic dishonesty. A person who knowingly assists another in cheating is likewise guilty of cheating. According to the instructor's view of the gravity of the offense, a student may be punished by a failing grade or a grade of zero for the assignment or

test, or a failing grade in the course. If it seems warranted, the instructor may also recommend to the Vice Chancellor for Academic Affairs dismissal or other serious University sanction.

A student accused of academic dishonesty should talk with his or her instructor. In all situations where a student has been disciplined for plagiarism or cheating, the instructor is to submit to the VCAA a brief statement of the case; the student is to receive a copy of this document. Depending upon the severity and/or repetition of the offense, the VCAA may choose to impose a penalty of cancellation of graduation with honors; cancellation of scholarships; dismissal from the university; or any other penalty which he or she deems logical and deserved. A student has 10 class days to respond to this document, in writing; this response is to be sent to the VCAA for attachment to the document submitted by the instructor.

The student may choose to contact the Faculty Conciliator, who will advise the student of his or her rights, and attempt to mediate between the student and the instructor before proceeding to bring the case before the Academic Appeals Board. If the student is satisfied with the results of this mediation, then the formal hearing before the Board will not take place. The request for this formal hearing must be made by the student within ten class days of receiving the copy of the instructor's statement to the VCAA.

### 8.3.2 Policy on Academic Misconduct ([SD2282](#))

#### Charges of Academic Misconduct

In the event that an instructor accuses a student of academic misconduct, the student has the right to a hearing to determine the question of fact. Pursuant to that determination, disciplinary action such as the lowering of a grade due to the alleged action will be held in abeyance. In determining the facts the burden of proof will be upon the instructor who makes the allegation.

#### Definition

Academic Misconduct is any act that constitutes cheating or plagiarism.

#### Procedures

Step 1. The student shall request a hearing by conferring with the Faculty Conciliator (see [Section 10.3.3](#)) within ten class days of the accusation.

Failure to meet this time limit is taken as acknowledgment that the instructor's charge is true and any right to a later hearing is forfeited.

Step 2. The Faculty Conciliator will in writing request from the instructor a

written statement of the charge, and the nature of the evidence upon which the charge rests. Upon receipt of this, the Conciliator may attempt to resolve the matter directly.

Step 3. If this appears to be inappropriate or is unsuccessful, the Conciliator forwards a copy of the instructor's charge to the student and to the Chair of the Academic Appeals Boards (AAB, see [Section 10.2.7](#)).

\*Step 4. The Chair of the AAB will convene the hearing no sooner than five class days or later than 10 class days after receipt of the statement of charges. At the closed hearing, the instructor as well as the student will be present. Witnesses for either party may be called in to present evidence. After the instructor has presented the charge and supporting evidence, the student has the opportunity to be heard and to present evidence and his explanation of what took place in the matter of academic misconduct.

Step 5. The AAB by a simple majority of those present shall determine the question of fact based upon the preponderance of evidence. The AAB Chair shall then notify in writing both parties to the Hearing. If it is found that the instructor has not prove the case against the student, the AAB should indicate in writing that any action taken by the instructor to lower the student's grade or otherwise punish the student on the basis of the original accusation would not be justified by the evidence.

A statement of the AAB's findings shall be forwarded to the Registrar's Office for inclusion in the student's file.

Step 6. If the AAB determines that this is a second offense or more by the student, it may recommend dismissal to the VCAA.

\*A class day is any day in which the University is in session according to the academic fall-spring calendar. If the student is unable to file a grievance due to the end of classes for the summer, the student must notify the Conciliator in writing within 20 days of his intention to file when classes resume in the fall.

8.3.3 Class Attendance (see [Section 3.1.4.3.4](#))

8.3.4 Student Grievance Procedure ([SD2981](#); See also the UNCA [Student Handbook](#))

A student grievance procedure exists to serve all enrolled students at UNCA

in the event that they judge they have been improperly or unfairly treated in academic matters. The detailed procedure may be found in the Student Handbook. It should be noted that written notice of the grievance must be filed with the Faculty Conciliator within ten class days of the incident or of the time a student could reasonably be expected to know of the incident.

### Purpose

The purpose of the student grievance procedure is to provide each student enrolled at UNCA with a standardized, formal process for seeking a resolution when, in his judgment, he has been treated unfairly or improperly in an academic matter by a faculty member of this University.

### Definitions

Unfair or improper treatment of a student by a faculty member is defined to be:

1. The instructor's failure to abide by stated university policies, or failure to abide by written or stated course policies in such a way as to adversely affect the student's academic standing;
2. abusive or improper conduct on the part of the instructor that clearly has an adverse affect on the student's academic standing,
3. the instructor's prejudiced or capricious grading practices.

### Grievance Procedure

Step 1. If a student believes that he or she has been treated unfairly or improperly by a faculty member, a conference must be scheduled with the instructor to discuss the matter. The student must explain his or her position to the instructor and attempt to understand the justification for the instructor's actions. The purpose of this meeting is to attempt to reach a mutual understanding of the student's situation and the instructor's actions and to resolve all differences in an informal, cooperative manner.

Step 2. If, because of the circumstances of the grievance, it is impractical to consult promptly with the instructor, or if the student is unsatisfied with the results of Step 1, the student must seek the assistance of the Faculty Conciliator within ten class days after the incident, or after the time the student could reasonably be expected to know of the incident. The Conciliator's role is to guide the student through the remaining steps.

Step 3. Within five class days after the initial meeting with the student, the Conciliator must then meet with the instructor and the instructor's chairperson in order to seek an amicable solution. If, when the Conciliator

reports to the student the substance of the meeting, the student is still dissatisfied, he may then wish to proceed to Step 4 and file a formal grievance.

Step 4. To file a grievance, the student must obtain a grievance petition from the Conciliator. The petition must specify the date of the incident and detail the student's grievance against the instructor. The student must then file the petition with the Conciliator. This filing must occur within 20 class days of the incident or of the time a student could reasonably be expected to know of the incident. In cases of doubt concerning the application of the time limit, the Conciliator will decide. Failure to meet this deadline forfeits the right of appeal. The Conciliator must then immediately forward a copy of the petition to the instructor, to the instructor's department Chair, and the Chair of the AAB.

Step 5. The Chair of the AAB shall convene a meeting of the Board no sooner than five class days nor longer than ten class days after receipt of the Grievance Petition. In a closed hearing, the student shall present his grievance, along with relevant supporting evidence and pertinent arguments. He may only address issues that are described in the Grievance Petition. The instructor shall be given an opportunity to respond to the charges. The votes of two faculty members and two student members that are in concurrence with the student's position shall be required in order for the grievance to be found valid.

Step 6. If a grievance is unfounded the AAB shall provide written notification of that fact to the student, the faculty member, and the departmental Chair. If a grievance is deemed valid, the Board shall forward a written account of its deliberations, including its recommendations for redress, to the student, the faculty member, the department Chair, and the VCAA. The Chair of the AAB, after consultation with the VCAA, shall convene a meeting of himself, the VCAA, the Conciliator, and the faculty member to discuss the matter and suggest strategies for resolving the grievance.

Faculty Conciliator (see [Section 10.3.3](#))

Academic Appeals Board (AAB) (see [Section 10.2.7](#))

### 8.3.5 Student Referrals

In the case of (disruptive behavior) the policy on student referrals is outlined

in the Student Judicial Code which is printed in the Student Handbook.

Each student is assigned an academic advisor. A faculty member who feels a student should seek the assistance of their academic advisor may refer that student to their faculty advisor. Students are not required to seek the assistance of an advisor.

## 8.4 Organizations

There are over 70 recognized student organizations on campus. A list is available in the UNCA Student Handbook and at <http://www.unca.edu/students/student-org.html>.

### 8.4.1 Student Government Association (SGA)

Student Government Association Represents you, the student, at the local, state and national levels. Strives to make the voice of the student body heard through constant contact with UNC General Administration, the General Assembly and UNCA administration. The SGA president is a full voting member of the UNCA Board of Trustees. SGA is not a token government; it plays an active and vital part in the decision- and policy-making processes at UNCA. Recognized by the university as the official governing body of its students, SGA is organized into executive and legislative branches. Each branch focuses on a specific area while keeping in contact with the other. This creates a checks and balances system that ensures every decision is made fairly and in the best interests of students.

Every student enrolled at UNCA is considered an SGA member and is invited to get involved. Officials are elected each spring, except freshman senators who are elected in the fall. Appointments of qualified applicants are made throughout the year. A 2.0 (or better) grade-point average and current enrollment in at least six semester hours of classes is required to hold a position.

The SGA office is located in the Highsmith University Center. More information is available at <http://www.unca.edu/sga/>.

### 8.4.2 Recognition of Student Organizations by SGA

Each year, the Office of Student Development and the Student Government Association have the responsibility of recognizing student organizations in order for them to receive funding for activities and the use of various campus facilities. Existing organizations must be recognized each year by

filling out the appropriate forms in the spring. Both old and new organizations must submit a constitution, membership list and recognition forms before they can be recognized. All forms and additional information may be obtained from the SGA office.

#### 8.4.3 Funding by Campus Commission from Student Fees

The Campus Commission exists for the purpose of funding organization-sponsored activities. All check requests from student organizations need to be made in advance through the Campus Commission office located in the Highsmith University Center.

#### 8.4.4 Sponsorship by Faculty Members

All recognized student organizations must have a UNCA faculty or staff sponsor. Being an organization advisor can be a rewarding experience and important extension of the classroom.

### 8.5 Student Conduct Code

Student conduct on the UNCA campus is governed by the University Judicial Code (UJC) adopted by the Student Government Association and UNCA Administration. It is described in the UNCA Student Handbook. Violations of the UJC are directed through the Office of Student Conduct which serves to provide students a safe learning environment through the handling of student disciplinary issues in a true developmental manner.

### 8.6 Student Counseling and Career Advising

#### 8.6.1 Counseling Center

The Counseling Center provides services to students through short-term individual and group counseling, support groups, education programs, information and referrals, crisis intervention and consultation.

Personal counseling and group counseling is available around issues such as loneliness, lack of self-confidence, interpersonal relationships, eating disorders, depression, family and social problems, substance abuse, and sexuality concerns that might interfere with educational success. Students may also receive counseling for academic problems that have a psychological component, such as test anxiety, difficulty in concentrating, procrastination, fear of failure, time management, stress reduction, fear of public speaking, and writing blocks.

Other clinical services include 24-hour emergency service, and assessment and referral services, including referral services for faculty and staff. A referral guide is sent to new faculty each year.

Outreach services include consulting with faculty, staff, RA's and administration on issues like student referrals, withdrawal from classes, conflict resolution, and employee assistance. We also serve on various campus committees.

Counseling and support groups on topics such as stress management, conflict management, test anxiety, procrastination, assertiveness training, communication in relationships, trust building and self-confidence, adult children of alcoholics and other dysfunctional families, co-dependency issues, gay and lesbian support, women's support, and men's support groups are offered each semester. Specific topics change from semester to semester depending on student demand and staff availability.

Educational programs and training include seminars such as communication skills, coping with college, conflict management, team building, leadership training, and alcohol and substance education, and are offered in the Center, in residence halls, for clubs and organizations, in classes, and in various departments.

More information is available at <http://www.unca.edu/StudentAffairs/CounselCenter/>.

### 8.6.2 Career Center

The Career Center, located in Weizenblatt Health Center, assists students in making decisions about majors, careers, and graduate study. Career counseling and testing is available by appointment. The Career Library houses information about careers, companies, internships, and graduate schools. Software packages are also available to assist in career planning, graduate school selection and resume writing. Job opportunities are promoted through full-time, part-time, and summer job listings. The Career Center is also responsible for coordinating the administration on campus of national testing programs like the GRE, Miller Analogies Test, LSAT, and others. Services are available to UNCA alumni(ae) as well.

More information is available at <http://www.unca.edu/career/>.

## 8.7 FORMS for Section 8.0

No forms for this section.

## 9.0 EXTERNAL RELATIONS POLICIES

### 9.1 Fund Raising

Fund raising activity must be coordinated through the Director of Development before an actual appeal is made to:

1. avoid conflicting solicitations and over solicitation of specific prospects;
2. increase internal communications regarding specific approaches to enhance the likelihood of successful requests;
3. increase the knowledge of University representatives (staff and volunteers) regarding a prospect's giving history with UNCA prior to making calls;
4. increase stewardship as a part of the solicitation process (e.g. thanking prospects for previous gifts prior to asking for additional contributions).
5. enhance the University's external image as a well-organized fund raising entity.

The Office of University Relations is responsible for issuing official acceptances of contributions on behalf of the University. This policy is not intended to discourage or limit letters of appreciation from various departments or programs to donors. Rather, its purpose is to ensure:

1. IRS regulations are followed, especially in terms of gifts-in-kind and gifts of real property (art, autos, land, etc.). The tax consequences of such gifts are the responsibility of the donor, and institutional personnel should not place a valuation on a gift;
2. any gift involving a future commitment (e.g. the awarding of a scholarship) on behalf of the University is done so with full internal coordination and communication;
3. contributions are properly recorded.

All donated cash and checks should be deposited on a daily basis through the Development Office to:

1. safeguard institutional funds from loss;
2. ensure accurate records of donors/gifts to the University;
3. ensure official acknowledgment to donors;
4. enable the Development Office to record the high and low for stocks on that day (the amount of charitable gift is the mean of these two figures on the date of the gift), and to begin a sale of the securities in consultation with the VCFA.

All corporate matching gift forms are to be sent to the Director of Development for execution according to rules set by the corporation or foundation for the employee match.

See [UNCA PPM #45](#) for more information.

### 9.1.1 Raffles

To conduct a legal raffle, an organization must have tax exempt status and it limited to two raffles per year. A campus organization does not have tax exempt status separate from UNCA and cannot sponsor a legal raffle without administration permission. Violation of this law [G.S. 105-130.11a] is a misdemeanor. Raffle prizes are limited to \$1,000 cash or \$25,000 in merchandise. At least 90% of the net proceeds must be used for nonprofit purposes. No one may be paid to conduct the raffle.

## 9.2 Grants and Contracts

The submission of proposals by faculty, staff, and students at UNCA for external funding is encouraged. Such activities are coordinated by the Office of Sponsored Research, a part of the Center for Teaching and Learning. Advance notice of submission is required. Please contact the Office of Sponsored Research or visit the web page for more information (<http://www.ctl.unca.edu/>, select link to "UNCA Sponsored Research").

Indirect costs are received by UNCA as a result of grant activity and are placed into the Overhead Receipts Fund. State regulations require that a portion of these funds be transferred to the Operating Fund as an offset to appropriations. The remaining funds may be budgeted and used by the institution as approved by the Office of State Management and Budget. Please contact the Office of Sponsored Research for more information (<http://www.ctl.unca.edu/>, select link to "UNCA Sponsored Research").

## 9.3 Umstead Act

This Act covers faculty providing services in competition with private enterprise. If a faculty member is providing services that might be in competition with private enterprise, they should contact the Office of the VCAA for more information.

## 9.4 Patent/Copyright Policy (revised by [SD3402S](#))

Forms are available from the Office of Academic Affairs.

## 1. General

- a. As defined by the Patent and Copyright Policies of the Board of Governors, to which these Procedures are expressly subject, The University of North Carolina has

- an interest in all inventions of University personnel that are conceived or first actually reduced to practice as part of or as a result of University research, activities within the scope of the inventor's employment by the University, and activities involving the use of University time, facilities, staff, materials, University information not available to the public, or funds administered by the University.
- b. The University may also have an interest in inventions under the terms of contracts, grants or other agreements. Faculty, staff, and students, whose inventions are made on their own time and without University facilities, materials, or resources and which inventions are, therefore, their exclusive property as specified by the Patent and Copyright Policies, may avail themselves of the opportunity to submit the invention to the University for possible patenting and/or commercial exploitation and management under terms to be agreed between the inventor and the University.
  - c. The provisions of the Patent Procedures are subject to any applicable laws, regulations or specific provisions of the grants or contracts which govern the rights in inventions made in connection with sponsored research.
  - d. Under the terms of certain contracts and agreements between the University and various agencies of government, private and public corporations and private interests, the University is or may be required to assign or license all patent rights to the contracting party. The University retains the right to enter into such agreements whenever such action is considered to be in its best interest and in the public interest. Ordinarily the University will not agree to assign rights in future inventions to private corporations or businesses.

## 2. Responsibilities of University Personnel

- a. University personnel who, either alone or in association with others, make an invention in which the University has or may have an interest shall disclose such inventions on forms provided for this purpose by the Office of the Vice Chancellor for Academic Affairs (Appendix A). The Office of the Vice Chancellor for Academic Affairs will promptly acknowledge its receipt of completed disclosure forms and will distribute such forms to the Intellectual Property Committee for consideration at its next meeting.

The Intellectual Property Committee will review each written disclosure promptly. The inventor or his or her representative shall be allowed to examine all written materials submitted to the Committee in connection with his or her disclosure and to make a written and, where practicable, oral presentation to the Committee. The Committee will decide on the proper disposition of the invention to secure the interests of the University, the inventor, the sponsor if any, and the public. Its decision may include, but is not limited to, one or a combination of the following:

1. To submit the disclosure for review by a patent or invention management firm.

2. To make inquiries of potential licensees that may have an interest in the invention, including the financing of a patent application, where applicable;
3. To study the practicality of applying for a patent with University resources (an option with limited application because of financial constraints);
4. In proper cases, to release its rights to the inventor subject to an agreement to protect the interests of the University, the sponsor if any, and the public, including an obligation to pay to the University a percentage of future royalties; and;
5. To dedicate the invention to the public.

Within four weeks of the receipt of the disclosure, the inventor will be notified in writing of the decision of the Committee on (1) the equities involved including financial participation, (2) whether the University will accept assignment of the invention for patenting, licensing and/or commercial handling as applicable. If the University chooses neither to file a patent application or otherwise make available commercially nor to dedicate to the public an invention in which it asserts its rights, the invention at the Committee's discretion may be released in writing to the inventor, with the permission of the sponsor, if any. If, after the University has filed a patent application, it decides to abandon the patent, the inventor will be promptly notified in writing, and all rights at the Committee's discretion may be released by written agreement to the inventor, with the permission of the sponsor, if any.

In those cases in which the University has obtained a patent without obligation to sponsors, if no arrangement has been made for commercial development within a reasonable period from the date of the issuance of the patent, the inventor(s) may request in writing a release of the University's plans for the development of the invention.

As to any invention in which the University has an interest, the inventor, upon request, shall execute promptly all contracts, assignments, waivers or other legal documents necessary to vest in the University or its assignees any or all rights to the invention, including complete assignment of any patents or patent applications relating to the invention.

- b. University personnel may not: (1) sign patent agreements with outside persons or organizations which may abrogate the University's rights and interests as stated in The Patent Policy or as provided in any grant or contract funding the invention, nor (2) without prior authorization use the name of the University or any of its units in connection with any invention in which the University has an interest.

### 3. Publication and Public Use

The University strongly encourages scholarly publication of the results of faculty and

student research. Though the Patent and Copyright Policies do not limit the right to publish, except for short periods of time necessary to protect patent rights, publication or public use of an invention constitutes a statutory bar to the granting of a United States patent for the invention unless a patent application is filed within one year of the date of such publication or public use. Publication or public use also can be an immediate bar to patentability in certain foreign countries.

In order to preserve rights in unpatented inventions, it shall be the duty of the inventor, or of his supervisor if the inventor is not available to make such report, to report forthwith to the Vice Chancellor for Academic Affairs any publication, submission of manuscript for publication, sale, public use, or plans for sale or public use, of an invention, if a disclosure has previously been filed. If an invention is disclosed to any person who is not employed by the University or working in cooperation with the University upon that invention, a record shall be kept of the date and extent of the disclosure, the name and address of the person to whom the disclosure was made, and the purpose of the disclosure.

After disclosure to the Intellectual Property Committee, the inventor shall promptly notify the Vice Chancellor for Academic Affairs of the acceptance for publication of any manuscript describing the invention or of any sale or public use made or planned by the inventor.

#### 4. Inventor Requests for Waiver of University Rights

If the inventor believes that the invention was made outside the general scope of his University duties, and if he does not choose to assign the rights in the invention to the University, he shall, in his invention disclosure, request that the Intellectual Property Committee determine the respective rights of the University and the inventor in the invention, and shall also include in his disclosure information on the following points:

- a. The circumstances under which the invention was made and developed;
- b. The employee's official duties at the time of the making of the invention;
- c. Whether he or she requests waiver or release of any University claims or acknowledgment that the University has no claim;
- d. Whether he or she wishes a patent application to be prosecuted by the University, if it should be determined that an assignment of the invention to the University is not required under the Patent and Copyright Policies; and
- e. The extent to which he or she would be willing voluntarily to assign domestic and foreign rights in the invention to the University if it should be determined that an assignment of the invention to the University is not required under the Patent and Copyright Policies.

#### 5. Revenue Sharing

- a. The University shall share revenue which it receives from patents or inventions with the inventors. As noted in Section A.4, specific provisions of grants or contracts may govern rights and revenue distribution regarding inventions made in connection with sponsored research; consequently, revenues the University receives from such inventions may be exclusive of payments of royalty shares to sponsors or contractors. Moreover, the University expects to contract with outside persons or organizations for the obtaining, managing and defending of patents, and any royalty shares or expenses contractually committed to such persons or organizations may be deducted before revenues accrue to the University.
- b. The revenues (net, if applicable per the preceding paragraph) which the University receives from a patent or invention will be applied first to reimburse the University for any incremental expenses incurred by it in obtaining and maintaining patents and/or in marketing, licensing and defending patents or licensable inventions. After provision for such expenses, the inventor's share of such revenues received by the University shall be as follows: 50% of the first \$25,000, 35% of the next \$25,000, 20% of the next \$25,000, 15% thereafter. In the case of co-inventors, each such percentage share shall be subdivided equally among them, unless the University in its sole discretion determines a different share to be appropriate. Applicable laws, regulations or provisions of grants or contracts may, however, require that a lesser share be paid to the inventor. In no event shall the share payable to the inventor or inventors in the aggregate by the University be less than 15% of gross royalties received by the University.
- c. To the extent practicable and consistent with State and University budget policies, the remaining revenue received by the University on account of an invention will be dedicated to research purposes, including research in the inventor's department or unit, if approved by the Chancellor upon recommendation of the University Intellectual Property Committee.

## 6. Administration

- a. The University recognizes that the evaluation of inventions and discoveries and the administration, development and processing of patents and licensable inventions involves substantial time and expense and requires talents and experience not ordinarily found in its staff; therefore, in most cases it expects to contract with outsiders for these services. It may enter into a contract or contracts with an outside organization covering specific inventions or discoveries believed to be patentable and patents developed therefrom, or covering all such inventions, discoveries and patents in which the University has an interest.
- b. The Intellectual Property Committee (IPC) reports to the VCAA and shall have such responsibilities as the Chancellor may specify concerning copyrights and patents, including but not limited to the following duties:

- Propose to the appropriate advisory and governing bodies revisions to UNCA's policies on the use of copyrighted materials (e.g., classroom distribution of photocopies, web site content, online service provider exemptions, under the Digital Millennium Copyright Act) and the ownership of intellectual property.
- Recommend to the VCAA a continuing program to educate UNCA faculty, staff and students about the use of intellectual property.
- When new guidelines become available from the UNC system, propose to the appropriate advisory and governing bodies' revisions to UNCA's policies on the use of copyrighted materials and the ownership of intellectual property.
- Monitor developments in intellectual property law as it relates to changes in instructional and communications technology in order to propose to the appropriate advisory and governing bodies' revisions to UNCA's policies on the use of copyrighted materials and the ownership of intellectual property.
- Carry out duties previously ascribed to the UNCA Patent Committee in section 9.4 of the *UNCA Faculty Handbook*.
- Provide advice to UNCA personnel concerning interpretation of UNCA intellectual property policies and procedures.

#### Membership:

The Faculty Welfare and Development Committee shall nominate faculty members to the Faculty Senate for staggered three-year terms. Terms are renewable. The Committee shall be constituted as follows:

- UNCA faculty
  - Humanities (1)
  - Sciences (1)
  - Social Sciences (1)
- *Ex Officio*:
  - Dean of Faculty
  - Director, Computer Center
  - Director, Special Academic Programs
  - Director, University Printing
  - Director, University Publications
  - University Librarian

*Ex Officio* and appointed positions shall each have one vote on the overall committee.

## 7. Copyright Procedures

- a. As a general rule, all rights to copyrightable material are the property of the creator. The distribution of royalties, if any, is a matter of arrangement between the creator and his publishers or licensees. Different treatment may be accorded by the institution in case of specific contracts providing for an exception, in cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work, where different treatment is deemed necessary to reflect the contribution of the institution to the work, as in the case of software or audiovisual material, or where a sponsored agreement requires otherwise.
- b. An institute, center, or other unit of the University that is itself a publisher and that engages faculty members and other employees to write for publication by that unit as a part of their professional duty or produce other copyrightable materials, such as audiovisual materials or computer software, may, subject to the approval of the Chancellor, adopt rules providing that copyright in materials prepared by such faculty members and other employees in the course of their professional work for that unit vests in the unit and not in the author.

### 9.5 Political Activity (see [Section 13.2.5](#))

### 9.6 Publicity for Faculty Activities

The Office of Public Information is responsible for publicizing faculty activities such as awards and honors, grants, and publications through University Publications and new releases to area media. Faculty may submit activities for publicity via email to [mepstein@unca.edu](mailto:mepstein@unca.edu).

### 9.7 University Research Relations with Private Enterprise and on Publication of Research Findings ([UNCA PPM #37](#))

### 9.8 FORMS for Section 9.0

No forms for this section.

## 10.0 COMMITTEES AND SERVICE APPOINTMENTS

### 10.1 Governance

The faculty have a tradition of influence and involvement in governance and decision making at UNCA. The structures through which faculty participate in decision making include: the UNCA Faculty Senate; the University Planning Council; the Council of Chairs and Directors; elected committees; appointed standing committees; and other appointments/assignments. All full-time faculty can expect to serve on one or more of these bodies. Faculty are encouraged to register their professional judgments through these groups as the task of delivering educational services to our students and managing the institution is a joint effort of faculty, administration, staff and students.

#### 10.1.1 University Planning Council (UPC) (revised by [SD4201S](#))

Working with the University Planning Officer, the University Planning Council is the institutional body charged with coordinating campus-wide planning and budget activities and for formulating recommendations to the Faculty Senate, the Chancellor and appropriate Vice Chancellors.

##### Duties

- \* Evaluate proposals for new degree programs or minors, or elimination of such programs, and develop recommendations to the Faculty Senate and the Administration.
- \* Assist in development and implementation of the University planning cycle.
- \* Participate annually in the setting of University budget objectives and allocations.
- \* Participate in the review of University mission and goals.
- \* Meet periodically with the appropriate committee of the Board of Trustees to discuss University planning and goals.
- \* Receive and review recommendations from the Institutional Effectiveness Committee.

##### Membership

- \* 4 members of Faculty Senate (IDC)
- \* 4 faculty members appointed by VCAA (for staggered 3-year terms)
- \* Vice Chancellor for Academic Affairs, or his/her appointee
- \* Vice Chancellor for Administration and Financial Affairs, or his/her appointee
- \* Vice Chancellor for Student Affairs, or his/her appointee
- \* Vice Chancellor for University Relations, or his/her appointee

- \* University Planning Officer (permanent member)
- \* 1 CSAC member appointed by the Chancellor
- \* 1 student (junior or senior) and 1 alternate (sophomore, junior, or senior) appointed by the VCSA  
(Vice Chancellor for Public Partnerships and Special Projects no longer exists.)

The Chair of IDC will serve as the Chair of UPC. The University Planning Officer will serve as the Vice Chair.

Recommendations to: Chancellor

10.1.2 Council of Chairs and Directors (revised 12/4/99 by action of chairs/program directors, endorsed by VCAA)

### Purpose

The Council of Chairs and Program Directors advises the Vice Chancellor for Academic Affairs on matters of academic administration, including the allocation of faculty positions and budgets, and communicates to the Vice Chancellor for Academic Affairs, and to the Faculty Senate as appropriate, matters of concern to Department Chairs and Program Directors.

In addition the Council provides a means for discussing matters of concern to Department Chairs and Program Directors through its own meetings and meetings it may call for all Department Chairs and Program Directors. In support of this purpose, the six members the Council annually elect a Chair and a Vice Chair to preside over these meetings.

### Membership

The Council of Chairs and Directors has six members, two each from the divisions of Humanities, Natural Sciences, and Social Sciences. All members are elected and every Department Chair or Program Director is eligible for election. Two members, who serve three-year terms, are elected each year. Following the completion of a three-year term, a Department Chair or Program Director may not be reelected to the Council for a period of one year.

### Regular meetings

Meetings of the Council of Chairs and Program Directors with the Vice Chancellor for Academic Affairs should occur once a month, usually the second Monday of each month, during Fall and Spring semesters. Council meetings follow regular meetings of the Department Chairs and Program

Directors so that broad discussion of issues precedes Council deliberations on those issues. Regular meetings are scheduled by the Office of Academic Affairs and led by the Vice Chancellor for Academic Affairs or designee. Regular meetings are orchestrated as follows:

1. The Council of Chairs/Program Directors requests agenda items from all Department Chairs and Program Directors two weeks before each regular meeting and submits those items to the Office of Academic Affairs.
2. The Office of Academic Affairs compiles the agenda, adding items as appropriate. Items for substantive deliberation are placed first on the agenda. Announcements, informational presentations, etc are placed at the end and are covered as time permits.
3. The Office of Academic Affairs distributes agenda, with relevant attachments and handouts, to all Department Chairs and Program Directors no later than three weekdays before each regular meeting.
4. Subsequent to each meeting, the Office of Academic Affairs distributes minutes to all Department Chairs and Program Directors within one week of the meeting.

#### Additional meetings

Additional meetings of the Council of Chairs and Directors may be scheduled either by the Office of Academic Affairs or by the Council itself. Such meetings, insofar as possible, employ the same procedures regarding agenda and minutes as specified for regular meetings.

1. When called by the Office of Academic Affairs, meetings are led by the Vice Chancellor for Academic Affairs or designee.
2. When called by the Council of Chairs and Program Directors, meetings are led by the Chair of the Council or the Vice Chair in the event of absence.

#### 10.1.3 Faculty Senate (see also [Section 10.2.2](#))

The UNCA Faculty Senate is empowered to act as the legislative body of the faculty. See 14.1 for the complete text of the Constitution of the Faculty Senate. Senate Committees include: Executive, Academic Policy, Institutional Development, Faculty Welfare and Development Senate action is reported to the faculty and forwarded to the Chancellor or the VCAA. The Chancellor must approve all policy proposals and new programs from the

Faculty Senate and the VCAA approves all course proposals. Faculty may discuss, amend, endorse or veto any Senate action as prescribed in Article II, Section 1, of the Senate Constitution.

#### 10.1.3.1 Requirement for Two Readings of All Matters of Policy ([SD0288F](#))

Motions involving matters of policy shall be proposed in writing to the Faculty Senate one meeting in advance of their consideration. A two-thirds vote of the members present will be required in order to propose and consider a motion regarding a matter of policy during a single meeting.

#### 10.1.3.2 Computerized Senate Document System

Senate documents and minutes are available for review on the web through the UNCA Home Page ([www.unca.edu](http://www.unca.edu)). Faculty may access the document system by clicking on "For Faculty and Staff," then scrolling down to the Faculty Senate link on the following page. The link to the index of documents and minutes appears near the bottom of this page under the heading "Senate Information."

The system is "read-only"; documents may be read, but not altered. The official documents remain the originals with the signatures of the Senate Chair and VCAA or Chancellor. Documents and minutes beginning with the 1977-1978 academic year have been entered into the system. Documents from earlier years will be entered as time allows.

The coding of Senate documents is explained below using SD0492F as an example:

"SD" is Senate document.

"04" is document number 4.

"92" is the year.

"F" is Fall semester

(Older documents may lack a semester code.)

## 10.2 Committees Elected by the Faculty

As directed by The Code, UNCA Tenure Policies and Regulations, various policy statements, and terms of specific gifts to UNCA the faculty annually elects members to the

committees described in this section.

### 10.2.1 Election Procedures

- a. A ballot shall be made up of persons eligible at the time the ballot is set. The only exceptions shall be retirements, resignations and temporary assignments. The VCAA shall inform the Secretary of the Senate of retirements, resignations, faculty leaves, exchanges, or off-campus scholarly assignments formally accepted or approved as of February 1 of the year elections are to be held. Those faculty who shall be absent for part or all of the next academic year shall be removed from the ballot. Faculty members returning from leave, exchanges, or off-campus scholarly assignments for the beginning of the next academic year shall be placed on the ballot. Faculty members who have had temporary non-teaching assignments and shall be resuming primary teaching responsibilities in the Fall of the next academic year shall also be placed on the ballot. Any questions of eligibility shall be resolved by the Executive Committee of the Senate.
- b. Continuing Hearings Committee members shall not be eligible for the Tenure Committee.
- c. Faculty serving full terms on the Tenure Committee or Hearings Committee or Grievance Committee cannot be re-elected in the final year of their term. Members serving less than a full-term will be eligible for re-election.
- d. If a vacancy should occur on the Tenure Committee, Hearing Committee, or any other elected committee, the vacancy shall be filled by the faculty member who was runner-up in the appropriate category.

Addition from [SD0889F](#)

- e. Members of standing committees elected by the Senate shall be elected at the organization meeting of the new Faculty Senate at the end of the academic year. Committees included in this policy are the University Research Council, University Teaching Council, and other standing committees for which Senate elects members. To facilitate this policy, a committee preference form should be completed by each faculty member in the spring to assist in determining faculty preferences for election or appointment to standing committees.

Additions from [SD2682](#)

- f. If an error is discovered on a circulated ballot, such error must be called to the attention of the Executive Committee prior to the official announcement of the election results. The Executive Committee shall judge whether or not the error is of sufficient magnitude to require the distribution of a new ballot. Once announced, the result of the election is final.
- g. The members of the Faculty Welfare Committee shall serve as Tellers in all elections. At least two members shall be present to count and sign the tally sheet.
- h. The signed tally sheets shall be a permanent part of the Senate's records.
- i. Tally sheets may be inspected upon request by any member of the Faculty.
- j. Write-in candidates are not allowed.
- k. A ballot marked for fewer than the maximum number of allowable votes shall be valid.

Added by SD2682, Revised by [SD1000F](#)

- l. In order to conform to the Tenure Policies and Practices of the University, the Committee of the Tenured Faculty, the Post-Tenure Review Committee, the Faculty Committee on Hearings, and the Faculty Grievance Committee shall be elected in said order. These elections shall be completed not later than April 15 of each year.

Additions from [SD1401S](#)

- m. The ballot for each election will be a web page accessible to faculty for a one week voting time period. Access to this web page will require authentication.
- n. No records will kept linking individuals to their specific vote.
- o. Access to the computer files used to tally and administrate the elections will be restricted to members of FWDC and Administrative Computing. These files will not be viewed during the voting period unless there are extenuating circumstances. In such a case, the Senate Executive Committee will be notified.
- p. Election software and web pages will be maintained by Administrative Computing in cooperation with the FWDC.
- q. FWDC will announce the elections using the official UNCA faculty email address, once prior to the voting period and twice during each voting period.
- r. After the closing of the voting period, a copy of the tally file will be

printed, signed by two FWDC members, and kept by the Secretary of the Faculty Senate.

- s. After the closing of the voting period, a record will be kept containing information on anyone who has viewed the tally file during the voting period. All entries on this file will be investigated by FWDC and reported to the Senate Executive Committee.
- t. A member of FWDC will be designated to trouble shoot problems during each election period. This FWDC member's name, phone number, and email address will be listed on the election web page.

## 10.2.2 Faculty Senate

The Senate consists of fifteen faculty members, each serving a three year term, with five new members elected each year to replace those whose terms are expiring. At its organization meeting in the late spring of each year, the Senate shall elect from its members, a Senate Chair and a Chair for each of its standing committees. Remaining Senate members will be appointed to these standing committees by the Senate Executive Committee. See [Section 14.1](#) for the Faculty Senate Constitution.

### 10.2.2.1 Executive Committee (EC)

EC is concerned with the senate agenda, appoints members to all senate committees, supervises faculty elections, and consults on matters pertaining to the faculty. In addition, the the Chancellor consults with the EC on the selection of honorary degree recipients ([SD0600F](#)). Membership includes Chair of the Senate, Chair of APC, Chair of IDC, and Chair of FWDC. Each of the Chairs is elected by the members of the Faculty Senate.

### 10.2.2.2 Academic Policy Committee (APC)

APC has responsibility for developing institutional policy and procedures in academic matters. There are seven Faculty Senate members on APC; the VCAA and Registrar, or their designees, sit with the committee ex officio (without vote). The Chair of APC is First Vice Chair of the Faculty Senate. Information on APC's role in curricular changes is found in [Section 5.4.1](#). APC's involvement in the development of new programs is found in [Section 5.4.2](#).

### 10.2.2.3 Institutional Development Committee (IDC)

IDC has concern for policy, planning and initiatives in those areas of institutional development where faculty involvement is proper and sits on The University Planning Council. There are four Faculty Senate members on IDC. The Chair of IDC is Second Vice Chair of the Faculty Senate. Information on IDC's role in development of new academic programs is found in [Section 5.4.2](#).

#### 10.2.2.3.1 Institutional Effectiveness Committee (revised by [SD4301S](#))

The Institutional Effectiveness Committee serves as an advisory group for UNCA's Institutional Effectiveness process.

#### Duties

- \* The periodic review and, if necessary, revision of the Institutional Effectiveness process, procedures and reporting format.
- \* Providing advisory services on assessment and planning to any administrative or academic unit.
- \* Providing a forum for the sharing of assessment techniques and practices.
- \* Providing assessment information, as appropriate, to the University Planning Council for its use in reviewing institutional-level goals.
- \* Raising campus consciousness about the importance of assessment.

Though the department self-study process has been replaced with the Departmental Effectiveness reports, departments that wish to conduct a comprehensive self-study, make major changes in curriculum or organization, and use external consultants, can conduct these activities on a voluntary basis. IEC may recommend to UPC that a department conduct a comprehensive self-study.

#### Membership

The committee will be composed of six members, one of whom will be permanent based upon his/her regular duties and connection to assessment efforts. (VC for Public Partnerships no longer exists.) The members are as follows:

- \* Director of Institutional Research
  - \* Administrative representative appointed by Vice Chancellor for Academic Affairs
  - \* Administrative representative appointed by Vice Chancellor for Administration and Financial Affairs
  - \* Administrative representative appointed by Vice Chancellor for Student Affairs
  - \* Administrative representative appointed by Vice Chancellor for University Relations
  - \* One member of the Faculty Senate
- Institutional Development Committee (Chair)

#### Membership Terms

The Director of Institutional Research is a permanent member. Administrative representatives are appointed for staggered three-year terms. The Faculty Senate member is appointed annually by the Institutional Development Committee.

#### 10.2.2.4 Faculty Welfare and Development Committee (FWDC)

FWDC has concern for faculty study, research, and attainment of professional goals, as well as compensation and working environment. There are three members of FWDC. The Chair of FWDC is Secretary of the Faculty Senate.

#### 10.2.3 Committee of the Tenured Faculty (CTF)

##### Purpose

The CTF's mission is to consult with the VCAA, on call, in cases requiring decision on reappointment, promotion, and the conferral of permanent tenure.

##### Membership

CTF elects its own Chair. CTF shall be composed of two tenured full or associate professors from each of the areas of Humanities, Sciences, and Social Sciences; no more than one member may come from any subject-matter department. Members of the Faculty Committee on Hearings may not serve on the CTF. Election to the committee shall be for a term of two years. Members may not succeed themselves. New members formally replace outgoing members on the date of the first faculty meeting of the school year.

Election to this committee is specified by Section VIII-A of UNCA Tenure Policies and Regulations (see [Section 14.2](#)).

Recommendations to: the VCAA

#### 10.2.4 Faculty Committee on Hearings (FCH)

##### Purpose

The committee's mission is to conduct hearings as specified in Chapter Six of The Code. (see [Section 13.1.1](#))

##### Membership

Two tenured faculty members from each of the areas of Humanities, Sciences, and Social Sciences; only one member may come from any subject-matter department. Members of the Committee of the Tenured Faculty may not serve on this committee. Election to the committee shall be for a term of two years. Members may not succeed themselves. New members formally replace outgoing members as of the date of the first faculty meeting of the school year.

This committee is to be elected as specified by Section VIII-B of UNCA Tenure Policies and Regulations (see [Section 14.2](#)).

#### 10.2.5 Faculty Grievance Committee (FGC)

##### Purpose

FGC's mission, as specified in Section 607 of The Code, is to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty. "Grievances" within the province of the committee's power shall include matters directly related to a faculty member's employment status and institutional relationships within this institution. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge, termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by

this committee. The committee may hear a grievance relative to appropriate procedures in reappointment and tenure decisions. See [Section 3.6](#) for Grievance Committee Procedure.

The committee's power shall be solely to hear representations by the persons directly involved in a grievance, to mediate voluntary adjustment by the parties, and to advise adjustment by the administration when appropriate. Advice for adjustment in favor of an aggrieved faculty member may be sent to the Chancellor only after the department Chair or other administrative official most directly empowered to adjust the matter has been given similar advice and has not acted upon it within a reasonable time.

If any faculty member feels that he has a grievance, he may petition the Faculty Grievance Committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and against whom the grievance is directed. The petition shall contain any information that the petitioner considers pertinent to his case. The committee shall decide whether the facts merit a detailed investigation so that submission of a petition shall not result automatically in an investigation or detailed consideration of the petition.

#### Procedure

See [Section 3.6](#)

#### Membership

Two faculty members at the professor rank, two members at the associate professor rank, and two members at the assistant professor rank. Only one member may come from any subject-matter department. No officer of administration shall serve on the committee. For purposes of this section, officers of administration shall be deemed to include department chairs. Members of the Committee of the Tenured Faculty and members of the Faculty Committee on Hearings may not serve on this committee.

This committee is to be elected as specified by Section VIII-C of UNCA Tenure Policies and Regulations (see [Section 14.2](#)).

### 10.2.6 Post-Tenure Review Committee (revised by [SD1000F](#))

#### Purpose

The Post-Tenure Review Committee (PTRC) is an elected faculty committee charged with the responsibility of carrying out the intent and purpose of Post-Tenure Review as articulated in [Section 3.7](#). The functions of the PTRC are

to ensure continuing quality of performance and professional growth of senior faculty (defined as tenured faculty at any rank who teach at least one-half time); to provide constructive feedback to senior faculty regarding professional growth; to serve in an advisory capacity to the VCAA in matters pertaining to actions taken as specified in the policy on Post Tenure Review.

### Membership

The PTRC will consist of four eligible faculty members (see next section for eligibility criteria), one selected from each of the university's three divisions, and a fourth member who holds the highest number of votes after the first three members are selected. Members will serve two-year terms. Members may not succeed themselves. No more than one member may come from any one academic department. New members formally replace outgoing members on the date of the first faculty meeting of the academic year.

Each year the Faculty Senate will conduct an election by which the voting faculty shall elect two new members to replace outgoing committee members. Members will first be elected from any division lacking a representative. If an opening remains after all divisions are represented, the remaining highest vote-getter will be elected.

The Post-Tenure Review Committee elects its own Chair. The Chair is responsible for maintaining committee records and passing those records to the next duly elected Chair of the PTRC. The permanent file for PTRC records is maintained in the Office of Academic Affairs.

A member of his or her own department may not review a person coming up for Post Tenure Review. A member of the PTRC who is from the same department as a person under review will be excused from discussions and will not participate in the review of a departmental colleague.

### Eligibility

To be eligible to serve on the PTRC a person must:

1. be a current, tenured full-time member of the UNCA faculty,
2. have served as a full-time member of the UNCA faculty for at least five years, and
3. not be a member of either the Committee of the Tenured Faculty, the Faculty Committee on Hearings, or the Faculty Grievance Committee.

Faculty who are scheduled to be reviewed within the next two years will be removed from the PTRC ballot. ([SD1098F](#))

### Challenge

If a person scheduled for Post Tenure review feels there is a conflict of interest between themselves and a member of the PTRC, he or she may submit a written petition to the Vice Chancellor for Academic Affairs for a ruling on the challenge. The VCAA is to respond to the petition within three weeks from the date of receipt of the petition. The VCAA's decision is binding.

### Recommendations to: the VCAA

10.2.7 Academic Appeals Board (AAB) (amended by [SD1990S](#)) (formerly 10.3.1)

### Purpose

The Academic Appeals Board hears unresolved grievances filed by students who feel he/she has been treated unfairly or improperly in an academic matter by a faculty member of this University.

### Procedure

The Faculty Conciliator is the person a student must contact in order to file a grievance (see [Section 10.3.3](#)). A quorum of AAB shall consist of five members, including no fewer than two students and three faculty members. AAB members are necessarily excluded from deliberations in which:

1. the Board member is related to one of the two principals,
2. the Board member is a departmental colleague of one of the principals,
3. the Board member is currently enrolled in a course taught by one of the principals,
4. the Board member is one of the two principals involved.

All questions of scheduling and satisfying deadlines shall be adjudicated by the Chair of the AAB. All records of the AAB's deliberations shall be kept in a file maintained and preserved by the Chair of the AAB.

### Membership

- \* four faculty members, elected at large by the faculty from a list of no fewer than seven nominees provided by the Faculty Senate,
- \* three students plus one alternate elected by the Student Government Association (SGA) and
- \* the Faculty Conciliator.

The four faculty elected to AAB by the faculty shall serve a two year staggered term; they may be elected to serve a second term; they may not be

elected to a third term until they have been off the Board for at least two years. An effort should be made to provide for representation from the three academic divisions. Alternates shall serve a one year term and a new alternate elected each year. Student members of the AAB and the Faculty Conciliator shall each serve a term of one year. The Faculty Conciliator may not serve more than three consecutive terms.

A Chair and a secretary of the AAB shall be elected from and by the faculty members on AAB. The AAB shall be chosen in the spring and will serve from the beginning of the fall semester through the following summer.

### 10.3 Committees Whose Members Are Elected by Faculty Senate

10.3.1 Distinguished Scholars Committee (revised by [SD5500S](#)) (formerly 10.3.2)

#### Purpose

1. To select the Highsmith Distinguished Visiting Scholar and to arrange for the residency.
2. To make a nomination to the Chancellor annually or when advisable for a recipient of the Oliver Max Garner Award, a distinction granted yearly by the Board of Governors to that faculty member on one of the sixteen campuses who has "made the greatest contribution to the welfare of the human race" during the year.
3. To consider sponsorship of other scholars who may from time to time be available for temporary university duties.

#### Membership

- \* four full professors elected by Faculty Senate from the faculty at large
- \* three faculty members drawn from the full-time teaching faculty, one from each division, appointed by the Chancellor.

Terms of office are for two years. Service on the committee begins at the first faculty meeting of the fall semester and runs to the same time of the following year.

#### Reporting

The committee shall report to the Senate and the VCAA annually, and shall deposit copies of any minutes in the Senate files.

Recommendations to: Chancellor

### 10.3.2 Minority Affairs Commission (formerly 10.3.3)

#### Purpose

1. To formulate goals, policies and immediate actions which directly and effectively improve the quality of minority life on the UNCA campus for both faculty and students.
2. To develop and to monitor policies which seek a steady growth in the proportion of minority students and faculty.
3. To develop the mechanisms which ensure equal opportunities and recognition for achievement among minority faculty and students.
4. To develop policies which ensure that minority students are monitored and advised to promote academic success.
5. To provide assistance to faculty search committees to enable such committees to aggressively recruit minority faculty.
6. To provide information to chairmen and to the Vice Chancellor for Academic Affairs concerning the evaluation of the professional activities of minority faculty.
7. To develop plans and immediate actions which ensure more effective and productive involvement of UNCA with the Asheville minority community.
8. To otherwise address areas of concern to minority faculty and students.
9. To advise and consult with the Affirmative Action Officer in all matters relating to Affirmative Action.
10. To report annually to the University community on the status of minorities at UNCA.

#### Membership

- \* Chair of the Faculty Senate to serve concurrently with his/her term as Senate Chair.
- \* Two faculty elected by the Senate (at least one of whom must be a minority) to serve two-year renewable, rotating terms.
- \* Two faculty appointed by the VCAA (at least one of whom must be a minority) to serve two year renewable, rotating terms.
- \* Two minority students appointed by the VCSA to serve one year renewable terms.
- \* Vice Chancellor for Academic Affairs, ex officio.
- \* Vice Chancellor for Student Affairs, ex officio.
- \* Affirmative Action Officer, ex officio, ex officio.
- \* Coordinator of Multi-Cultural Student Programs, ex officio.
- \* Director of Minority and Diversity Affairs, ex officio. ([SD5000S](#))

The chair is to be elected by the Commission from the minority faculty representation. Members of the commission are to be selected prior to April 15 of each year for terms to begin with the next academic year.

Recommendations to:

1. Legislative requests are reported directly to the executive committee of the Faculty Senate. As a matter of courtesy, these requests are also sent to the VCAA.
2. Administrative requests are reported to the VCAA for action. As a matter of courtesy, these requests are also sent to the Chair of the Faculty Senate.

Reports to: the VCAA10.3.3 Faculty Conciliator and Alternate ([SD2695S](#)) (formerly 10.3.4)Selection

The Faculty Conciliator is chosen by SGA from a list of four full-time faculty members submitted by the Faculty Senate. SGA selects one of the nominees as Alternate Conciliator should the circumstances of a specific situation make the involvement of the Conciliator impractical. Because of the personal nature of some of the grievances and the potential for injured feelings and hostility, only tenured faculty are eligible to have their names submitted to SGA for the position.

Both the conciliator and the alternate serve one year terms with the alternate assuming the position of conciliator in the subsequent year. A new alternate is chosen at the end of each spring semester; accepting the nomination as Alternate Conciliator means a two-year commitment to the process. Terms of service begin at the start of the fall semester continue through the following summer. The Faculty Conciliator is an ex officio non-voting member of the Academic Appeals Board.

Purpose

The job of the Faculty Conciliator is to hear student grievances, to try to resolve them at the earliest stage consistent with fairness to all parties, and to guide the student through the later stages of the grievance procedure if conciliation proves impossible. Consistent with justice, it should be the aim of the Conciliator to resolve as many cases as possible without going to the Academic Appeals Board.

Procedures

To accomplish this, the Conciliator may need to investigate the facts of a grievance presented by a student. Also, in the normal course of the grievance procedure, the Conciliator will need to meet with the faculty member against whom the grievance is brought, and in some cases, with that member's

departmental chair or program director. The Conciliator has the right and responsibility to determine the sequence of and extent to which student, faculty member, and department chair are consulted prior to initiating the formal sequence of events which lead to an Academic Appeals Board hearing. This does not relieve the Conciliator of following the requirements of the formal grievance procedure but does allow the flexibility required to attempt to resolve the conflict prior to that final step. Since appropriate conciliation will require discussing issues that would normally fall under the protection of student confidentiality, students must be apprised of this fact at the beginning of the process and must sign a waiver stating they understand the responsibilities of the Conciliator regarding their rights to confidentiality. (This waiver will also point out that information pertaining to the grievance will be held in confidentiality on a need to know basis, and the circle of those who "need to know" may broaden.)

In all of these events, the Conciliator is not acting as an advocate for the student or the faculty member, but as a presenter of the student's case, and a seeker of a fair and acceptable outcome for all parties without having to resort to a formal Academic Appeals Board hearing.

#### Procedural Guidelines for the Conciliator

A. Confidentiality is essential in grievance procedures but is difficult to achieve when many parties are involved. The Conciliator should not divulge the names of students who bring a grievance nor of the faculty members against whom the grievance is brought nor the nature of the grievance, except insofar as is required to aid in the resolution of the grievance. Both the student and the faculty member are expected to function under the same restrictions.

B. Because of the time restrictions on the grievance procedures, the Conciliator should make immediate notes on the date of the first contact with the student and during any follow-up contacts. This log of events during the process should include only the date and the action taken on that date. These notes may become critical in determining whether or not procedural guidelines were followed. They will also serve as the basis for the required annual report to the VCAA.

C. The Alternate Conciliator may be called to serve in the event of the Conciliator's unavailability or if a conflict of interest occurs. The Alternate should be brought into the conciliation process early in the semester, at least to the point of periodic consultations about the generalities of case problems, procedures and any cases that might be expected to carry over into the Alternate's term of duty as Conciliator.

D. The student has 15 class days after the start of the new semester to bring to the Conciliator grievances about grades and 15 class days after an event to bring grievances about faculty behavior. The Conciliator then has 10 class days to attempt to resolve the dispute before initiating a formal Academic Appeals Board hearing. In extraordinary circumstances, the Conciliator shall have the right to request that the Academic Appeals Board hold a hearing to override the existing time guidelines in order to effectively deal with a problem. The Academic Appeals Board will determine if a time extension is appropriate.

E. The Conciliator provides an annual report to the VCAA of all cases heard and the names of the parties involved. This is important as a means to identify possible patterns of abuse or repetitive patterns of misconduct either by a faculty member against students or by a particular student towards various faculty members. The VCAA will have the discretion to decide if this information should be available for tenure, promotion, and reappointment decisions for faculty and student judicial hearings for students.

Reports to: the VCAA

#### 10.3.4 Feldman Professorship Review Committee (formerly 10.3.5)

##### Purpose

Each year the full-time, ranked faculty of UNCA shall select two of its members for receipt of the Ruth and Leon Feldman Professorship Fund prize. This award will honor those faculty who have excelled in one or both of the following fields:

1. Demonstrated competence in the areas of teaching, research and published writings, and
2. Service to the community and to UNCA.

##### Membership ([SD2990S](#))

Six full-time faculty serving two year staggered terms that run from September 1 to August 3. Three new members shall be selected each year: one from FWDC, one from URC, and one from UTC. Chairs of these respective committees shall consult to assure all the broad academic areas are represented. Members of the review committee shall elect their own Chair. In making its decision, the review committee shall be free to consult with students, community people, or others who may assist the committee in making its decision.

##### Procedures

The faculty shall be invited by the Senate to submit written and signed nominations by March 1 ([SD0988F](#)) specifying the past accomplishments which recommend an individual's nomination. These nominations shall be in keeping with the terms of the Feldman fund.

Nominations shall be reviewed by the Ruth and Leon Feldman Professorship Fund Committee. In making its decision, the review committee shall be free to consult with students, community people, or others who may assist the committee in making its decision. In addition, nominations received during previous years as well as candidates from within the committee deliberations may be included in the review.

After its decision, which shall be kept confidential until the public announcement, the review committee, no later than May 1, shall inform the VCAA, who shall make arrangements for bestowing the award at the final spring faculty meeting. Recipients of the award will be listed in the UNCA catalog in a section describing the Ruth & Leon Feldman Professorship Fund.

Reports to: the VCAA

10.3.5 University Research Council (URC) (Revised by [SD0981F](#)) (formerly 10.3.6)

#### Purpose

1. To encourage and facilitate participation in academic research and professional communication of that research on the part of all members of the UNCA faculty.
2. To encourage and facilitate participation in institutional research and development programs when such programs transcend the normal research and development activities of institutional or administrative offices.
3. To aid faculty members and administrators in identifying sources of funds.
4. To serve as an advisory board regarding guidelines for all grant proposals, especially those which involve continuing matching funds on the part of the institution.
5. To advise the administration on matters relevant to the encouragement and support of university research.
6. To award intramural funds for research as they may become available.
7. To participate in the selection process, including formulation of job description and hiring criteria, for personnel involved in fund raising or grantsmanship of such a nature as to be of concern to this council; and to

provide continued input regarding the responsibilities and activities of such personnel.

### Membership

Five members of URC shall be faculty, with one representative from each of the following: (i) the arts, (ii) professional programs (management and accounting, education, physical education), (iii) the humanities, (iv) mathematics and the sciences, and (v) the social sciences. These members shall be recommended by the Chair of the Faculty Senate subject to the approval of the Senate. The term of appointment shall be for two years.

Three members of URC shall be administrators, including the Director of Special Academic Programs, and two persons shall be appointed by the Chancellor. One of these appointments shall be from the area of Academic Affairs and the other from Student Services. These two members shall be appointed for a one-year term. The officers of URC will be Chair and Secretary, with the usual responsibilities of each position. They will be elected by the Council on an annual basis.

### Members of URC submitting grant proposals

URC committee members who submit a proposal to the Intramural Faculty Research Program (see Section 6.5.1) will be disqualified from the proposal review process. The disqualified members will be replaced by past URC committee members from the same or a closely related academic discipline.

Reports to: the VCAA

### 10.3.6 University Teaching Council (UTC) ([SD7503S](#))

The University Teaching Council (UTC) serves the relevant needs of the institution with respect to teaching. UTC is an institutional committee composed of faculty members and an administrator.

### Purpose

1. To encourage and facilitate improvements in methods and techniques of teaching on the part of all members of the UNCA faculty.
2. To develop criteria and processes for the awarding of intramural funds, as they become available, for the support of teaching.
3. To advise the Director of the Center for Teaching and Learning on matters relevant to the encouragement and support of improved teaching, including: developing seminars, workshops, and other

activities, both intramural and extramural, for the exchange of ideas concerning pedagogy; and identifying and pursuing sources of funds for programs that enhance teaching and student learning.

#### Membership:

Director of the Center for Teaching and Learning, ex officio

One FWDC member, ex officio

One at-large member will be a former recipient of a UNCA teaching award  
3 faculty (one each from Humanities, Natural Sciences, Social Sciences)

The members shall be recommended by FWDC and approved by the Faculty Senate.

The term of appointment shall be for two years.

The faculty committee members will elect the Committee Chair on an annual basis.

#### Recommendations and Reports to: the VCAA

#### 10.3.7 University Service Council ([SD0700F](#))

#### Purpose

Because faculty service is integral to every aspect of our campus's operations, and because it complements teaching and research in the overall development of individual faculty members and the faculty as a whole, the University Service Council (USC) is established to promote an appreciation of service appropriate to the mission of the university. With general functions paralleling the UTC and URC, the USC will also interact with the Key Center for Service Learning, make an annual award for distinguished service, and provide a voice for recognition of service in salary, tenure, and promotion decisions.

#### Membership

Eight members, two of which will be permanent based upon their regular duties. Faculty members are recommended by the Chair of the Faculty Senate subject to the approval of the Senate. Faculty members serve two year appointments.

- \* Director of Key Center for Service Learning (permanent member)
- \* Associate Vice Chancellor for Academic Affairs (permanent member)
- \* The past recipient of the award for Distinguished Service (one year appointment)
- \* Five faculty members, one from each of the following divisions: the arts, the professional programs (management and accounting, education, physical education), the humanities, the social sciences and mathematics/natural

sciences

Recommendations/reports to: the VCAA

## 10.4 Committees Whose Members Are Appointed (Standing Committees)

Much of the ongoing faculty involvement in institutional decision-making occurs through a system of standing committees primarily staffed by faculty.

### 10.4.1 General Information on Standing Committees

#### 10.4.1.1 How Standing Committees Are Created ([SD0694F](#))

Committees which seek the status of Standing University Committee must follow the following procedure:

1. Petition the VCAA in writing for the status of Standing University Committee, giving a rationale for the request and suggesting the composition of the committee.
2. After consulting with the Faculty Welfare & Development Committee, the VCAA may either deny or approve the request.
  - a. If the petition is denied by the VCAA, the procedure is terminated or the petition may be revised and resubmitted to the VCAA.
  - b. If the petition is approved by the VCAA, it is sent to the Faculty Senate for ratification.
3. The Faculty Senate will consider petitions approved by the VCAA.
  - a. If the Faculty Senate fails to ratify the petition, the procedure is terminated or the petition may be revised and resubmitted to the VCAA.
  - b. If the Faculty Senate does ratify the petition, a Standing University Committee is created.

#### 10.4.1.2 How Members Are Selected

Appointments to standing committees are normally made by the VCAA in consultation with the FWDC. (Some standing committees also include appointments by the Chancellor,

other Vice Chancellors and/or ex officio members.) All full-time faculty can expect to serve on at least one of these committees.

Each spring the FWDC distributes a "Committee Preference and Service Record" form on which faculty list their new and continuing service appointments for the subsequent year. Each service activity is awarded points based on the required time commitment. A faculty member's total service points for the upcoming year are considered before any new service assignments are made.

#### 10.4.1.3 How Standing Committees Operate

After the Office of Academic Affairs distributes the list of committee members, an organization meeting should be called by either the designated coordinator or staff person, or the faculty member whose name appears first on the list. At the first committee meeting business such as electing a Chair and a secretary and setting future meeting dates as appropriate should be done.

#### 10.4.1.4 Required Reporting of Committee Activity ([SD1490S](#))

All chairs of standing and ad hoc committees of the faculty shall submit a summary report of their significant activities for the year to the VCAA and the Chairs of the Senate and FWDC by May 30 of each academic year. This report should list uncompleted projects and other recommended activities for the next academic year, and any proposed changes in the committee structure, membership or focus. These reports should be made available to new committee chairs to aid in accomplishing committee objectives.

#### 10.4.1.5 Alphabetized List of Standing Committees

The following table lists the 31 current standing committees in alphabetical order. Each committee title is followed by its location within section 10.4.

Academic Support Services

[10.4.3](#)

Adjunct Faculty	<a href="#">10.4.17</a>
Aesthetics Advisory	<a href="#">10.4.26</a>
Africana Studies Advisory	<a href="#">10.4.27</a>
Animal Care and Use Committee	<a href="#">10.4.18</a>
Campus Commission	<a href="#">10.4.2</a>
Computer and Telecommunications	<a href="#">10.4.4</a>
Cultural and Special Events Committee	<a href="#">10.4.5</a>
Energy and Safety	<a href="#">10.4.6</a>
Enrollment Services	<a href="#">10.4.7</a>
First Year Experience Advisory	<a href="#">10.4.19</a>
Graduate Council	<a href="#">10.4.22</a>
Honors and Degree Programs	<a href="#">10.4.10</a>
Honors Program Advisory Committee	<a href="#">10.4.9</a>
Institutional Review Board	<a href="#">10.4.20</a>
Intercollegiate Athletics Committee	<a href="#">10.4.11</a>
International Programs Advisory Committee	<a href="#">10.4.12</a>
Library and Media Services Advisory Committee	<a href="#">10.4.13</a>
Parking and Traffic Commission	<a href="#">10.4.15</a>
Pre-Health Professions Advisory Committee	<a href="#">10.4.21</a>
Radiation Safety Committee	<a href="#">10.4.32</a>
Recreation	<a href="#">10.4.14</a>
Scholarship and Financial Aid	<a href="#">10.4.16</a>
Sexual Harassment Advisory Committee	<a href="#">10.4.28</a>
Teaching Awards	<a href="#">10.4.29</a>
Teaching Fellows Advisory Council	<a href="#">10.4.30</a>
Undergraduate Research Program Advisory Committee	<a href="#">10.4.23</a>
Univ School Teacher Education Council	<a href="#">10.4.8</a>
Violence Prevention Task Force	<a href="#">10.4.31</a>
Women's Studies Advisory Committee	<a href="#">10.4.24</a>
Writing-Across-the-Curriculum Advisory	<a href="#">10.4.25</a>

## 10.4.2 Campus Commission

### Purpose

This committee is to provide effective utilization of and accounting for student services funds collected as a condition of enrollment. The committee

is responsible for allocation of funds and oversight responsibilities for the financial integrity of programs receiving funds.

Membership

Four faculty, each serving a two year term; five students, Director of Student Development

Recommendations to: the VCSA

Reports to: the VCAA

10.4.3 Academic Support Services (Replaces College Skills Committee; description based on current practice.)

Purpose

Advisory to academic support services on campus.

Membership

- \* Four faculty serving staggered two year terms.
- \* Directors of the Math, Reading and Writing Labs,
- \* Assistant VC for Enrollment Services.

Recommendations and reports to: the VCAA

10.4.4 Computer and Telecommunications

Purpose

Eengages in long-range planning for facilities and services, proposes policy, and is on call to assist the Director.

Membership

- \* Four faculty, each serving a two year term (staggered)
- \* members ex officio without vote: Director of Computer Center, Chair of Computer Science, Director of Center for Teaching and Learning

Recommendation to: Director of Computing Center

Reports to: the VCAA

10.4.5 Cultural and Special Events Committee ([SD7003S](#))

### Purpose

1. To choose performing arts and events for the campus community and the community-at-large and to assist in many aspects of actual event presentation.
2. To assist in developing collaborations between Cultural and Special Events Committee and various academic and student affairs departments on campus, as well as other presenting venues and arts presenters in the region. Committee members will work together to choose collaborations that directly extend and enhance current academic and co-curricular experiences of students.
3. Assist other campus groups and departments with programming their own cultural and/or performing arts events each year by allocating a portion of each yearly budget towards these activities.

### Membership

Assistant Director of Student Life/Cultural Programming

3 faculty serving staggered two-year terms (appointed by VCAA)

1 staff member (appointed by CSAC)

Student Cultural Events Intern

5-7 students serving one-year renewable terms (appointed by SGA in consultation with Assistant Director of Student Life/Cultural Programming)

### Service

Service on the committee will begin three weeks prior to the first event sponsored by Cultural and Special Events each academic year and will continue to the same time the following year. Committee membership requires attendance at regular meetings, serving on sub-committees, and assisting in events production.

Recommendation To: Assistant Director of Student Life/Cultural Programming

Reports To: the VCAA or his/her designee

## 10.4.6 Energy and Safety Committee

### Purpose

1. Recommends energy conservation measures.
2. Keeps the University community informed on the State's energy practices.
3. Serves as liaison between the University OSHA officer and campus

employees.

4. Assists the University OSHA officer by:

- a. recognizing and reporting defects needing attention
- b. assisting in promotion of safety and health practices education and
- c. assisting in investigation of unsafe conditions.

#### Membership

- \* Four faculty, each serving a two year term (staggered);
- \* Radiology Officer, OSHA Officer, Director of Public Safety

Recommendations to: the Director of Facilities Management

Reports to: the VCFA

#### 10.4.7 Enrollment Services Advisory ([SD1898S](#))

#### Purpose

The committee makes recommendations and hears appeals for the Admissions and Registrar's offices. The committee:

1. hears student appeals relative to admission decisions, academic actions (i.e., suspension and dismissal), and scholarships,
2. reviews fraudulent credentials and makes recommendations,
3. makes recommendations to APC regarding university academic regulations, and
4. reviews and makes recommendations for policies and procedures in Admissions, Advising, and the Registrar's offices.

#### Membership

- \* Five faculty serving staggered two year terms;
- \* ex officio without votes: Asst. VC for Enrollment Services, Director of Admissions, Registrar, Director of Financial Aid.

Recommendations to -- Assistant VC for Enrollment Services

Reports to: the VCAA

#### 10.4.8 University School Teacher Education Council (formerly FACTE) ([SD4401S](#))

In 1997, the NC General Assembly appropriated money for the creation of partnerships between UNC system departments of education and public schools. UNCA was granted funding to begin such a partnership. Members

of the Education Department, public school teachers, administrators, and arts & science faculty created a new structure, USTEP, to coordinate partnership activities. Because of the overlap in purpose and membership between USTEP and the Faculty Advisory Committee on Teacher Education, the two have been merged into a single entity called the University School Teacher Education Council (USTEC)

### Purpose

1. Provide coordination and articulation between the academic departments, the Education Department, and the LEAs in following the state's guidelines for the preparation of teachers within UNCA's liberal arts model for teacher certification;
2. Develop the goals, objectives, and strategic plan for guiding the work of USTEC;
3. Make recommendations to the Education Department Chairperson based on reports from the 3 Subcommittees: Initial Preparation of Teachers, Induction (initially licensed teachers), and Professional Development. Each subcommittee chair will serve as a member of the USTEC University Standing Committee; and
4. Encourage all members of USTEC to participate in the work of one of the 3 USTEP subcommittees.

### Membership

A total of 25 people including:

- \* 6 UNCA Education Faculty (5+Chair), appointed by the Education Department Chair and to include a USTEP Director appointed by Education Department Chair.
- \* 1 Outreach Coordinator
- \* VCAA (or designee)
- \* 5 UNCA Arts & Science Faculty, appointed by VCAA in consultation with Education Department Chair and to include faculty representing the Social Sciences, Natural Sciences, and Humanities
- \* 4 public school teachers, appointed by the Education Department Chair and to include representatives from three partnership LEAs (Henderson County, Buncombe County, Asheville City)
  - \* 4 public school administrators (the Superintendents or their designees from each of the following systems: Asheville, Buncombe, Henderson, and Madison)
- \* 3 community members, appointed by the Chair of the Education Department
- \* 2 UNCA students, appointed by the Chair of the Education Department

The Administrative Committee will include the Education Department

Chair, USTEC Director, and the Outreach Coordinator.

The Chair of the Education Department, the VCAA, and superintendents are permanent members. The USTEP director is appointed annually by the Education Department Chair. All other members serve a staggered 2 year term. Committee and partnership members from the 2000-2001 academic year are expected to continue on or rotate off based on their current terms, whichever constitutes the end of their 2nd full year.

Recommendations to: Chair, Dept. of Education

Reports to: the VCAA

#### 10.4.9 Honors Program Advisory Committee ([SD7903S](#))

##### Purpose

The Honors Program Advisory Committee exists to provide ongoing oversight of the University Honors Program, advice to the Director of the program, and advice regarding the Program to the University administration.

##### Responsibilities:

Members of the Honors Program Advisory Committee will

- Offer direction for the program.
- Establish policies and guidelines for admission of new students to the Program
- selection of course offerings co-Curricular activities
- Assist the Director and Associate Director in determination of and requests for appropriate funding, both from the University and from external sources.
- Approve recognition of students eligible for Distinction as a University Scholar, using established guidelines.
- Help to advise students either formally, or informally (e.g. students involved in study abroad, service learning, production of Honors publications).
- Receive and provide feedback on annual reports and other measures of progress produced by the Director.
- Help to publicize and advocate for Honors program and its activities.

##### Membership

The Faculty Welfare Committee will appoint two faculty members per year to serve staggered two-year terms on the committee. Appointments may be

renewed for one additional two-year term.

Ex Officio members will include the Director and the Associate Director of the Honors Program.

The Director and Associate Director may invite student members of the Honors Student Advisory Committee to meet with the Honors Program Advisory Committee on a non-voting basis as desired.

Recommendations to: VCAA or designee

Reports to: VCAA or designee

#### 10.4.10 Honors and Degree Programs ([SD3197S](#))

##### Purpose

1. Recommends who among the graduating class is to receive what level of University-wide Honors.
2. Recommends policy concerning the granting of University-wide Honors as well as approves policy for granting departmental or program distinction.
3. Recommends a recipient for the annual Manly E. Wright Scholarship Award to the graduating senior judged first in scholarship.
4. Reviews and approves requests from students who wish to develop and pursue a program of Independent Study leading to either the BA or BS. The committee must approve the proposed program curriculum before the student may formally pursue their desired course of study. The committee's decision is forwarded to the registrar.

##### Membership

Five faculty members, each representing a different department with no more than two from the same division. Members shall serve two year staggered terms.

Recommendations to: the Faculty body

Reports to: the VCAA

#### 10.4.11 Intercollegiate Athletic Committee ([SD7703S](#))

##### Purpose

The Intercollegiate Athletic Committee is required by the NCAA. The

responsibilities include:

1. Oversight of the Athletic Department budget
2. Monitoring of the academic progress of the student athletes
3. Advice to the Athletic Director on issues of importance

Membership:

Faculty Athletics Representative, Chair, (appointed by Chancellor)  
Equity Advisor to the Chancellor for Athletics (appointed by Chancellor)  
3 faculty serving two-year staggered terms (appointed by FWDC)  
2 students serving one-year terms (appointed by VCSA)

ex-officio members:

- Director of Athletics
- Associate Athletic Directors
- Senior Womens Administrator, Athletics
- Compliance Officer
- Academic Advisor

The voting members of the IAC are the three faculty appointed by FWDC and the two students appointed by the VCSA.

Recommendations and reports to: the Chancellor

10.4.12 International Programs Advisory Committee ([SD6803S](#))

Purpose

Advisory to the International Studies Director and Director of Study Abroad in curriculum development, study abroad program development, annual and long-rang program planning, budgeting and publicity.

Membership

Director of International Studies (Chair)  
Director of Study Abroad  
International Students Advisor  
3 faculty (one from each academic area) serving staggered, renewable, two-year terms (appointed by VCAA in consultation with FWDC and Director of International Studies)  
2 Students, one-year terms (appointed by VCSA)

Recommendations to: Directors of International Studies and Study Abroad

Reports to: the VCAA or his/her designee

#### 10.4.13 Library and Media Services Advisory Committee ([SD7403S](#))

##### Purpose

The committee serves as an advisory body to the University Librarian and the Director of the Media Center. Responsibilities include assessing the needs of students and faculty in the use of the library and Media Center and advising the University Librarian on general library policy. The committee consults with the University Librarian and Director of the Media Center in the formulation of the annual budget, long range budget, allocation of book funds, and long-range building plans. The committee also serves as a communicating bridge between the University Librarian and the Director of the Media Center, and students and faculty.

##### Membership

University Librarian

Director of the Media Center

Three faculty serving staggered two-year terms (one from each of the academic divisions) (appointed by the Senate)

One student serving one-year term (appointed by VCSA)

Recommendations to: University Librarian and the Director of the Media Center

Reports to: the VCAA

#### 10.4.14 Recreation

##### Purpose

Advisory to Recreation Program.

##### Membership

\* Two faculty, each serving a two year term (staggered);

\* Director of Recreation, ex officio

Recommendations to: Director of Recreation

Reports to: the VCAA

#### 10.4.15 Parking and Traffic Commission

##### Purpose

This committee will periodically meet for the purpose of hearing appeals

other than moving violations and is administratively responsible to the Vice Chancellor for Student Affairs.

### Membership

- \* Two faculty and two alternates each serving a two year term (staggered)
- \* Two staff and two alternates each serving a two year term (staggered)
- \* Two students and two alternates each serving a two year term (staggered)

Recommendations and reports to: VCSA

## 10.4.16 Scholarship and Financial Aid ([SD1998S](#))

### Purpose

1. Determines final awards for University Laurels, the university merit scholarships, based on faculty and student input from campus interviews and folder evaluations.
2. Approves recommendations of awards for university need-merit and/or other special scholarships.
3. Approves recommendations of departmental scholarship awards.
4. Determines policies and procedures for the awarding of university scholarships.
5. Reviews and makes recommendations for Financial Aid policies and procedures.

### Membership

- \* one faculty member serving a one year term,
- \* Assist. VC for Enrollment Services,
- \* Director of Admissions,
- \* Director of Financial Aid,
- \* Director of the Honors Program,
- \* Director of Undergraduate Research, and
- \* one student (appointed by VCAA).

Recommendations to: Assist. VC for Enrollment Services

Reports to: the VCAA

## 10.4.17 Adjunct Faculty Committee ([SD0500F](#))

### Purpose

1. Works to integrate adjunct faculty and their concerns into the University community.

2. Acts as an advocate for adjunct concerns, ensuring that adjunct faculty have representation and a voice in university affairs.

### Membership

The following individuals serve annual, renewable terms:

- \* 3 adjuncts, chosen by peers at their first Fall meeting.
- \* 1 full-time faculty member, chosen by adjuncts at their first Fall meeting.
- \* 1 FWDC appointee.
- \* 1 appointee from Academic Affairs.

Recommendations and reports to: the VCAA

### 10.4.18 Animal Care And Use Committee ([SD7303S](#))

#### Purpose

The Animal Care and Use Committee is charged with the task of reviewing and monitoring projects which utilize live animals to insure compliance with relevant legislation, to meet the University's moral and ethical obligations to other living organisms, to provide assurances for granting agencies, to address public concerns about the humane treatment of experimental animals, and to protect investigators and students from unsubstantiated or unwarranted allegations of improper procedures. (The definition of live animals is directed by federal law, i.e. Public Health Services Act (Public Law 99-158), Laboratory Animal Welfare Act (PL 99-198), and 1985 Health Research Extension Act.)

#### Duties

1. Review the Application for Animal Use required of any project by an investigator of UNCA (faculty or student) or any teaching procedure which requires the use of live animals.
2. Review all grant applications by UNCA investigators which require the use of live animals.
3. Conduct semi-annual site visits to all live animal housing facilities on campus.
4. The Chair should send out a yearly reminder about the appropriate use of animals.

#### Membership

One faculty scientist who is using live animals (appointed by URC) as chair

One veterinarian (appointed by the Chancellor)

One non-affiliated person (This person is not to be affiliated with the

research facility and is to provide representation for the general community interests in the proper care and treatment of animals. (appointed by the Chancellor)

Faculty are appointed for two year terms. Non-university and veterinary members are solicited through the Assistant to the Chancellor and serve two year terms. Individuals may be reappointed to successive terms.

Recommendations to: the URC for policy and procedural changes

Reports to: the VCAA

#### 10.4.19 First Year Experience Advisory (formerly 10.5.4)

##### Purpose

Advisory to the First Year Experience Program.

##### Membership

- \* Five faculty serving staggered two year terms,
- \* 1 Student Affairs staff
- \* 1 Counseling/Career Center staff
- \* Director of First Year Experience
- \* Director and Associate Director of Honors Program
- \* Assistant VC for Enrollment Services

Recommendations to: Director of the First Year Experience Program

Reports to: the VCAA

#### 10.4.20 Institutional Review Board (formerly Human Subjects, 10.5.6)

[\(SD0393F\)](#)

##### Purpose

The UNCA Institutional Review Board (IRB) is charged with the responsibility of reviewing all research proposals involving human subjects, according to the Code of Federal Regulations (45 CFR 46, June 18, 1991.) These regulations require IRB approval for federally-funded research on human subjects and also require that the Institution have a policy on such studies "regardless of whether the research is subject to federal regulation." (#46.103 (b)(1).) This policy allows departments to adopt their own, more restrictive review procedures. The UNCA policy on human subjects applies not only to the research of individual faculty and staff members but also to

the research projects assigned to students. Since most of UNCA's research has in the past involved minimal risk to human subjects, the review procedure for most projects is also minimal.

### Membership

Membership of the IRB conforms to federal guidelines (46.107).

\* Five members, approved by the Chancellor, serving staggered three year terms with at least one appointed each year. Faculty members as well as administrative staff are eligible for appointment to the IRB. Reappointment to a second term of three years is allowable for the sake of continuity.

Members shall not be all male or all female and there must be representation from the natural science, social science, and humanities areas of the university.

\* One member not be otherwise affiliated with UNCA.

Recommendations and reports to: the VCAA

10.4.21 Pre-Health Professions Advisory Committee ([SD7803S](#))

### Purpose

The Pre-Health Professions Advisory Committee is responsible for coordinating advising and writing a committee letter of recommendation for students interested in seeking an advanced degree at a Health Professional School (medicine, dentistry, pharmacy, veterinary medicine, etc).

Membership: The committee will be composed of seven members, three of whom will be permanent based upon their regular duties. The members are as follows:

- Director of the Pre-Health Professions Advisory Committee (appointed for a five-year term by the VCAA in consultation with the AVCAAs). This person must be a member of the faculty.
- The campus physician or another health professional who is deeply interested in UNCA (appointed annually by the VCAA).
- Coordinator of the Pre-Health Professions.
- Four faculty serving staggered four-year terms (appointed by VCAA in consultation with the AVCAAs
- and FWDC).

Recommendations to: Director of the Pre-Health Advisory Committee.

Reports to: The VCAA

#### 10.4.22 Graduate Council (formerly 10.5.8)

##### Purpose ([SD0292F](#))

The UNCA Graduate Council is responsible for advising and assisting the MLA Program Director in the overall administration and functioning of the Master of Liberal Arts Program. These responsibilities include advising and assisting the Director in:

1. Overall planning for the academic curriculum of the program including: course development; faculty recruitment; and revision and development of program design. The council will advise and assist the Director in maintaining the academic excellence of the program and in effectively administering it.
2. Establishing and implementing specific procedures of on-going program and curriculum evaluation.
3. Overseeing the academic advising system. Members who have served at least one semester on the Council will be assigned by the director as graduate student advisors as appropriate.
4. Implementing, and where necessary developing, admissions procedures and policies. Council members will assist the Director in interviewing and making admissions decisions on all applicants for the MLA program.
5. Creating an energetic program of grant and funding solicitation from foundations, government agencies, and private industry.
6. Proposing and initiating new educational services, auxiliary to the MLA degree program, which serve the needs and interests of the non-traditional student.
7. Planning and implementing an imaginative program of student recruitment.
8. Interpreting institutional requirements and regulations to MLA students and faculty.
9. Interpreting the nature and role of the MLA in the institutional setting and to society at large. Assuring coordination between the MLA Program and the Humanities program, other interdisciplinary programs and the undergraduate curriculum in general.

In addition, the Graduate Council is charged with:

1. Approving MLA courses and instructors.
2. Approving MLA projects and theses.

##### Membership ([SD3090S](#))

\* Six faculty members serving staggered two year terms. Two are elected each year by Faculty Senate, one is appointed each year by the VCAA. The six faculty members should include two representatives from each of the

three broad divisions of the UNCA faculty: Humanities, Natural Sciences, and Social Sciences.

\* Director of the MLA program, who may not chair the Council,

\* Director of Humanities program.

Recommendations to: Director of MLA Program

Reports to: the VCAA

#### 10.4.23 Undergraduate Research Programs Advisory Committee ([SD6903S](#))

##### Purpose

The Undergraduate Research Program Advisory Council is needed to provide consistent faculty, student and staff input into the Undergraduate Research Program.

##### Responsibilities

1. Offer direction for the program.
2. Establish policies and guidelines for grants and activities.
3. Evaluate grant proposals from students
  - Regular semester grants
  - Summer grants
  - NCUR grants
  - Travel grants
4. Approve recognition of students as University Research Scholars or as Departmental Research Scholars
5. Seek ways of enhancing the program through increasing financial resources and addressing ways for the program to be recognized on and off campus.
6. Assist in planning, reviewing and critiquing the ongoing activities
  - Fall symposium
  - Spring symposium
  - UNCA Undergraduate Research Journal.

##### Membership

Director of Honors Program, *ex officio*

Editor of the NCUR (National Conference on Undergraduate Research)

Proceedings, *ex officio*

Director of Undergraduate Research Program, *ex officio*

Associate Director of Undergraduate Research Program, *ex officio*

Program Assistant of Undergraduate Research Program, *ex officio*

3 faculty members (one from each major academic area, appointed by FWDC)

1 member of the library staff who holds a teaching position (appointed by FWDC)

4 students (appointed by Director of URPAC in consultation with the Director of the Honors Program.)

Faculty and library staff members will serve two-year, staggered, terms, renewable for two additional terms. Students will serve one-year terms, renewable for one year.

Recommendations to: Director of Undergraduate Research

Reports to: VCAA or his/her designee.

#### 10.4.24 Women's Studies Advisory Committee ([SD8203S](#))

##### Purpose

The Women's Studies Advisory Board advises the Director of Women's Studies in all matters, particularly the selection and approval of Women's Studies elective courses, assessment of the Program, the staffing of core courses and the approval of requests to be added to the Women's Studies Faculty. Regular faculty meetings shall be held as well as a yearly retreat. Students shall be invited to the annual retreat and shall be informed of all faculty meetings.

##### Membership

The membership shall consist of the Women's Studies Faculty, defined as the Core Faculty and the Affiliated Faculty. Core Faculty will consist of faculty who have taught WMST 100, WMST 400 or another WMST core course. Faculty may apply to become Affiliated Women's Studies Faculty. The Affiliated Faculty will consist of those faculty who engage in Women's Studies scholarship or pedagogy and are interested in teaching a WMST course or elective or have taught a WMST elective. (Since many Women's Studies electives are also departmental course offerings, a person does not have to be a member of the Women's Studies Faculty to teach an elective.)

Recommendations to: Women's Studies Director

Reports to: VCAA or his/her designee

#### 10.4.25 Writing-Across-the Curriculum Advisory (formerly 10.5.11)

##### Purpose

Advisory to the Writing-Across- the-Curriculum Program.

##### Membership

- \* Six faculty, serving staggered two year terms,
- \* Director of the WAC program.

Recommendations to: Director of WAC

Reports to: the VCAA

#### 10.4.26 Aethetics Advisory Committee ([SD0297F](#))

##### Purpose

To advise the Chancellor on matters related to campus aesthetics.

##### Membership

- \* Two faculty nominated by the Faculty Welfare and Development Committee and approved by the VCAA, and
- \* two members appointed by the Chancellor.

All members serve two year staggered terms.

Recommendations to: the Chancellor

Reports to: the VCAA

#### 10.4.27 Africana Studies Advisory (Based on current practice.)

##### Purpose

Advisory to the Africana Studies Program.

##### Membership

- \* four faculty each serving a one year term,
- \* VCAA or designee

Recommendations to: Director of Africana Studies Program

Reports to: the VCAA

#### 10.4.28 Sexual Harassment Advisory Committee ([SD8103S](#))

##### Purpose

The Sexual Harassment Advisory Committee (SHAC), an oversight committee, will: review the sexual harassment policy currently in place; serve as an educational and support resource for the campus on these issues; serve in a fact-finding role for harassment cases; identify and select sexual harassment advisors and ensure their training.

##### Membership

- Faculty Conciliator, ex officio
- One Senior staff member from Student Affairs, ex officio (appointed by VCSA)
- Director of Human Resources, ex officio
- One staff member, serving a two-year term (appointed by CSAC)
- One student representative, serving a one-year term (appointed by SGA)
- Two faculty members, serving staggered 2 year terms (appointed by FWDC)

At least two of the SHAC members must be trained sexual harassment advisors.

Reports to: VCAA

Recommendations to: the Chancellor

#### 10.4.29 Teaching Awards (Based on current practice.)

##### Purpose

Select annual recipients of teaching awards.

##### Membership

- \* the seven most recent recipients of Teaching Awards,
- \* the prior year's UNCA Distinguished Teacher, ex officio without vote.

The most recent recipient of the UNCA Distinguished Teacher Award serves as committee chair.

Recommendations and reports to: the VCAA

### 10.4.30 Teaching Fellows Advisory Council ([SD8303S](#))

#### Purpose:

The Teaching Fellows Advisory Council is to act as the core of the campus Teaching Fellows Program by advising and making recommendations to the Vice Chancellor for Academic Affairs concerning every phase of the program.

#### Membership

- Director of the Teaching Fellows Program, Ex Officio
- Director of Admissions, acting as VCAA designee
- Director of Study Abroad
- Coordinator of Community Outreach
- Chair of the Education Department or his/her designee
- One faculty member, serving a one-year term, appointed by the VCAA
- One faculty member from and selected by the Honors Program Committee, serving a one-year term
- Four current Teaching Fellows, one from each class - elected by peers
- Two LEA representatives (to include at least one current classroom teacher who is a Teaching Fellow)
- Alumni, chosen by the Teaching Fellows Director
- One Community Representative, chosen by the Teaching Fellows Director

#### Recommendations and Reports to: the VCAA

10.4.31 Violence Prevention (From the 1996-97 report of the Violence Prevention Task Force and current practice.)

#### Purpose

Serves as panel of advisors on violence prevention issues.

#### Membership

- \* Two faculty serving staggered two year terms,
- \* Director of Physical Plant,
- \* Director of Public Safety,
- \* Director of Human Resources,
- \* Employee Assistance Program Consultant,

\* Counseling Center Representative.

Recommendations and reports to: the VCAA

#### 10.4.32 Radiation Safety Committee ([SD8002S](#))

##### Purpose

The Radiation Safety Committee (RSC) manages UNCA's radiation-emitting materials and radiation-producing equipment, such as the Mössbauer spectrometers, X-ray fluorescence spectrometers, biological radiation sources, and the powder X-ray diffractometer.

##### Membership

- Natural Sciences lab manager, who is also a member of the Energy and Safety Committee.
- All UNCA faculty/staff who direct, oversee, or manage radiation-emitting materials and radiation-producing equipment
- One member is designated the Radiation Safety Officer by the RSC, who is responsible for interfacing with the North Carolina Division of Radiation Safety.

Membership is mandatory and permanent.

Recommendations to UNCA Energy and Safety Committee

Reports to VCAA

#### 10.5 Individual Service Appointments

For information about reassigned time associated with these appointments, see [Section 3.1.4.1.5](#).

##### 10.5.1 Faculty Handbook Editor (formerly 10.9.6) ([SD4385](#))

Duties: Action by the Faculty Senate, on the recommendation of the Executive Committee, specified appointment of a faculty member as editor of the Faculty Handbook. The editor is responsible for maintaining the

Handbook through annual revisions and reports both to the VCAA and the Chair of the Faculty Senate.

Appointed by: the Faculty Senate with approval of the VCAA

Term of Appointment: 2 years, renewable

#### 10.5.2 Humanities Director

Duties: The Director of Humanities is responsible for scheduling all sections of Humanities courses each term, supervising faculty who teach only within Humanities (e.g., adjuncts), and supervising the coordinators of the four Humanities courses.

Appointed by: the VCAA

Term of Appointment: 3 years, renewable

#### 10.5.3 Arts and Ideas Director

Duties: The Arts and Ideas Director is responsible for recruiting faculty to teach in the Arts and Ideas program, working with participating faculty to develop the ARTS 310 course, and scheduling multiple sections of ARTS 310 and the ARTS workshops.

Appointed by: the VCAA

Term of Appointment: 3 years, renewable

#### 10.5.4 Director of the Honors Program

Duties: The Director's responsibilities include planning the Honors program, both academic and co-curricular; appointment of faculty members to teach Honors classes (in consultation with other department and program heads); selection of students as members of the program; maintaining and implementing Honors policies; supervising the process of naming graduating seniors for Distinction as University Scholars; arranging assessment for Honors classes and other activities; organizing the non-classroom activities of the program including study abroad, service learning, post-graduate opportunities, and co-curricular events; representing the program to the University, the community, and prospective students; assisting with admissions, recruitment, and scholarship decisions; and providing liaison

with the Undergraduate Research program. (See [Section 11.3](#) for program information)

Appointed by: the VCAA

Term of Appointment: 3 years, renewable

#### 10.5.5 Director of the Undergraduate Research Program

Duties: The responsibilities of the Director of the Program include:

1. cooperating with the University Laurels Merit Scholarship Program, to recruit and retain talented students;
2. serving as an information conduit for students and faculty who want to learn more about undergraduate research;
3. providing information about funding opportunities for students through academic year and summer research and presentation grants;
4. coordinating the interaction of undergraduate research students with external groups (e.g. NCUR, Research at the Capital, SOARS);
5. arranging for public presentation of the work of undergraduate research students for the UNCA community;
6. overseeing the publication of the UNCA Journal on Undergraduate Research;
7. collecting information on students and faculty who participate in undergraduate research for institutional awards;
8. interacting with the national undergraduate research community.

UNCA's Undergraduate Research Program offers a range of opportunities specifically aimed at assisting faculty and students with collaborative efforts in research. The Undergraduate Research Program Advisory Council (URPAC) assists the director in setting policy, assessment of the effectiveness of the program, and making changes necessary to improve the overall quality of the program. (See [Section 11.4](#) for program information).

Appointed by: the VCAA in consultation with representatives from the Undergraduate Research Program Advisory Council (URPAC).

Term of Appointment: 3 years, renewable

#### 10.5.6 Director of the First Year Experience Program

Duties: Administers the First-Year Experience Program (see [Section 11.2](#) for program information). Though not exhaustive the list of duties associated

with this position includes:

1. recruitment, preparation, and development of first-year seminar instructors and interdisciplinary teams of guest speakers;
2. development, articulation, and assessment of program goals and objectives;
3. design and implementation of First-Year Seminar Series;
4. interfacing with Enrollment Services regarding mutually supporting enrollment and advising;
5. interfacing with the Center for Teaching and Learning regarding mutually supporting instructor training-&- development activities;
6. interfacing with the Director of Orientation;
7. development, with appropriate campus committees, and coordination of new initiatives directed toward first year students arising from the Enhancement Self-Study.

Appointed by: the VCAA

Term of Appointment: 3 years, renewable

#### 10.5.7 African-American Colloquium Coordinator

Duties: The coordinator of the African-American Colloquium is responsible for overseeing all aspects of the program, curricular and co-curricular, and acts as course liaison with the UNCA administration whenever questions arise. Because of the interdisciplinary nature of the colloquium, the coordinator guides and plans how the subject material can best reflect the expertise of those faculty responsible for teaching. Because the colloquium relies on the recruitment and enrollment of Black students, the coordinator often is called on to present the benefits of this class during student and parent orientation programs. (See [Section 11.7](#) for program information.)

Appointed by: the VCAA in consultation with the Africana Studies Advisory Committee

Term of Appointment: 3 years, renewable

#### 10.5.8 Director of Teaching and Learning

Duties: The Director of Teaching and Learning supervises all activities of the Center for Teaching and Learning (see [Section 11.9](#) for center information). The Director works to create an environment in which faculty across the university are energized to pursue professional improvement with

maximum efficiency. The Director is responsible for

1. working with faculty and the Office of Academic Affairs regarding faculty development needs and plans, and communicating with faculty concerning administrative suggestions and decisions related to these.
2. facilitating communications among those working on, or interested in working on, teaching and learning projects.
3. encouraging faculty's development of professional knowledge, recognition and expertise through such activities as grant proposal writing, research, teaching exchanges and attendance at summer seminars and professional conferences.
4. maintaining communication with offices across campus to gather and/or assure dissemination of information pertinent to effective faculty development in teaching and learning.
5. representing UNCA off campus, communicating and consulting with those in similar offices on other campuses and with appropriate state and national professional organization.
6. managing the budget allocated to the Center.
7. supervising and evaluating Center staff.

Appointed by: the VCAA in consultation with representatives from the UTC and FWDC.

Term of Appointment: 3 years, renewable

#### 10.5.9 Director of the Key Center for Service Learning

Duties: The Key Center Director oversees all Center activities, including those of the assoc. director; the director also is primarily responsible for encouraging faculty to use service-learning in their classes, and for assisting them to make this a successful addition to student learning. (See [Section 11.9](#) for center information.)

Appointed by: the VCAA in consultation with the Key Center advisory board.

Term of Appointment: 3 years, renewable

#### 10.5.10 Director of Interdisciplinary Studies

Duties: The Director of Interdisciplinary Studies leads UNCA's newest degree program, consisting of two concentrations: the Individual Degree concentration, for students developing their own interdisciplinary degree

program, and the Ethics and Social Institutions concentration. (See [Section 11.6](#) for program information.) The coordination function includes:

1. Course management: Scheduling and evaluating courses carrying the IST designation.
2. Program development: Evaluating requests for new IST courses and programs.
3. Program management: Supervising the degree concentrations including all aspects of the Individual Degree concentration (i.e., evaluating/approving applications, monitoring student progress and assessing student learning).
4. Budget oversight.
5. Publicity of IST options among faculty and students.

Appointed by: the VCAA in consultation with Council of Chairs and Directors

Term of Appointment: 3 years, renewable

#### 10.5.11 Director of International Programs

Duties: The Director of International Programs supervises all aspects of international programming: overseeing the study abroad program, coordinating the International Studies minor, sponsoring and promoting a variety of co-curricular events with an international focus, and organizing faculty development projects that will lead to both new International Studies courses and the infusion of international content across the curriculum. Activities within the study abroad program are coordinated by the Director of Study Abroad who is responsible for the day-by-day functioning of the Office of Study Abroad. (See [Section 11.5](#) for program information.)

Appointed by: the VCAA

Term of Appointment: 3 years, renewable

#### 10.5.12 CSAC Faculty Liaison

Duties: A non-voting faculty member appointed annually to the Chancellor's Staff Advisory Committee (CSAC). Functions as a liaison between the faculty and staff, sharing information about issues of importance to faculty, staff and the university.

Appointed by: the Faculty Senate

Term of Appointment: 1 year

## 10.6 Faculty Representatives to UNCA and Outside Agencies (formerly 10.6-10.8)

### 10.6.1 UNCA Foundation Board (formerly 10.6.2)

#### Purpose

The UNCA Foundation is a tax-exempt organization separate from the University whose fundamental purpose is to actively promote, both locally and at large, public understanding of and external support for the University and its program. Faculty representatives serve on the Board to:

1. Provide faculty voice in Foundation activities,
2. Provide a mechanism for informing the faculty about Foundation activities.

#### Membership and terms

Two faculty nominated by the Faculty Senate, one faculty appointed by the Chancellor, serving staggered two year terms.

### 10.6.2 University Relations Faculty Advisory Committee (formerly 10.6.4) ([SD0790F](#))

#### Purpose

1. To serve in an advisory capacity to the Vice Chancellor for University Relations (VCUR) and the University Relations staff on external affairs, including but not limited to the UNCA Foundation, Development, Public Information, Publications, Graphics, Alumni Programming, Leadership Programs, and Owen Conference Center.
2. To act as a liaison between University Relations, the faculty and students.
3. To advise the VCUR and assist in presenting an annual report to the University community.
4. To obtain, on a regular basis, information from faculty, students, staff and the community at large on public relations and other matters which should be addressed by the Office.

NOTE: The VCUR is to present to the Faculty Senate an update of the activities and plans of the Office at the first or second meeting of the Faculty Senate in the Fall Semester ([SD3290S](#)). This report should include information on the investment management advisor and the fees paid for their service ([SD3390S](#)).

Membership

Five members of the Committee shall be faculty with one representative from each of (1) the Humanities, (2) the Social Sciences, (3) the Natural Sciences, (4) the UNCA Foundation (e.g., one of the two Senate-elected faculty representatives to the Foundation), and one at-large member. The term of service shall be for two years.

Recommendations to: VCUR10.6.3 UNC Faculty Assembly (formerly 10.7.1) ([SD3991S](#))Purpose

The Assembly holds four regular meetings each academic year plus special meetings which may be called by the Chair or the President of the University. The Assembly advises the President on matters such as Academic Programs, Planning, Budgets, Faculty Welfare and Development and other matters which may come before the Assembly from the various campuses or the President and his staff.

Membership and Terms

UNCA faculty elect two representatives and alternates to the UNC Faculty Assembly; each serve terms of three years. The two alternates serve terms concurrent with the elected representatives.

A faculty assembly representative may be recalled by a simple majority vote of the Faculty Senate if he or she fails to attend more than two meetings in one academic year or if he or she fails to suitably attempt to arrange for a replacement for more than one meeting that he or she cannot attend during the term of service.

If a Representative fails to complete a term, the replacement is that representative's designated alternate; the designated alternate shall finish the representative's term. The new designated alternate will be the person who received the third most votes in the original election. If there was a tie for the third most votes, then the new alternate shall be determined by a coin flip at the next Faculty Senate meeting.

## 10.6.4 Faculty Athletic Representative (FAR) (formerly 10.8.1)

The University Faculty Athletic Representative (FAR) to the National Collegiate Athletic Association (NCAA) and the Big South Athletic

Conference is appointed by the Chancellor for a three year period; a second reappointment may be made. No faculty member will serve for more than six consecutive years. Appointment procedures are outlined in the responsibilities of the Intercollegiate Athletic Committee (IAC). Since the Department of Athletics operates on a twelve month schedule, the FAR or a designated representative of the IAC must be available during the summer months.

The FAR's role is not one of advocating the Athletic Department; the FAR is an advocate of the student athlete and monitors the Athletic Department's activities to insure compliance with NCAA regulations. Specific duties include keeping the Chancellor and VCAA apprised of alleged irregularities within UNCA's athletic program, representing UNCA as the voting delegate at the Annual NCAA Convention, Chairing the IAC, conducting the required NCAA exit interviews, certifying eligibility and squad lists in coordination with the Registrar, monitoring graduation rates and academic progress, and monitoring that both scholarship and participation opportunities reflect the University gender ratio.

### 10.7 Time-Limited Committees (revised by [SD2202S](#))

When special issues arise, UNCA establishes additional committees to work on specific time-limited projects. Most of these committees contain faculty representatives as a mechanism for providing faculty input. Members may be appointed by the Chancellor, the Vice Chancellor for Academic Affairs, the Faculty Senate, the University Planning Council or Department Chairs/Program Directors. Those who appoint members to these committees specify both the term of appointment and the mission/charge to the group, including to whom and at what time the group must report.

For the Faculty Senate to be aware of ad hoc committees and task forces in the campus community, each university-wide committee/task force must follow the procedure below

1. On formation of the committee/task force, the chair of that entity must notify the FWDC of the Faculty Senate of the objectives, membership and anticipated length of service of the group.
2. At the time of its formation, the committee/task force must identify a finite time limit.
3. If the committee/task force exists beyond a two year limit, it must convert to a standing committee or disband.

#### 10.7.1 Academic Department/Program Committees (formerly 10.9.1)

Department Chairs or Program Directors may appoint members of their faculty to departmental or program committees. These committees serve a variety of functions (e.g., search committees, curriculum committees, self-study committees) and report to the Department Chair or Program Director as appropriate.

#### 10.7.2 Institutional Self Study/Accreditation (formerly 10.9.3)

UNCA periodically creates task forces to work on an institutional self-study (e.g., review of the General Education curriculum) or an institutional accreditation (e.g., SACS, NCATE, NCAA). Faculty typically are appointed to these committees by the VCAA in consultation with the Faculty Senate.

#### 10.7.3 Administrator Search Committees (formerly 10.9.4) (see [Section 2.3](#) for faculty searches)

Faculty serve on the search committees for the position of Chancellor and the various Vice Chancellor positions. Faculty typically are appointed to these committees by the VCAA or the Chancellor in consultation with the Faculty Senate.

#### 10.7.4 Other Ad Hoc Committees and Task Forces

Whenever necessary, UNCA may create additional ad hoc committees or task forces to explore issues of current importance (e.g., retention, diversity).

### 10.8 FORMS for Section 10.0

No forms for this section.

## 11.0 CURRICULAR AND CO-CURRICULAR ENHANCEMENTS

UNCA is committed to providing a rich curricular and co-curricular environment for its students, faculty and staff. The following sections describe current programs, activities and services on the UNCA campus in this continually growing domain.

### 11.1 Arts and Performances

#### Art

Throughout the year the Art Department sponsors workshops and lectures for the university and the community. Workshops are usually concentrated studies in a specific area of interest or media. Art exhibits are located in the Owen galleries on the first and second floors of Owen Hall.

The Art Department has a rotating collection. The works from the collection are available to the university community on a "check-out" system and can be hung in faculty offices where security is not a problem. When new works are added to the collection these become available for general university use.

#### Music

UNCA music offers many musical opportunities for members of the faculty, their families, and friends. If you are interested in making music, you are welcome to join one of our performance groups: UNCA Community Chorus, UNCA Community Band, or UNCA Community Jazz Band. If you are interested in hearing music, call the Music Department to receive a calendar of upcoming musical events.

If you would like more information on any of these opportunities or if you would like to become a member of the UNCA Friends of Music and obtain free admission to many musical activities, please call the Chair of the UNCA Music Department.

#### Drama

Theatre UNCA, the production laboratory of the Department of Drama, is located in the Carol Belk Theatre, a 199-seat flexible theatre-in-the-round. An active and varied theatre season includes full-length productions that have reduced-priced tickets for the UNCA community. A dress rehearsal is held prior to opening night for all productions; faculty may purchase tickets at student prices for other performances. Faculty members may also arrange group ticket rates for classes and departmental organizations. Admission is free to student productions.

All Theatre UNCA productions are open to participation by faculty, as well as students. Auditions are announced in the UNCA Calendar and on posters around campus.

### Cultural and Special Events Programs

The Cultural and Special Events Program brings numerous national and international performers to campus each year including dance troupes, concerts, poets, and theatrical performances. Faculty may purchase tickets at a discounted price through the ticket office in the Highsmith University Center.

### 11.2 First Year Experience

First-Year Experience program (FYE) is an integrative, collaborative academic program promoting first-year student adjustment, involvement, integration, commitment to the educational process, and success. The program provides a supportive community of learning which encourages innovation in curriculum and instruction and provides programming for students to develop their interests and abilities beyond the classroom through co-curricular programming.

### 11.3 Honors Program (formerly 11.7)

The University Scholars Honors Program, established in the fall of 1985, is designed to recruit more able and motivated students, foster an environment in which the intellectual potential of students can flourish, and retain a core group of students committed to liberal learning by means of enhanced advising, counseling and other support services. The program is based on honors course work as well as co-curricular activities that "extend learning beyond the classroom." Course work emphasizes the interdisciplinary nature of liberal learning, the historical and cultural context of knowledge, and the value of understanding classical works as the foundation of contemporary ideas. The Honors Program encourages independent study and collaborative research, particularly through the close interaction among students and faculty in a capstone senior research experience. Co-curricular activities include meetings with visiting scholars, discussions following selected cultural events, field experiences, service learning, study abroad and other travel opportunities.

The Honors Curriculum consists of Honors sections of the general education core curriculum, interdisciplinary special topics seminars, independent study reading and research, and a senior colloquium where students present their senior research. Students successfully completing the Honors Program graduate "with distinction as a University Scholar" (see current UNCA catalog for requirements).

The Honors Program, in conjunction with the Undergraduate Research Program, sponsors the Undergraduate Fellowships and Scholars Awards. These scholarships include special program components as well as financial support. Competition is open to entering first-time freshmen based on high school GPA, SAT scores, and an essay. Contact the Admissions Office for more information.

Transfer students and continuing UNCA students may participate in the program by invitation, application, or faculty nomination. Contact the honors Director for more information on eligibility.

The University Honors Program is administered by a Director, appointed from among the faculty, in consultation with the Honors Advisory Committee and an Honors Student Advisory Committee. Academic policies for the program are referred from the Advisory Committee to the APC of the Faculty Senate. Faculty teaching Honors courses are selected by the Director and the Advisory Committee. More information is available at <http://www.unca.edu/honors/>.

#### 11.4 Undergraduate Research Program (formerly 11.14)

The primary goal of the Undergraduate Research Program (URP) is to provide participating students with a wide variety of research opportunities which support and supplement other educational activities. The program began in 1984 and founded the National Conference on Undergraduate Research (NCUR) and the North Carolina Consortium on Undergraduate Research.

URP allows students to work closely with faculty on a wide variety of research projects; undergraduates share in the difficulties of planning and conducting research, as well as in the excitement of discovery. Students learn that research is not an esoteric, mysterious process, and they learn to organize themselves for a world of imperfect answers to sometimes fuzzy questions. Across all areas of interests, participating students benefit from a different kind of learning experience that changes their perspective on knowledge and education.

URP provides the organizational and programmatic structure for research experiences, usually reserved for graduate-level students, across the arts, humanities, natural sciences or social sciences. The innovative, nationally recognized program includes:

- Academic year and summer research grants
- Travel grants
- Faculty scholars/mentors
- Editors and publishers of the annual Proceedings of NCUR
- Campus-wide undergraduate research symposia
- The UNCA Journal of Undergraduate Research
- University Research Scholar designation upon graduation
- Membership and participation in the North Carolina Consortium on Undergraduate Research

Students who have worked on research projects, whether or not they were funded by the

URP are invited to present their results at one of three Undergraduate Research Symposia held on campus each year. The Program also funds travel grants for fifteen to twenty-five students and faculty to attend the Fall Conference of the North Carolina Consortium on Undergraduate Research, held in Durham, North Carolina, and the National Conference on Undergraduate Research, held at various campuses around the country in the spring. More information about the program is available at <http://www.unca.edu/urp/>.

### 11.5 International Programs (formerly 11.9)

The Office of International Programs seeks to facilitate cross-cultural interactions between the UNCA community and the wider world community. This office is responsible for the study abroad program, the International Studies minor, international curriculum development, and sponsoring co-curricular international activities. Faculty members wishing to develop educational programs abroad or bring individuals from other countries to our campus may avail themselves of this office's support.

The Director of Study Abroad is responsible for the day-by-day functioning of the Office of Study Abroad: promoting its more than 20 programs, helping students with their application process, organizing orientations and attending regional meetings. More information is available at <http://www.unca.edu/intlstudies/>.

### 11.6 Interdisciplinary Studies

The Interdisciplinary Studies major (IST) became a degree program at UNCA during the 2000-2001 academic year. The IST major currently consists of two concentrations: the Individual Degree concentration, for students developing their own interdisciplinary degree programs, and the Ethics and Social Institutions concentration. More information about IST programs is available at <http://www.unca.edu/catalog/ist.html>.

### 11.7 African-American Colloquium

The minority status of Black students at UNCA requires a targeted classroom effort to facilitate their successful transition into this liberal arts setting. Such an experience aims to develop a sense of academic and social community and offers an opportunity for the students to see their place within the Black community and in the university culture. This course is interdisciplinary by nature to provide the broadest academic exposure to entering students and is taught primarily by a core of Black faculty and staff. Topics are chosen to permit participating faculty and staff to invite rich comparisons between Black cultures (e.g. African American, Caribbean, etc.) as well as between Black and non-Black cultures.

A vital part of this experience is the co-curricular component which encourages

participation in the full array of student life. Because the course aims at transitioning students into the university it espouses and utilizes the pedagogy and resources of the First Year Experience courses.

### 11.8 Special Academic Programs (formerly 11.12)

Special Academic Programs provides:

- \* Extension and Distance Learning opportunities
- \* Nonacademic-credit continuing and professional education programs, workshops and seminars, both with and without Continuing Education Units (CEUs)
- \* Youth programs
- \* Coordination of summer conferences, special academic year conferences and programs, and select special events.

Because of the broad scope of these activities, the impact of the programs is wide-ranging. The activities and services of the department affect UNCA at large, including the faculty, staff, and students, as well as the local and regional communities of Western North Carolina. These programs complement the liberal arts mission of the university, and play a vital role in the perpetual education of the region's citizens by providing credit and non-credit learning opportunities for personal and professional development, as well as for professionals required to obtain Continuing Education Units (CEUs).

The department develops curricula with faculty/instructors and advises faculty and coordinators on appropriate pedagogical methods, assessment techniques and program delivery modes in concert with institutional policies. In addition, SAP coordinates summer conferences and serves as the liaison between conference coordinators and department heads in charge of campus facilities and services. More information is available at <http://www.unca.edu/sprog/>

### 11.9 Center for Teaching and Learning

The Center for Teaching and Learning offers a range of services specifically aimed at assisting faculty in teaching enhancement. For example, the Center

- \* promotes better understanding of how our students learn;
- \* relates our teaching methods to these modes of learning;
- \* assists instructors who voluntarily seek help;
- \* provides monetary assistance for invited experts, instructional equipment and supplies, seminars, etc.

As an ongoing priority, the Center emphasizes UNCA's commitment to teaching through a wide and flexible range of individual and group enrichment activities. The Center provides support, information and assistance to faculty interested in improving their range

of classroom skills; plans and sponsors pedagogy workshops and teaching retreats; seeks funding and writes grant proposals to support the improvement of teaching at UNCA; and supports other ongoing teaching enrichment programs. More information about the Center is available at <http://www.ctl.unca.edu/>.

### 11.10 Key Center for Service Learning

The Key Center for Service Learning encourages UNCA students to undertake service projects in the Asheville area, to reflect on what they learn through service, and to draw connections between what they learn in the community and what they learn in the classroom. The Center helps UNCA students and faculty find meaningful projects ranging from a few hours in length to short-term projects lasting a few days or weeks, to long-term internships with local service organizations and schools. UNCA students have worked at more than 60 area agencies and schools on a wide variety of projects including:

- \* tutoring basic skills such as reading and math in local schools,
- \* serving as mentors to at-risk youth,
- \* working on environmental projects,
- \* helping women and children who are victims of domestic violence,
- \* teaching English as a second language,
- \* helping local food banks and shelters for the homeless, and
- \* working with children and adults with disabilities.

### 11.11 Highsmith Center Services (formerly 11.6)

The Highsmith Center houses UNCA's student life programs and offers a number of facilities and services for UNCA faculty.

#### Facilities

1. Meeting Rooms: The Highsmith Center has numerous meeting rooms of various sizes to accommodate small meetings or large gatherings. There is no charge for campus meetings and programs.
2. Bookstore: The University Bookstore is located in the Highsmith Center and offers convenience items and sundries as well as books and school supplies.
3. Food service: The Highsmith Center houses several fast food dining options.
4. Game room: The Game room offers pool, ping pong, fooseball, and video games and is open to the entire campus community.
5. OneCard: The OneCard Student/Faculty/Staff ID card office is located in the Highsmith Center.
6. Offices: The Highsmith Center houses offices for the Office of Student Life, Study Abroad, Multicultural Student Affairs, the assistant vice chancellor for Student Affairs as well as Student Government, Underdog Productions, the African American Student Association, and the International Student Association.

### Discounted Tickets

The Office of Student Life offers discounted tickets to campus cultural events, city cultural events, and area attractions.

### 11.12 Health Center Services (formerly 11.15)

The Weizenblatt Health Center is the home of Student Health Services and is available to all students who pay the health service fee. Services available for faculty and staff include blood pressure and cholesterol screening, flu shots, CPR training and smoking cessation groups. If interested in any of the above services please call 251-6520 or visit <http://www.unca.edu/shs/> for further information.

Center staff will be happy to assist you in finding a primary care physician in the Asheville area. The Mountain Area Family Health Center, across Weaver Blvd. from the main UNCA entrance, provides UNCA's students with after hours coverage for emergencies and hospitalizations. The Mountain Area Family Health Center is available for primary care to UNCA's faculty and staff.

### 11.13 Justice Center Services (formerly 11.8)

The Justice Center houses both UNCA's intercollegiate athletics programs and its recreational facilities.

### Recreation Programs

All programs offered by UNCA Recreation are open to all students, faculty and staff. UNCA Recreation provides recreational opportunities which consist of structured intramural sports and special events, informal "open" recreation, wellness programming, aquatics, sport clubs and outdoor education all in an environment which values, embraces and enriches individual differences. More information is available at <http://www.unca.edu/recreation/>.

### Recreation Policies

1. Students, faculty and staff members must present their valid UNCA ID card at the check-in desk to gain access to the Justice Health and Fitness Center.
2. Spouses and dependents will be issued a Recreation Pass after being registered by their "host" UNCA student, faculty or staff member.
3. Spouses and dependents must present the Recreation Pass for admittance.
4. Children under 16 must be accompanied by a parent at all times.
5. No one under 16 is allowed in the weight room.
6. Retired faculty and staff members may register for a Recreation Pass.
7. Guest Policy - UNCA students, faculty and staff are allowed three guest visits each semester and three guest visits for the entire summer. Hosts must sign-in their guests and

accompany them in the Center.

UNCA Basketball Ticket Policy for Faculty

Prior to the start of basketball season, all faculty will be sent a request form to purchase UNCA men's and women's basketball season tickets at a discounted price. These tickets will be valid at any pre-season or regular season game at Justice Center or the Asheville Civic Center. More information about UNCA's intercollegiate athletics program is available at <http://www.unca.edu/athletics/>.

11.14 FORMS for Section 11.0

No forms for this section.

## 12.0 EXTERNAL ORGANIZATIONS

### 12.1 Asheville Graduate Center

The Asheville Graduate Center (AGC) coordinates all graduate programs on the UNCA campus. The Center, which began operating in June of 1984, was established by President Friday and by the UNC Board of Governors as a vehicle for delivering needed graduate programs to the Asheville area. It is administered by the UNC Office of the President (formerly General Administration) and provides programs from various universities from within the UNC system. Tuition charges are the same as on the individual campuses. Degrees earned at the Graduate Center are conferred by the universities which provide the programs in Asheville. Most of the course work for programs offered through the Graduate Center is provided on the UNCA campus. Some programs do, however, require a period of study in residence on the campus of the offering institution.

The programs available at the Graduate Center during any academic year are based upon the needs of Western North Carolina, program availability, and funding from the North Carolina General Assembly and the UNC Board of Governors. The graduate programs presently available and the participating universities are listed below. More information about Center programs is available at <http://www.unca.edu/agc/>.

#### University of North Carolina at Greensboro

Master of Library Science Degree

#### North Carolina State University

Master of Engineering Degree (Industrial Engineering Concentration)

Doctor of Education in Adult and Community College Education

#### University of North Carolina Asheville

Master of Liberal Arts Degree

#### University of North Carolina at Chapel Hill

Master of Social Work Degree

#### Western Carolina University

Educational Specialist (Ed.S.) Degree

Master's Degree in:

- \* Accountancy
- \* Business Administration
- \* Counseling
- \* Educational Administration - Two Year College
- \* Educational Supervision

- \* Elementary Education
- \* Health Sciences
- \* Human Resource Development
- \* Middle Grades Education
- \* Nursing
- \* Public Affairs
- \* School Administration
- \* Secondary Education
- \* Special Education
- \* Technology
- \* Two-year College Teaching

### 12.2 Center for Jewish Studies (formerly 11.2)

The Center for Jewish Studies develops and coordinates course offerings in Jewish studies, sponsors intellectual and cultural programming, and encourages and supports the activities of Jewish students at UNCA and other colleges and universities in the region. In all its activities, its mission is educational. As such, it promotes the academic study, formally and informally, of Jewish civilization. The Center serves as a Jewish studies resource for teachers, students, and other individuals throughout the region. The director is appointed by the Chancellor in consultation with the Vice Chancellor for Academic Affairs. A board of advisors, consisting of members of UNCA faculty and staff as well as of members from the community, meets quarterly to discuss the Center's activities. More information about Center programs is available at <http://www.unca.edu/cjs/>.

### 12.3 Mossbauer Effect Data Center

The Mössbauer Effect Data Center (MEDC) is a nonprofit organization providing information services to the international scientific community in the field of Mössbauer spectroscopy. The MEDC provides a number of services for the Mössbauer community including a directory of researchers, a database, a newsletter, a conference/symposia/workshop bulletin board and a monthly "information journal" titled the Mössbauer Effect Reference and Data Journal. Further activities include a variety of data and information evaluations which are done either internally or in cooperation with other scientists. More information about the Center is available at <http://www.unca.edu/medc/>.

### 12.4 North Carolina Center for Creative Retirement

North Carolina Center for Creative Retirement, a program of UNCA, actively involves retirement-aged people in planning and implementing programs of liberal-arts focused lifelong learning, community leadership and service, and intergenerational exchange.

Additionally, NCCCR conducts periodic research projects, disseminates information on innovations in older learner programs, and convenes conferences and workshops on issues related to retirement, education, and aging. A full description of NCCCR programs can be found at <http://www.unca.edu/ncccr>.

### 12.5 Environmental Quality Institute (formerly 11.4)

The Environmental Quality Institute (EQI) has conducted research on environmental issues for citizen groups, governmental agencies and the private sector since 1988. Much of the research is conducted by students who have been selected to receive research assistantships and work on undergraduate research projects under the supervision of science faculty and other professional scientists. The mission of EQI is to conduct technically rigorous and unbiased research on environmental issues while providing support and experience for undergraduate student researchers at UNCA. When an environmental problem is detected from the research, the EQI provides outreach to the community to find cost-effective means for minimizing the negative effects of the problem. More information can be found at <http://www.unca.edu/eqi/>.

### 12.6 World Affairs Council (formerly 11.16)

The World Affairs Council has since its establishment enjoyed a close connection with UNCA. In 2000 it became an independent affiliate of the University, attaining organizational autonomy while retaining the strong and mutually beneficial relationship. The Council works cooperatively with like-minded organizations, including the United Nations Association of Western North Carolina and the League of Women Voters of Asheville/Buncombe County, as well as with the national World Affairs Councils of America, of which it is a member.

The Council annually sponsors two lecture series. Issues of current global interest are addressed in monthly programs led by guest speakers of national repute, drawn from domestic as well as international organizations. In February and March, weekly Great Decisions lectures are held in several Western North Carolina locations, dealing with international issues such as development, environmental crises and regional conflicts. For this series speakers are drawn from the UNCA faculty and other local colleges and universities. For more information, email the council at [Wncworldaffairs@aol.com](mailto:Wncworldaffairs@aol.com).

### 12.7 State Employees' Association (formerly 12.5)

In addition to lobbying for increased benefits with the state legislature, the State Employees' Association of North Carolina offers a number of services to members. The annual dues entitles the member to a free accidental death benefit of \$1,000 and gives access to programs including a group buying plan for consumer goods and low-cost group

life insurance. More information is available at <http://www.seanc.org/>.

### 12.8 State Employees' Credit Union (formerly 12.6)

Any permanent employee of the State of North Carolina may apply for membership by completing an application and accompanying it with \$25 to open a passbook savings account. Then the applicant is entitled to all the benefits of membership. The State Employees' Credit Union (SECU) is the third largest in the nation with a membership in excess of 150,000. The SECU offers most banking services including draft (checking) accounts, money market accounts, CDs, personal loans, auto loans, and home mortgages. More information is available at <http://www.ncsecu.org/>.

### 12.9 FORMS for Section 12.0

No forms for this section.

## 13.0 UNC SYSTEM POLICY AND INFORMATION DOCUMENTS

### 13.1 The Code of the UNC Board of Governors

Several sections of The Code are reproduced here in full. The complete Code, as revised by the Board of Governors of The University of North Carolina on July 1, 2001, can be downloaded at <http://www.northcarolina.edu/bog/code/code.cfm> (47 pages in Adobe Acrobat pdf format, 3.x or higher).

#### 13.1.1 The Code - Chapter VI - Academic Freedom and Tenure

### **SECTION 600. FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY.**

(1) The University of North Carolina is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. The university therefore supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.

(2) The university and each constituent institution shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.

(3) Faculty and students of the University of North Carolina shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.

### **SECTION 601. ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY.**

(1) It is the policy of the University of North Carolina to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staffs of the constituent institutions. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with the university and their position as men and women of learning. They should not represent themselves, without authorization, as spokesmen for the University of North Carolina or any of its constituent institutions.

(2) The university and its constituent institutions shall not penalize or discipline members of their faculties because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

### **SECTION 602. ACADEMIC TENURE.**

(1) To promote and protect the academic freedom of its faculty, the board of trustees of each constituent institution shall adopt policies and regulations governing academic tenure.

- (2)** In all instances, the tenure conferred on a faculty member is held with reference to employment by a constituent institution, rather than to employment by the University of North Carolina.
- (3)** The tenure policies and regulations of each constituent institution shall prescribe the procedures by which decisions concerning appointment, reappointment, promotion, and the conferral of permanent tenure shall be made. The length of terms of appointment that do not carry permanent tenure and those faculty ranks or titles whose holders shall be eligible for permanent tenure shall be prescribed. The institutional policies and regulations also shall prescribe the intervals at which the review of candidates for reappointment and promotion, including the conferral of permanent tenure, shall occur. The tenure policies and regulations of each institution, which shall include the complete text of Chapter VI of the Code, shall be published by the institution and distributed to its faculty members.
- (4)** The tenure policies and regulations of each institution shall set forth the general considerations upon which appointment, reappointment, promotion, and permanent tenure are to be recommended. The institutional regulations shall provide that these considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, the faculty member's potential for future contribution, and institutional needs and resources.
- (5)** The institutional policies and regulations shall specify that permanent tenure may be conferred only by action of the president and the Board of Governors, or by such other agencies or officers as may be delegated such authority by the Board of Governors.
- (6)** Institutional tenure policies and regulations shall distinguish among the following:
- (a)** the nonreappointment (or nonrenewal) of a faculty member at the expiration of a specified term of service;
  - (b)** the discharge or suspension of a faculty member with permanent tenure or of a faculty member appointed to a specified term of service before that term expires for reasons based on incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty;
  - (c)** the termination of employment for reasons of institutional financial exigency or major curtailment or elimination of a teaching, research, or public-service program of a faculty member who has permanent tenure, or of a faculty member who has been appointed to a specified term of service before that term expires; and
  - (d)** retirement for physical or mental disability.
- (7)** Institutional tenure policies and regulations shall provide that the appointment, reappointment, or promotion of a faculty member to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the faculty member's services, whether for a specified term or for permanent tenure, shall be contingent upon the continuing availability of such funds. The institutional tenure policies and regulations may make one or more of the following exceptions to the foregoing contingency requirement:
- (a)** That such a contingency shall not be included in a promotion to a higher rank if, before the effective

date of that promotion, the faculty member had permanent tenure and no such condition is attached to the tenure.

(b) That such a contingency shall not be attached to the faculty member's contract if the faculty member held permanent tenure in that institution on July 1, 1975, and the contract was not contingent upon the continuing availability of sources other than continuing state budget or permanent trust funds.

(c) That such a contingency may be waived for health affairs faculties because of the unusual dependence of programs in the health professions on income from sources such as clinical receipts. If a faculty member's appointment is terminated because of the nonavailability of these funds, the institution will make every reasonable effort to give the same notice as set forth in Section 605 B (1). This notice shall include the pertinent data upon which the termination is based.

(8) The tenure policies and regulations of each institution shall be subject to approval by the president and the Board of Governors. The president periodically shall review and re-evaluate these policies and regulations and report findings and recommendations, if any, to the Committee on Personnel and Tenure and through the committee to the Board of Governors.

### **SECTION 603. DUE PROCESS BEFORE DISCHARGE OR THE IMPOSITION OF SERIOUS SANCTIONS.**

(1) A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty<sup>2</sup>. These penalties may be imposed only in accordance with the procedures prescribed in this section. For purposes of these regulations, a faculty member serving a stated term shall be regarded as having tenure until the end of that term. These procedures shall not apply to nonreappointment (Section 604) or termination of employment (Section 605).

(2) The chief academic officer of the institution, however titled, shall send the faculty member by registered mail, return receipt requested, a written statement of intention to discharge him. The statement shall include notice of the faculty member's right, upon request, to both written specification of the reasons for the intended discharge and a hearing by an elected standing faculty committee on hearings.

(3) If, within ten days<sup>3</sup> after receiving the notice referred to in paragraph (2) above, the faculty member makes no written request for either a specification of reasons or a hearing, the faculty member may be discharged without recourse to any institutional grievance or appellate procedure.

(4) If, within ten days after receiving the notice referred to in paragraph (2) above, the faculty member makes written request, by registered mail, return receipt requested, for a specification of reasons, the chief academic officer shall supply such specification in writing by registered mail, return receipt requested, within ten days after receiving the request. If the faculty member makes no written request for a hearing within ten days after receiving the specification, the faculty member may be discharged without

recourse to any institutional grievance or appellate procedure.

(5) If the faculty member makes a timely written request for a hearing, the chief academic officer shall insure that the hearing is accorded before an elected standing committee of the institution's faculty. The hearing shall be on the written specification of reasons for the intended discharge. The hearing committee shall accord the faculty member twenty days from the time it receives the faculty member's written request for a hearing to prepare a defense. The hearing committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member.

(6) The hearing shall be closed to the public unless the faculty member and the hearing committee agree that it may be open. The faculty member shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. A written transcript of all proceedings shall be kept; upon request, a copy thereof shall be furnished to the faculty member at the institution's expense.

(7) The chief academic officer, or counsel, may participate in the hearing to present evidence, cross-examine witnesses, and make argument.

(8) In reaching decisions on which its written recommendations to the chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written or oral arguments as the committee, in its discretion, may allow. The committee shall make its written recommendations to the chancellor within ten days after its hearing concludes.

(9) If the chancellor concurs in a recommendation of the committee that is favorable to the faculty member, the chancellor's decision shall be final. If the chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the chancellor's decision to the board of trustees. This appeal shall be transmitted through the chancellor and be addressed to the chairman of the board. Notice of appeal shall be filed within ten days after the faculty member receives the chancellor's decision. The appeal to the board of trustees shall be decided by the full board of trustees. However, the board may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members. The board of trustees, or its committee, shall consider the appeal on the written transcript of hearings held by the faculty hearing committee, but it may, in its discretion, hear such other evidence as it deems necessary. The board of trustees' decision shall be made within forty-five days after the chancellor has received the faculty member's request for an appeal to the trustees. This decision shall be final except that the faculty member may, within ten days after receiving the trustees' decision, file a written petition for review with the Board of Governors if the faculty member alleges that one or more specified provisions of the *Code of the University of North Carolina* have been violated. Any such petition to the Board of Governors shall be transmitted through the president, and the board shall, within forty-five days, grant or deny the petition or take such other action as it deems advisable. If it grants the petition for review, the board's decision shall be made within forty-five days after it has notified the faculty member that it will review the petition.

**(10)** When a faculty member has been notified of the institution's intention to discharge the faculty member, the chancellor may suspend the individual at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be exceptional and shall be with full pay.

## **SECTION 604. APPOINTMENT, NONREAPPOINTMENT AND REQUIREMENTS OF NOTICE AND REVIEW.**

### **604 A. Notice of Reappointment or Nonreappointment.**

**(1)** The decision not to reappoint a faculty member at the expiration of a fixed term of service shall be made by the appropriate institutional faculty and administrative officers early enough to permit timely notice to be given. For full-time faculty at the rank of instructor, assistant professor, associate professor, or professor, the minimum requirement for timely notice shall be as follows:

**(a)** during the first year of service at the institution, the faculty member shall be given not less than 90 calendar days' notice before the employment contract expires;

**(b)** during the second year of continuous service at the institution, the faculty member shall be given not less than 180 calendar days' notice before the employment contract expires; and

**(c)** after two or more years of continuous service at the institution, the faculty member shall be given not less than twelve months' notice before the employment contract expires.

**(2)** Notice of reappointment or nonreappointment shall be written. If the decision is not to reappoint, then failure to give timely notice of nonreappointment will oblige the chancellor thereafter to offer a terminal appointment of one academic year.

### **604 B. Impermissible Reasons for Nonreappointment.**

In no event shall a decision not to reappoint a faculty member be based upon (a) the exercise by the faculty member of rights guaranteed by the First Amendment to the United States Constitution, or by Article I of the North Carolina Constitution, or (b) discrimination based upon the faculty member's race, sex, religion, national origin, age, or disability, or (c) personal malice.

### **604 C. Special Faculty Appointments.**

All appointments of visiting faculty<sup>4</sup>, adjunct faculty, or other special categories of faculty such as lecturers, artists-in-residence, or writers-in-residence shall be for only a specified term of service. That term shall be set forth in writing when the appointment is made, and the specification of the length of the appointment shall be deemed to constitute full and timely notice of nonreappointment when that term expires. The provisions of Sections 602 (4) and 604 A shall not apply in these instances.

## **SECTION 605. TERMINATION OF FACULTY EMPLOYMENT.**

**605 A. Definition.**

The tenure policies and regulations of each institution shall provide that the employment of faculty members with permanent tenure or of faculty members appointed to a fixed term may be terminated by the institution because of (1) demonstrable, bona fide institutional financial exigency or (2) major curtailment or elimination of a teaching, research, or public-service program. "Financial exigency" is defined as a significant decline in the financial resources of the institution that is brought about by decline in institutional enrollment or by other action or events that compel a reduction in the institution's current operations budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public-service program shall be made by the chancellor, after consulting with the academic administrative officers and faculties as required by Section 605 C(1), subject to the concurrence by the president and then approval by the Board of Governors. If the financial exigency or curtailment or elimination of program is such that the institution's contractual obligation to a faculty member may not be met, the employment of the faculty member may be terminated in accordance with institutional procedures that afford the faculty member a fair hearing on that decision.

**605 B. Timely Notice of Termination.**

(1) When a faculty member's employment is to be terminated because of major curtailment or elimination of a teaching, research, or public-service program and such curtailment or elimination of program is not founded upon financial exigency, the faculty member shall be given timely notice as follows:

- (a) one who has permanent tenure shall be given not less than twelve months' notice; and
- (b) one who was appointed to a fixed term and does not have permanent tenure shall be given notice in accordance with the requirements specified in Section 604 A(1).

(2) When a faculty member's employment is to be terminated because of financial exigency, the institution will make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources, to give the same notice as set forth in Section 605 B(1).

(3) For a period of two years after the effective date of termination of a faculty member's contract for any of the reasons specified in Section 605 A, the institution shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by registered mail, return receipt requested, and the faculty member will be given thirty calendar days after receiving notice to accept or reject the offer.

**605 C. Institutional Procedures.**

The institution shall establish regulations governing termination procedures. These regulations shall include provisions incorporating the following requirements:

- (1) If it appears that the institution will experience an institutional financial exigency or needs seriously to consider a major curtailment or elimination of a teaching, research or public-service program, the chancellor or chancellor's delegate shall first seek the advice and recommendations of the academic administrative officers and faculties of the departments or other units that might be affected.
- (2) In determining which faculty member's employment is to be terminated for reasons set forth in Section 605 A, the chancellor shall give consideration to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.
- (3) An individual faculty member whose employment is to be terminated shall be notified of this fact in writing. This notice shall include a statement of the conditions requiring termination of employment, a general description of the procedures followed in making the decision and a disclosure of pertinent financial or other data upon which the decision was based.
- (4) A reconsideration procedure shall be provided that affords the faculty member whose employment is to be terminated a fair hearing on the termination if the faculty member alleges that the decision to terminate was arbitrary or capricious.
- (5) The institution, when requested by the faculty member, shall give reasonable assistance in finding other employment for a faculty member whose employment has been terminated.
- (6) The faculty member may appeal the reconsideration decision in the manner provided by Section 501 C(4).

## **SECTION 606. RETIREMENT OF FACULTY.**

Faculty may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes ("Retirement System of Teachers and State Employees").

## **SECTION 607. FACULTY GRIEVANCE COMMITTEE FOR CONSTITUENT INSTITUTIONS.**

- (1) The chancellor of each constituent institution shall provide for the establishment of a faculty grievance committee. The faculty grievance committee shall be elected by the faculty with members elected from each professorial rank. No officer of administration shall serve on the committee. For purposes of this section, "officer of administration" shall be deemed to include department chairmen and department heads.
- (2) The committee shall be authorized to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty. The power of the committee shall be solely to hear representations by the persons directly involved in a grievance, to mediate voluntary adjustment by the parties, and to

advise adjustment by the administration when appropriate. Advice for adjustment in favor of an aggrieved faculty member may be given to the chancellor only after the dean, department head, or other administrative official most directly empowered to adjust it has been given similar advice and has not acted upon it within a reasonable time.

(3) "Grievances" within the province of the committee's power shall include matters directly related to a faculty member's employment status and institutional relationships within the constituent institution. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge or termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by the committee.

(4) If any faculty member has a grievance, the faculty member may petition the faculty grievance committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and against whom the grievance is directed. It shall contain any information that the petitioner considers pertinent to the case. The committee shall decide whether the facts merit a detailed investigation so that submission of a petition shall not result automatically in an investigation or detailed consideration of the petition.

(5) If, before this section is established, the faculty of an institution has adopted a faculty grievance procedure that in its judgment is adequate to its needs, it may retain that procedure in place of the one specified above<sup>5</sup>.

## **SECTION 608. STUDENTS' RIGHTS AND RESPONSIBILITIES.**

(1) The University of North Carolina affirms that the first goal of each constituent institution is to educate the students admitted to its programs. The freedom of students to learn is an integral and necessary part of the academic freedom to which the university and its constituent institutions are dedicated. Each constituent institution shall provide, within allotted functions and available resources, opportunity for its students to derive educational benefits through developing their intellectual capabilities, encouraging their increased wisdom and understanding, and enhancing their knowledge and experience applicable to the effective discharge of civic, professional, and social responsibilities. No constituent institution shall abridge either the freedom of students engaged in the responsible pursuit of knowledge or their right to fair and impartial evaluation of their academic performance.

(2) All students shall be responsible for conducting themselves in a manner that helps to enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected.

(3) In applying regulations in the area of student discipline, each constituent institution shall adhere to the requirements of due process as set forth in Section 502 D(3) of this Code.

## **SECTION 609. APPELLATE JURISDICTION OF THE BOARD OF GOVERNORS.**

**609 A. Discretionary Review.**

Nothing contained in Chapter VI, or any other chapter of the Code, shall be construed to limit the right of the Board of Governors to make such inquiry and review into personnel actions as it may from time to time deem appropriate.

**609 B. Hearings.**

The Board of Governors may in its sole discretion conduct hearings. Any hearing, whether before the full board or a designated standing or special committee of the board, shall be limited to such matters as the Board of Governors shall deem appropriate.

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 1 Because of the unique character and mission of the North Carolina School of the Arts, the requirement that the institution adopt tenure policies will be satisfied at that institution by an employment system based on renewable contracts, which system need not provide for the traditional faculty ranks. Wherever the phrase "tenure policies and regulations" is used in this chapter, it shall mean, for the School of the Arts, the faculty employment policies of that school. Wherever the phrase "tenured faculty" is used in this chapter, it shall mean, for that school, a faculty member holding a fixed-term contract.

2 Retirement for reason of disability shall be in accordance with North Carolina statutes and regulations governing retirement for faculty who are members of the state retirement system. A faculty member who is not a member of the state retirement system and who is mentally or physically disabled, but refuses to retire, may be discharged because of that disability only in accordance with the procedures of this section.

3 Wherever it is used in this chapter, except when calendar day is specified, the word "day" shall mean any day except Saturday, Sunday or an institutional holiday. In computing any period of time, the day in which notice is received is not counted but the last day of the period being computed is to be counted.

4 Visiting faculty shall include any person who is appointed to a term of less than one academic year.

5 This section became effective July 1, 1975.  
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13.1.1.1 Time Limits on Appeals under Section 501C(4) of  
The Code

ADMINISTRATIVE MEMORANDUM #206 September 17, 1984 (amended 6/17/85)

At its meeting on September 14, the Board of Governors adopted the policy below which establishes limits on the respective periods of time within which a grievant may initiate the various stages of appeal provided for in Section 501C(4) of the Code. The policy also establishes limits on the length of time that an appellate body (e.g., President, Board of Trustees, Board of Governors) may take in deciding an appeal.

It is important that each institution take appropriate steps to insure that all potentially affected individuals and agencies have advance clear understanding of these requirements. Thus, since every such appeal is from a decision by the Chancellor (or his delegate, in certain instances), notice of the disposition of a grievant's case must contain written notice as well of the time limit within which the grievant may file a petition for review by the next highest responsible body, via., either the President or the Board of Trustees. In addition, each institution should assume responsibility for insuring that when a grievant wishes to appeal from a decision of the Board of Trustees, there is clear notice of the time limit for filing such a petition. Finally, those informational documents regularly published by the institution (e.g., faculty handbook, EPA non-faculty handbooks, student code handbooks, etc.) should include at their next printing an effective summary statement of these time limits, to help insure full understanding by all constituencies of the campus.

#### Policy on Appeals Process to Board of Governor's and/or UNC System President, September 14, 1984

1. If the line of appeal as prescribed by Section 501C(4) 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 his grievance must file written notice of appeal with the President, with a copy to the Chancellor, within 10 days after the grievant's receipt of the decision by registered mail. The schedule for perfecting and processing the appeal will be established by the President. The President will issue his decision within 60 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 days, the President in his discretion may extend the period for decision or he may dismiss the appeal.
  - b. A grievant dissatisfied with the President's disposition of his appeal must file written notice of appeal with the Board of Governors, by submitting such notice to the President, within 10 days of grievant's receipt of the decision by registered mail. If the Board agrees to consider the appeal, it will do so on a schedule established by the President, subject to any instructions received from the committee of the Board which has jurisdiction of the subject matter of the grievance. The Board will issue its decision within 90 days after receipt of the notice of appeal; provided, that if the grievant fails to comply with the schedule established for perfecting and processing the appeal and thereby precludes a decision within 90 days, the Board in its discretion may extend the period for decision or it may dismiss the appeal.
2. If the line of appeal as prescribed by the proviso to Section 501C(4) is from the Chancellor to the Board of Trustees, and thereafter from the Board of Trustees to the Board of Governors:
  - a. A grievant dissatisfied with the Chancellor's disposition of his grievance must file written notice of appeal with the Board of Trustees, by submitting such notice to the Chancellor, within 10 days after the grievant's receipt of the decision by registered mail. If the Board agrees to consider the appeal, it will do so on a schedule established by the Chancellor, subject to any instructions received from the Board or from a committee of the Board which has jurisdiction of the subject matter of the grievance. The Board will issue its decision within 120 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 with 120 days, the Board in its discretion may extend the period for decision or it may dismiss the appeal.

- b. A grievant dissatisfied with a decision of the Board of Trustees must file written notice of appeal with the Board of Governors, by submitting such notice to the President, within 10 days after the grievant's receipt of the decision by registered mail. 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 which has jurisdiction of the subject matter of the grievance. The Board will issue its decision within 90 days after receipt of the notice of appeal; provided, that if the grievant fails to comply with the schedule established for perfecting and processing the appeal and thereby precludes a decision within 90 days, the Board in its discretion may extend the period for decision or it may dismiss the appeal.

In each instance used, the term "days" shall mean consecutive calendar days.

#### 13.1.1.2 Implementation of Time Limits on Appeals in University Grievance Proceedings

ADMINISTRATIVE MEMORANDUM #230 December 9, 1985

By Administrative Memoranda Nos. 206 and 219 each institution was informed of policies adopted by the Board of Governors concerning time limits for filing and processing appeals, from one level of University consideration to the next. Those policies in their current version prescribe that an aggrieved petitioner shall file his "written notice of appeal" within 10 calendar days of receipt of notice of the decision from which he wishes to appeal. For example, if dissatisfied with the Chancellor's decision, notice of appeal must be filed with the Board of Trustees within the prescribed ten-day period. Once filed, such an appeal must be decided by the appellate body (e.g., either Board of Trustees or President or Board of Governors) within a prescribed period of time.

Concern has been expressed by members of the University community that the prescriptions concerning a ten-day limit on filing notice may be understood or interpreted to require the grievant to present his complete appellate case (i.e., appellate record, written arguments, etc.) within the ten-day period. Such was not the intention of the Board of Governors, and no such approach has been followed by this office in responding to requests for review addressed either to the President or to the Board of Governors. Rather, the consistent interpretation has been that the ten-day limit applies only to require that a simple "notice" of request for review be filed in a timely manner. Thereafter, staff of this office responds by prescribing a chronological listing of steps, and corresponding due dates, which are essential to perfection of the appeal for consideration by the appellate body, e.g., submission of the proposed record on appeal, response to such submission by the original decision-maker, submission of stated grounds for appeal and accompanying arguments, reply by the decision-maker, etc. Such a calendar is constructed in a manner designed to assure completion of these preliminary steps on a schedule that permits the appellate body to consider and resolve the appeal within the limited time frame prescribed for its action.

In the UNC President's view it is neither feasible nor desirable to amend the Board of Governors policy for the purpose of prescribing, step-by-step, a breakdown of time intervals for completion of various tasks essential to the perfection of an appeal.

However, to address the concern that has been expressed about the meaning and effect of the ten-day time limits, I direct you to insure that grievants who may wish to file notices of an appeal from a decision you have rendered or which has been rendered by the Board of Trustees, be informed, as a part of that decision: (1) that a simple written notice of appeal is all that is required within the ten-day period and (2) that thereafter a detailed schedule for the submission of relevant documents will be established if such a notice of appeal is received in a timely manner. All such notices of decision are to be conveyed to the grievant by return-receipt mail.

This type of routine reassurance should allay the concern that has been expressed about the possibility of insufficient time being accorded a grievant to make his appellate presentation.

### 13.1.1.3 Interpretation of Personal Malice

#### EXCERPT FROM REPORT OF COMMITTEE ON PERSONNEL AND TENURE

Adopted by the Board of Governors, March 9, 1990

Neither The Code nor the UNC tenure regulations define "personal malice." The following is an interpretation of Section 604 of The Code. (see Section 13.1.1)

Tenure regulations state, uniformly, that the decision whether to reappoint a faculty member may be based on any factor considered relevant to institutional interests. Thus, institutional discretion in such decisionmaking is limited only by the Board requirement that the decision not be based on one or more of the three specifically identified impermissible considerations in Section 604b.

The three prohibited grounds for decision are identical in their basic rationale. Each deals with a cause-and-effect relationship between an improper motivation and the denial of an employment opportunity. Each deals with decisionmaking based on considerations that are not relevant in evaluating employee performance. Thus, a nonreappointment decision shall not be used to retaliate against an employee for exercising constitutional rights of free speech; a nonreappointment decision shall not be used to discriminate on the basis of race, sex, religion or national origin; and a nonreappointment decision shall not be used as the medium for expressing feelings of personal malice.

As used in The Code, the term "personal malice" means dislike, animosity, ill-will or hatred based on personal characteristics, traits or circumstances of an individual that are not relevant to valid University decisionmaking. Having separately dealt with matters of race, sex, religion and national origin, this particular Code provision simply goes on to state that other personal factors similarly may be outside the

scope of proper consideration. Thus, to identify but a few possibilities, personnel decisions based on negative reactions to an employee's anatomical features, marital status or social acquaintances are intrinsically suspect.

While the terms "ill-will", "dislike", "hatred" and "malevolence" may connote different degrees of antipathy, such distinctions make no difference in applying the fundamental rationale of the Board's prohibition. Any degree of negative feeling toward a candidate based on irrelevant personal factors, regardless of the intensity of that feeling, is an improper basis for decisionmaking.

### 13.1.2 The Code - Chapter V, Section 502 Chancellors of Constituent Institutions

## **SECTION 502. CHANCELLORS OF CONSTITUENT INSTITUTIONS.**

### **502 A. General Authority.**

The administrative and executive head of each constituent institution shall be the chancellor, who shall exercise complete executive authority therein, subject to the direction of the president. The chancellor shall be responsible for carrying out policies of the Board of Governors and of the board of trustees. [See G.S. 116-34(a)]

### **502 B. Relation of the Chancellor to the Board of Governors and the President.**

(1) It shall be the duty of the chancellor to keep the president, and through the president the Board of Governors, fully informed concerning the operations and needs of the institution. Upon request, the chancellor shall be available to confer with the president or with the Board of Governors concerning matters that pertain to the institution. [See G.S. 116-34(c)] As of June 30 of each year the chancellor shall prepare for the Board of Governors a detailed report on the operation of the institution for the preceding year. [See G.S. 116-34(a)] The chancellor shall make such additional reports to the president or the Board of Governors as the president or the Board of Governors may require.

(2) The chancellor shall make recommendations for development of the educational programs of the institution [See G.S. 116-34(d)] and shall serve as general adviser to the president, and through the president the Board of Governors, with respect to all programs and activities of the institution.

(3) The chancellor shall be responsible to the president for the administration of the institution, including the enforcement of the decisions, actions, policies, and regulations of the Board of Governors applicable to the institution.

(4) Subject to policies prescribed by the Board of Governors and by the institutional board of trustees, the chancellor shall make recommendations for the appointment of personnel within the institution. [See G.S. 116-34(d)] With respect to all personnel matters, including appointments, promotions, removals, and

compensation for the institution's academic, administrative, and other staffs, which are required to be acted upon by the Board of Governors, the chancellor shall make recommendations to the president.

(5) The chancellor shall present to the president all matters concerning the institution which are to be considered by the Board of Governors or any of its committees. In accordance with prescribed administrative procedures uniformly applicable to all institutions, the chancellor shall participate in the development of the proposed budget of the University of North Carolina.

(6) The chancellor shall be the official medium of communication between the president and all deans, heads or chairmen of departments, directors, and all other administrative officers, faculty members, students, and employees.

### **502 C. Relation of the Chancellor to the Board of Trustees.**

(1) It shall be the duty of the chancellor to attend all meetings of the board of trustees and to be responsible for keeping the board of trustees fully informed on the operation of the institution and its needs. [See G.S. 116-34(b)]

(2) As of June 30 of each year the chancellor shall prepare for the board of trustees a detailed report on the operation of the institution for the preceding year. [G.S. 116-34(a)] The chancellor shall also submit such additional reports to the board of trustees as the chancellor may deem wise or as the board may require. The chancellor shall seek the counsel of the board of trustees concerning the affairs of the institution.

(3) The chancellor shall be responsible to the board of trustees for enforcing all policies, rules, and regulations of the board of trustees.

(4) The chancellor shall be the official medium of communication between the board of trustees and all individuals, officials, agencies, and organizations, both within and without the institution.

### **502 D. Relation of the Chancellor to the Constituent Institution.**

(1) Subject to policies established by the Board of Governors, the board of trustees, or the president, the chancellor; shall be the leader of and the official spokesman for the institution; shall promote the educational excellence and general development and welfare of the institution; shall define the scope of authority of faculties, councils, committees, and officers of the institution; and all projects, programs, and institutional reports to be undertaken on behalf of the institution shall be subject to the chancellor's authorization and approval.

(2) The chancellor shall be a member of all faculties and other academic bodies of the institution and shall have the right to preside over the deliberations of any legislative bodies of the faculties of the institution.

The chancellor shall be responsible for insuring that there exists in the institution a faculty council or senate, a majority of whose members are elected by and from the members of the faculty. The general faculty, however, which shall include at least all full-time faculty and appropriate administrators, may function as the council or senate. The faculty shall be served by a chairman elected either by the general faculty or by the council or senate. However, the chancellor may attend and preside over all meetings of the council or senate. The council or senate may advise the chancellor on any matters pertaining to the institution that are of interest and concern to the faculty.

In addition to insuring the establishment of a council or senate, the chancellor shall insure the establishment of appropriate procedures within the institution to provide members of the faculty the means to give advice with respect to questions of academic policy and institutional governance, with particular emphasis upon matters of curriculum, degree requirements, instructional standards, and grading criteria. The procedures for giving advice may be through the council or senate, standing or special committees or other consultative means.

(3) Subject to any policies or regulations of the Board of Governors or of the board of trustees, it shall be the duty of the chancellor to exercise full authority in the regulation of student affairs and in matters of student discipline in the institution. In the discharge of this duty, delegation of such authority may be made by the chancellor to faculty committees and to administrative or other officers of the institution, or to agencies of student government, in such manner and to such extent as may by the chancellor be deemed necessary and expedient. In the discharge of the chancellor's duty with respect to matters of student discipline, it shall be the duty of the chancellor to secure to every student the right of due process and fair hearing, the presumption of innocence until found guilty, the right to know the evidence and to face witnesses testifying against the student, and the right to such advice and assistance in the individual's defense as may be allowable under the regulations of the institution as approved by the chancellor. In those instances where the denial of any of these rights is alleged, it shall be the duty of the president to review the proceedings.

### 13.1.3 The Code - Appendix - Delegation of Duty and Authority to Boards of Trustees

## **Appendix 1 - DELEGATIONS OF DUTY AND AUTHORITY TO BOARDS OF TRUSTEES**

Pursuant to authority vested in it by the General Statutes, and consistent with the provisions of The Code of the University of North Carolina, the Board of Governors hereby delegates to the boards of trustees of the constituent institutions of the University of North Carolina the following duties and powers:

### **I. ACADEMIC AND ADMINISTRATIVE PERSONNEL**

#### **A. Appointment and Compensation**

1. With respect to all faculty positions with permanent tenure and all senior administrative positions, namely vice chancellors, provosts, deans, and directors of major educational and public service activities, the chancellor, following consultation with the board of trustees, shall forward to the president recommendations with respect to such appointments, promotions, and compensation; if the president concurs in such recommendations, the president shall forward them to the Board of Governors for approval.
2. With respect to all faculty and administrative positions, other than those identified in subparagraph 1 above, and other than those subject to the State Personnel Act, the chancellor shall forward the chancellor's recommendations for appointment, promotion, and compensation to the board of trustees; subject to applicable provisions of the university Code and to such policies as may be established by the Board of Governors, the action of the board of trustees with respect to such personnel actions shall be final.

### **B. Discharge or Suspension**

Subject to regulations of the board of trustees and consistent with applicable policies of the Board of Governors, all discharges or suspensions of faculty members and administrative personnel, other than those subject to the State Personnel Act, shall be effected by the chancellor. A discharged or suspended employee shall have such rights of appeal from the action of the chancellor as may be prescribed by the university Code, policies of the Board of Governors, or regulations of the board of trustees.

### **C. Personnel Policies**

The board of trustees may adopt personnel policies not otherwise prescribed by state law, the university Code, or policies of the Board of Governors, for personnel in all categories of university employment.

### **D. Chancellor Selection**

In the event of a vacancy in the chancellorship, the board of trustees shall establish a search committee composed of representatives of the board of trustees, the faculty, the student body and the alumni. Upon the establishment of the search committee, the chairman of the board of trustees and the president shall jointly establish a budget and identify staff for the committee. The search committee, through its chairman, shall make a preliminary report to the president when the committee is preparing a schedule of interviews of those persons it considers to constitute the final list and from among whom it anticipates the trustees' nominees will be chosen, and the president will be given an opportunity to interview each of these candidates. The board of trustees, following receipt of the report of the search committee, shall recommend at least two names for consideration by the president in designating a nominee for the chancellorship, for approval by the Board of Governors.

## **II. ACADEMIC PROGRAM**

The board of trustees shall be responsible for insuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.

### **III. ACADEMIC DEGREES AND GRADING**

Subject to authorization by the Board of Governors of the nature and general content of specific degree programs which may be offered by an institution, each institution shall determine whether an individual student shall be entitled to receipt of a particular degree. Each institution also shall determine what grade a student will be assigned in a particular course. No appeal from such an institutional decision shall lie beyond the board of trustees.

### **IV. HONORARY DEGREES, AWARDS AND DISTINCTIONS**

The board of trustees shall be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution, subject to such policies as may be established by the Board of Governors.

### **V. BUDGET ADMINISTRATION**

The board of trustees shall advise the chancellor with respect to the development of budget estimates for the institution and with respect to the execution and administration of the budget of the constituent institution, as approved by the General Assembly and the Board of Governors.

### **VI. PROPERTY AND BUILDINGS**

The board of trustees of a constituent institution shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to the construction of state-owned buildings, for the following matters concerning campus capital construction projects which have been approved by the Board of Governors and authorized by the state of North Carolina: (1) the selection of architects or engineers for buildings and improvements requiring such professional services; (2) the approval of building sites; (3) the approval of plans and specifications; and (4) the final acceptance of all completed buildings and projects.

The board of trustees shall be responsible to the Board of Governors for preparing and maintaining a master plan for the physical development of the institution, consistent with the total academic and service mission of the institution as defined and approved by the Board of Governors.

Any proposal involving the acquisition or disposition by an institution of any interest in real property shall be recommended by the board of trustees to and must be approved by the Board of Governors; provided, that if the proposal involves an interest in real property which is valued at less than \$50,000, the board of trustees may authorize such transaction and proceed to obtain the necessary approvals from

appropriate state officials and agencies, without first obtaining the approval of the Board of Governors; and provided, further, that the Board of Governors, under circumstances which it considers appropriate and following notice from it to the board of trustees, may take action necessary to effect the acquisition or disposition of an interest in real property which is related to or which affects the institution, without receipt of a recommendation from the board of trustees<sup>1</sup>.

## **VII. ENDOWMENTS AND TRUST FUNDS**

Subject to applicable provisions of state law and to such terms and conditions as may be prescribed from time to time by the Board of Governors, each board of trustees shall be responsible for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized endowment or trust funds, either currently in existence or to be established in the future, for the benefit of the individual constituent institution. [See G.S. 116-11(2); 116-12; 116-36; 116-36. 1; 116-36. 2; 116-36. 3]

## **VIII. ADMISSIONS**

Subject to such enrollment levels and minimum general criteria for admission<sup>2</sup> as may be established for a constituent institution by the Board of Governors, each constituent institution of the University of North Carolina shall establish admissions policies and resolve individual admission questions for all schools and divisions within the institution. No appeal concerning an individual admission case shall lie beyond the institutional board of trustees.

## **IX. TUITION, FEES AND DEPOSITS**

### **A. General Authority of Boards of Trustees**

The boards of trustees of the constituent institutions shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors. [See G.S. 116-11(7) and G.S. 116-143]

### **B. Tuition and Fee Deposits**

Each board of trustees shall require the payment of such advance deposits, at such times and under such conditions, as may be required by state law or by the Board of Governors. [See G.S. 116-143]

### **C. Application Fee**

Each board of trustees shall require the payment of such nonrefundable application fees, in connection with each application for admission, as may be required by state law or by the Board of Governors. [See G.S. 116-143]

## **D. Acceptance of Obligations in Lieu of Cash**

Subject to policies prescribed by the Board of Governors, the boards of trustees shall establish regulations concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees. [See G.S. 116-143]

## **E. Fee Recommendations**

Subject to policies prescribed by the Board of Governors, each board of trustees, in consultation with the chancellor, shall recommend to the president the amounts to be charged at the constituent institution for application, athletics, health services, student activities, educational and technology, retirement of debt incurred for capital improvements projects authorized by the General Assembly, course, and special fees. In carrying out this responsibility, each board of trustees and the chancellor shall ascertain that the benefits of the activity or service are commensurate with the recommended fee which is required to support the activity or service. Recommended fees should be consistent with the philosophy set forth in the North Carolina Constitution which states that the benefits of the University of North Carolina should be extended to the people of the state free of expense, as far as practicable.

## **X. STUDENT FINANCIAL AID**

All scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus shall be administered by the constituent institution pursuant to such regulations as may be prescribed by the board of trustees and subject to the terms of any applicable laws and to policies of the Board of Governors.

## **XI. STUDENT SERVICES**

Each board of trustees, upon recommendation of the chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.

## **XII. STUDENT CONDUCT, ACTIVITIES AND GOVERNMENT**

Under such policies as may be prescribed by the Board of Governors and the board of trustees, the chancellor shall be responsible for the regulation of student conduct, the approval of organized, institutionally-recognized student activities and the definition of roles and functions of any institutionally-recognized system of student self-government and student participation in the governance of any aspect of the institutional programs and services. No appeal concerning such activities shall lie beyond the board of trustees, unless it is alleged that the policy, action or decision being appealed violates any law or constitutional provision of North Carolina or of the United States, the university Code, or policies of the

Board of Governors.

### **XIII. INTERCOLLEGIATE ATHLETICS**

Subject to such policies as may be prescribed by the Board of Governors and the board of trustees, the chancellor shall be responsible for the establishment and supervision of the institution's program of intercollegiate athletics.

### **XIV. TRAFFIC AND PARKING REGULATIONS<sup>3</sup>**

### **XV. CAMPUS SECURITY**

Subject to applicable provisions of state law and such policies as may be adopted by the Board of Governors or the board of trustees, the chancellor shall be responsible for the maintenance of campus security.

### **XVI. AUXILIARY ENTERPRISES, UTILITIES AND MISCELLANEOUS FACILITIES**

Pursuant to applicable provisions of state law and policies of the Board of Governors, the boards of trustees of affected constituent institutions shall have authority and responsibility for the adoption of policies applicable to and the control and supervision of campus electric power plants and water and sewer systems, other utilities and facilities [See G.S. 116-35] and child development centers [See G.S. 116-38(a),(b) and (c)].

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1 By resolution adopted November 13, 1981, the Board of Governors elaborated upon this provision concerning the acquisition and disposition of interest in real estate. The resolution says, among other things, that the value of an interest in real estate shall, with respect to a lease, be deemed the annual rental thereof. Further, the resolution expressly authorizes the board of trustees to delegate to their respective chancellors the power to authorize for the institutions the acquisition or disposition by lease of institutions the acquisition or disposition by lease of interests in real estate valued at less than \$25,000, subject to any necessary approval from state officials and agencies.

2 The Board of Governors adopted minimum undergraduate admission requirements on July 31, 1987. See Section VII-B of *The Administrative Manual of the University of North Carolina*.

3 Legislation adopted by the 1973 session of the General Assembly, on recommendation of the Board of Governors, gave the boards of trustees broad authority in this area and superseded the authority originally granted in this paragraph; hence it is omitted here. [See G.S. 116-44.3 et. seq.]

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#### 13.1.4 Memo on Faculty Grievance from UNC system President

This memorandum is intended to clarify Grievance and Tenure Procedures and Concepts.

April 12, 1983

## MEMORANDUM

TO: Chairman Hauser and Members of the University of North Carolina Faculty Assembly

FROM: William Friday

This memorandum is sent to you in response to Assembly resolution 81-9. That resolution speaks to the important subject of faculty grievance procedures. I share with all members of the Assembly the conviction that University procedures should be conceived and carried out in such a way as to assure faculty members of their rights under the law and under University policies, and to minimize any need for appeals to external authority. This goal requires our best efforts to insure that the basic personnel decisions concerning reappointment, tenure, promotion, and merit pay are soundly and fairly based and that we have effective grievance processes through which those substantive decisions may be questioned by the individuals concerned.

Of the large number of such substantive decisions made annually within the sixteen campuses of the University, only a small percentage produce controversy that necessitates formal grievance proceedings. It is true, however, that there are and will continue to be occasions when a personnel decision will be subject to question by the affected faculty member. It is precisely in anticipation of such situations that we have established grievance processes within the University. The basic question you have raised is this: Are the present grievance procedures competent to resolve such complaints in a fair, objective and reliable manner?

My view is that they are, when they are properly understood and implemented. I base this conclusion on my periodic review of those cases which come to my office and to the Board of Governors on appeal from the campuses. From that vantage point I also find evidence that existing procedures are sometimes not well understood. Thus, I believe that there is room and need for improved performance, under our existing procedures, but that there is no need to adopt significantly different types of procedures.

I want to share with you briefly some impressions I have about ways in which our understanding and utilization of existing grievance procedures might be improved. None of this discussion pertains to the procedures set out in Section 603 of the Code concerning the discharge of a faculty member for cause. Such procedures have special requirements that are not applicable to the more typical grievances involving decisions about reappointment, tenure, promotion, and merit pay.

Although they differ in detail, the grievance procedures of all constituent institutions typically involve four distinguishable stages of inquiry.

First, there is opportunity for informal inquiry, at the lowest feasible administrative level, about the grievance of the faculty member. The hope, in every such case, is that informal discussion of the facts

and circumstances will resolve the difficulty. Either the faculty member will be persuaded that he has no real grievance or the administrator will be persuaded that an error has been made and should be corrected. Successful use of such informal processes typically turns on a discovery and acknowledgement of misperceived or misinterpreted facts, and it is then possible to straighten out the problem.

Second, if an informal composition of differences proves not to be possible, there may be a need to resolve the dispute through a formal inquiry designed to determine what the facts are and what policies and principles were or should have been applied to the facts in arriving at the decision about which the faculty member complains. Typically, first responsibility for hearing and advising with respect to the resolution of such a dispute is assigned to a committee of faculty peers.

Third, the findings and recommendations of the hearings committee are forwarded to the responsible administrative official, where a final administrative conclusion is to be reached on behalf of the institution.

And last, if still aggrieved by the administrative disposition of his complaint, the faculty member is authorized to appeal the Chancellor's decision to the board of trustees and, in some instances, to the President and the Board of Governors.

That outline is familiar to us all. But where do the difficulties occur?

The central process in the resolution of a contested personnel decision is the hearing conducted by the faculty committee. Its work is critical to the success and, thus, to the credibility of the University's internal efforts to resolve such problems. And there is evidence that, on occasion, the performance of that major task is not without its difficulties.

For one thing, many committee members and many grievants are confused, discouraged, and mystified by what may be called the "over-legalization" of the grievance inquiry. On some occasions and at some locations, the impression given is that such hearing processes have become unreasonably and unnecessarily complex and technical.

There are several possible sources of such inordinate legalism. The essential point, however, is that in our effort to achieve a voluntary internal composition of differences we cannot and should not purport to replicate in detail the functions and procedures of a court of law. While the central task of a faculty committee is frequently difficult and unpleasant, it is a straightforward and entirely manageable task.

The resources and capacities required are similar to those essential in many everyday professional tasks. A question about what happened is raised, evidence supportive of opposing views of the truth are presented, and the common sense and personal and professional integrity of committee members are brought to bear on the evidence to arrive at a conclusion which the committee believes is persuasively induced by the evidence. Thus, the core task is not mysterious.

However, there is an apparent need to assist such committees, if they are more comfortably and confidently to undertake their responsibilities. That conclusion corresponds closely with one of the points in your resolution. I am glad to report that we have been engaged for several months in one type of effort to address that need. Representatives of my office and of the office of the North Carolina Attorney General have held a series of orientation meetings with committee members at various institutions. Any campus which feels a need for this type of assistance may request it. I believe that all campuses potentially can benefit from such an experience.

A second source of difficulty is some apparent uncertainty about or discomfort with the role of the faculty committee and its relationship to the total effort to resolve the grievance. In every instance, the deliberations, findings and conclusions of the committee serve ultimately to inform and advise, but not to bind, the Chancellor in his disposition of the case. That fact is the subject of controversy among some members of the faculty. And that concern appears to underlie another of the points in your resolution. The alternative approach that has been recommended by you for study is binding arbitration, in which a putatively neutral third party, from a source other than the faculty or the administration, would hear and definitively resolve the dispute. Such an approach would displace the responsibilities of both the faculty committee and the Chancellor.

That approach, in my view, is not acceptable. The principal reasons I am not prepared to recommend it to the Board of Governors are these:

1. There are many questions about the legal capacity of the university to give an arbitrator the authority to make certain types of decisions that would be involved in the range of grievances we are considering. It appears that such a change in the source of authority would require changes in both the University Code and the enabling statutes of North Carolina. Further, use of arbitration likely would not enhance the finality of internal University efforts to resolve grievances. For example, there are serious questions about whether a grievant could be bound, legally, to forego other possible sources of remedy, outside the University, if the arbitration process resulted in a decision unfavorable to him. And it is clear that various state and federal governmental agencies could not be bound to defer to any such internal resolution of a dispute through arbitration, with respect to various subjects covered by substantive law.
2. Even assuming these technical problems were surmounted, the more serious defect in the proposal is that it would eliminate from the grievance process participation by the collegial peer group. No longer would a faculty committee be responsible for investigating, analyzing, and advising with respect to such problems. At present, it is precisely the special expertise of faculty members that induces their use as primary participants in our grievance process. They bring special insights, special concerns, and special perspectives to bear on disputes. That type of collegial expertise would be lost in an arbitration proceeding.
3. The arbitration model entails an oversimplified and misleading perception of the responsibilities and authorities of administrative officials--most notably, the Chancellor--in accounting for the proper comprehensive supervision of the affairs of the institution. The present arrangement under which a faculty committee conclusion is advisory to the Chancellor, rather than binding on the Chancellor, properly takes account of that fact. Particularly with respect to fashioning a feasible

and effective remedy to a found wrong, the Chancellor must proceed with great care to accommodate a variety of individual and institutional concerns. In my view, ultimate responsibility for resolving such grievances must remain with the Chancellor, subject to appellate review by the appropriate governing board.

Let me now turn to a third problem suggested by your resolution. That is the question about the meaning, effect, and applicability of the concept of "due process of law."

In expressing my concern on this subject, it is necessary to distinguish between constitutionally-required due process, internal University contractual commitments to afford specified types of process, and more generalized notions about basic fairness. The recurring tendency, which is illustrated in portions of your resolution, is to lump all three concepts together, as one undifferentiated mandate. That produces both conceptual and practical difficulties which can and do adversely affect the sound functioning of our grievance process.

Due process, as constitutionally mandated, means that the government (in this instance, a public university) may not take away from any person any thing of value except through a prescribed type of proceeding. The basic elements of such due process typically include clear notice of the basis for the proposed action and a hearing at which the basis for the action may be presented and challenged.

The only types of University proceedings in which the constitutional requirements of due process must be observed are those in which a faculty member is to be discharged, reduced in rank, diminished in pay, or otherwise is to have some right or entitlement taken away from him by the University. Thus, Section 603 of the Code contains special procedural requirements because vested property rights are at issue.

In contrast, note that in denying tenure, denying promotion, or denying merit salary increment, the constitutional mandate of due process does not apply, because nothing is being taken away from the individual. Nevertheless, in spite of the absence of any legal requirement to do so, the University has instituted certain types of procedures for testing the propriety and regularity of many of those types of decisions, such as denial of tenure, denial of promotion, and denial of merit pay. Such grievance procedures are voluntary undertakings and commitments, which are contractual in character. Through their use, the University has assured faculty members that when certain types of adverse decisions are reached, the affected faculty member shall have access to a prescribed type of proceeding to inquire into the propriety of the decision.

There are obvious and compelling reasons for our having concluded, collectively, that the availability and use of such internal procedures is highly desirable. First, the University always should seek voluntarily to identify, recognize and correct its errors, on its own motion, when errors occur. Second, with respect to grievances that derive from alleged violations of law that could be redressed in the courts, the cohesion and spirit of the University community are best served if such matters can be resolved internally on a mutually satisfactory basis. Third, successful use of internal procedures avoids the waste of human and fiscal resources that frequently attends use of more formal external procedures, before courts or

governmental enforcement agencies.

Clearly, such considerations are valid and compelling, and they support the continued maintenance of voluntary grievance procedures that will accommodate a broad range of individual grievances. But I ask you to examine with me some of the difficulties that result from a misunderstood and undifferentiated invocation of the concept of due process.

In a situation to which constitutional due process applies, the University must assume and sustain the burden of proving that the faculty member should be deprived of some vested right or interest. But that situation must be distinguished from many other situations in which a faculty member is disappointed by the decision that some reward will not be given to him, such as tenure or promotion or merit pay. In those instances, it is the faculty member's obligation to demonstrate that the institution has done him some recognizable and material wrong. He must prove that the institution erred.

The recurring fallacy that I am here seeking to examine is best illustrated by the example of a decision not to reappoint a faculty member upon expiration of a contractual term of employment. The fallacy is stated in various ways. For example, some have asserted that the institution must set forth and prove good reasons for not reappointing a probationary employee. Or, it is said that a probationary faculty member should be given tenure if he has completed his probationary term and ostensibly has met the basic, established standards for the achievement of tenure, or that unless the institution can prove some deficiency in the candidate's performance, he is entitled to tenure.

All of these propositions are in error. They conflict with the legal requirements applicable in such instances, thereby creating assumptions and expectations about the grievance proceedings that confuse and distort those proceedings. Moreover, in my view, they conflict with the longstanding and virtually universal theories on which the American system of tenured faculty employment rests.

Tenure is not a right. It is a privilege that is conferred at the discretion of the institution, pursuant to the process set forth in the Code and the tenure regulations. The only commitment, legal or otherwise, to a new tenure-track employee is to retain that individual for the duration of the specific contractual period. There is no right, entitlement, or justified expectation of any employment relationship beyond the contract period. Stated most simply, an educational institution is free legally to decide not to tenure a probationary employee for any reason deemed satisfactory, with exception for a very limited number of legally proscribed bases for denial of tenure, e.g., discrimination based on race, sex, or age or retaliation for the exercise of constitutionally-assured rights of free speech. These propositions have been affirmed explicitly in rulings by the United States Supreme Court. To that list of legally prohibited bases for nonreappointment, the University Code voluntarily has added an additional category of proscription, denominated "personal malice."

Thus, when a faculty member is aggrieved by a decision not to reappoint, it is his responsibility to allege and prove that one or more of the three impermissible bases for nonreappointment existed. Unlike the situation in the discharge context, it is not the institution's responsibility to prove that the faculty member

was in the wrong. Rather, in a nonreappointment case the faculty member must prove that the institution was in the wrong.

With the foregoing basics in mind, I want to focus more particularly on one item in your resolution which urges that written reasons be supplied to a faculty member in explanation of the decision not to reappoint with tenure.

Let me be very clear at the outset about my belief that in virtually no case should the decision not to reappoint come as a surprise to an affected probationary member of a faculty. Through an established process of careful, meaningful, and clearly articulated periodic assessments of a candidate's performance, the probationary faculty member should know on a regular basis where he stands in his progress toward fulfillment of the institution's expectations. During probationary status, the faculty member is in a process of training, growth, change, and evaluation. His professional endeavors should be monitored closely and he should be carefully informed about both his strengths and his weaknesses. Only in a limited set of situations might we reasonably expect a negative decision on tenure to be unanticipated. Those situations, generally, would be a product of institutional needs and exigencies which have nothing to say about the professional merit of the candidate.

Furthermore, common decency demands and our tenure regulations require that when a negative decision on tenure has been reached the affected faculty member shall have access to an informal conference with his administrative supervisors for a discussion of the reasons for the nonreappointment decision.

But both of these salutary, informational efforts are to be and must be distinguished from supplying specific written reasons, in a potentially adversarial context, for the decision not to reappoint. To do so involves, again, the erroneous view that the institution is responsible for proving the individual's unfitness for tenure. It miscasts, at the outset, the proper burden of proof. If in the ensuing hearing process the faculty member presents persuasive evidence that the institution based its nonreappointment decision on an impermissible reason, then and only then is a formal explanation of the institution's reasons for its decision required.

In summary, there are sound reasons for not supplying formal written statements of reasons for the institution's nonreappointment decision, and I do not support any requirement that a constituent institution proceed otherwise.

Finally, your resolution recommends further inquiry into the desirability and feasibility of developing more effective and perhaps more extensive processes for analyzing and adjusting disputes on an informal basis, before resort is had to formal grievance hearings. I endorse that proposition, I reiterate my previously expressed belief that informal resolutions, when possible, are obviously preferable, and I do encourage further study of that subject. However, to the extent that the language of your resolution seems to implicate, once again, the concept of "arbitration" as distinguished from "mediation," I cannot agree with it.

To sum up, I have attempted to share with you my reasons for believing that our present system is sound in its basic formulation, but also to acknowledge that, in operation, there may be shortcomings that require attention and must be corrected. Where such correction may require formal amendment of the tenure regulations of an institution (and this is probably what will be required in some instances), I will begin exploring these questions with the Chancellors in the near future.

I shall welcome an opportunity to respond to questions about or otherwise to discuss the content of our present exchange of views. The most effective medium for that further dialogue, if you seek it, might be for members of my staff to meet with your committee which is charged with responsibility in this area of concern.

I thank you for sharing with me forthrightly the views set forth in your resolution, and I appreciate the serious study and thought that underlies your efforts.

## 13.2 Other UNC Board of Governor's Policies on Faculty Rights and Responsibilities

### 13.2.1 Board of Governors Doctoral Study Assignment Program

THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA has established the DOCTORAL STUDY ASSIGNMENT PROGRAM to allow selected faculty members of the comprehensive and general baccalaureate institutions of The University to pursue up to one year of full-time study toward the doctoral degree.

Faculty members selected to participate in the program will be allowed to pursue doctoral studies in an accredited university on a full-time basis during the period of the award. They will continue to receive their full salary and other benefits for the period of study, and will remain as employees of the institutions where they are currently employed. Faculty members selected for these study assignments are responsible for all educational and personal costs associated with their studies, including tuition, moving expenses, travel, and any other such expenses.

In order to be nominated for these awards, a candidate must:

1. Be a full-time faculty member in one of the following institutions: Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina A & T State University, North Carolina Central University, Pembroke State University, University of North Carolina at Asheville, University of North Carolina at Charlotte, University of North Carolina at Wilmington, Western Carolina University, or Winston-Salem State University.
2. Be recommended by the appropriate Chancellor and Department or Unit Head.
3. Except in unusual circumstances, have had two or more years of full-time teaching experience at the institution where currently employed.
4. Agree in writing to return to home institution after completion of the year of study and remain for at least two years.

5. At the time of nomination to the President of the University of North Carolina, be enrolled in a graduate program leading to a doctoral degree at an accredited university in the United States.

### APPLICATION/SELECTION PROCESS

1. Interested faculty members should obtain application forms from the Vice Chancellor's office and submit them to their Deans or Department Heads. The completed applications and recommendations from Deans or Department Heads should be submitted to the Chancellor's office as soon as possible.
2. The Chancellor will select applicants from his institution and submit these to the President in priority order.
3. The selection panel will interview all finalists.
4. The President will review the nominations and make final selections.

See the Office of Academic Affairs for forms and information about application deadlines. Applications are normally submitted early in the spring semester of each academic year.

13.2.2 Employment/Supervision of Related Persons: (Board of Governors adopted 4/12/73)

### RESOLUTION CONCERNING THE EMPLOYMENT OF RELATED PERSONS

WHEREAS, decisions concerning the employment, evaluation, promotion and compensation of academic personnel should be based in every instance on considerations of individual merit, and

WHEREAS, favoritism based on family relationships between employees derogates from the merit principles of employment, and

WHEREAS, the risk of occurrence of such favoritism can be avoided most effectively by the advance establishment of general restrictions against the creation of situations where such favoritism could be operative; and

WHEREAS, a common policy concerning the employment of relatives, applicable to personnel practices at all constituent institutions of The University of North Carolina, is desirable,

NOW THEREFORE, THE Board of Governors herewith adopts the following UNIVERSITY POLICY CONCERNING THE CONCURRENT EMPLOYMENT OF RELATIVES

#### A. Basic Principles

Consistent with the principle that University employees and prospective employees shall be evaluated on the basis of individual merit, without reference to considerations of race, sex, religion or national origin, or any other factors not involving personal professional qualifications and

performance, the following restrictions, designed to avoid the possibility of favoritism based on family relationship, shall be observed with respect to institutional personnel who are not subject to the State Personnel Act:

1. Related persons shall not serve concurrently within the institution in any case where one such relative would occupy a position having responsibility for the direct supervision of the other relative.
2. With respect to proposed employment decisions which would result in the concurrent service of related persons with the same academic department (or other comparable institutional subdivision of employment), a relative may not be employed if the professional qualifications of other candidates for the available position are demonstrably superior to those of the relative.
3. With respect to the concurrent service of related persons within the same academic department (or other comparable institutional subdivision of employment), neither relative shall be permitted, either individually or as a member of a faculty or as a member of a committee of a faculty, to participate in the evaluation of the other relative.

#### B. Definition of "Related Persons"

The following relationships are sufficiently immediate to invoke the prohibitions against concurrent service of related persons:

1. Parent and child
2. Brothers and sisters
3. Grandparent and grandchild
4. Aunt and/or uncle and niece and/or nephew
5. First cousins
6. Step-parent and step-child
7. Step-brothers and step-sisters
8. Husband and wife
9. Parents-in-law and children-in-law
10. Brothers-in-law and sisters-in-law
11. Guardian and ward

#### C. Effective Date

The provisions of this policy shall be applicable prospectively only, with reference to appointments made after the adoption date of the policy.

#### D. Employees Subject to the State Personnel Act

With respect to University employees who are subject to the State Personnel Act, applicable restrictions concerning the concurrent service of related persons shall be those adopted by the State Personnel Board.

#### E. Each Chancellor shall report annually to the Board of Trustees, at the regular meeting falling closest to the date of commencement, concerning all specific cases during the preceding year in which the terms of this policy were applied.

### Directions Concerning Implementation

Consistent with the report of the Personnel Committee of the Board of Governors, which recommended

adoption of this policy, the following directions concerning implementation of the policy statement are furnished to each campus administration:

1. Copies of the policy statement, with appropriate explanatory material, are to be distributed to all University employees who have responsibility and authority with respect to personnel recommendations or decisions.
2. The policy is to be publicized generally throughout the University community, to insure that all employees are aware of its requirements.
3. Appropriate personnel-action forms, designed to insure effective administrative supervision of the implementation of the policy, shall be used in screening applicants or candidates for appointment, for example:
  - a. With reference to candidates for initial employment, the pertinent personnel-action form shall include an inquiry about whether the applicant or candidate is related, within the degrees specified in the policy statement, to any incumbent employee within the institution or to any other candidate for concurrent employment at the institution;
  - b. With reference to candidates for promotion to a position having responsibility for supervision of other employees, the pertinent personnel-action form shall include an inquiry about whether the candidate is related, within the degrees specified in the policy statement, to any incumbent employee within the institution or to any other candidate for concurrent employment at the institution.
4. In any situation where two or more related persons are to be employed within the same academic department (or other comparable subdivision of institutional employment), the supervisory or administrative official who has authority to give final administrative approval to the employment shall obtain from the supervisory or administrative official recommending employment a certification to the effect that no other candidate for the position in question possesses qualifications superior to those of the relative candidate.
5. Consistent with the requirements of Paragraph E of the Board policy, each Chancellor's written report to the Board of Trustees shall treat all cases in which the nepotism question arose during the preceding year:
  - a. In all cases where an individual making written application for employment was denied employment because of the requirements of the anti-nepotism policy, the circumstances shall be set forth; for example, (1) the employment would have resulted in one relative supervising another, or (2) an unrelated candidate had demonstrably superior qualifications;
  - b. In all cases where concurrent employment of related persons was allowed, the justifying circumstances shall be set forth; for example, (1) the supervisory relationship was not "direct", or (2) there were no other candidates for the available position whose professional qualifications were demonstrably superior to those of the relative.

### Interpretations of Substantive Policy

This policy applies only to EPA personnel; however, the policy of the State Personnel Board for SPA personnel, is essentially identical in substance to the policy of the Board of Governors. Related

employees, may not participate in the evaluation of the other; this means:

1. One relative who is a supervisor of the other must disqualify himself or herself from and not participate in the evaluation of the other.
2. One relative may not sit as a member of a faculty or a member of a committee of a faculty which is exercising authority to evaluate the other relative.

The question of "directness" or "indirectness" must be interpreted reasonably to accomplish the intent and spirit of the anti-nepotism policy. As a general rule of interpretation, no supervisory relationship between related persons should be permitted to exist where the supervisor effectively controls the terms and conditions of the relative's employment, including promotion opportunities, rates of compensation, work assignments and evaluation of performance. The terms "direct" and "immediate" may be essentially interchangeable, for purposes of evaluating certain types of relationships; however, in certain situations, because the term "immediate" may connote only "first line" supervision, it may be too restrictive a concept to serve as a reasonable guide.

Existence of the following types of relationships would appear, invariably, to violate the restriction against "direct supervision":

- a. Department Chair and a member of the instructional staff of the same department.
- b. Member of instructional or research faculty and his or her teaching or research assistant.
- c. Dean of a School and a Chair of a Department included within the School.
- d. Chancellor and a Vice Chancellor.

With respect to other types of relationships, an exercise of discretion may be necessary, with the possibility of varying conclusions depending on the operative circumstances. In general, if the relationship between an employee and an official in the line of supervision is sufficiently remote to give rise to no substantial supervisory relationship, it may be appropriate to disregard the fact of family relationship.

In applying all aspects of the Board policy, the essential point, as articulated in the Basic Principles, is that no person shall at any time receive preferred treatment because of his or her relationship to another employee of the institution. The guidelines established in Paragraph A 1 of the Board policy are designed to preclude situations in which there is a high risk of such subjective favoritism. Accordingly, any interpretation of the "direct supervision" restriction should be consistent with this underlying policy objective.

Of critical importance is the principle that administrative guidelines and practices shall operate consistently. For example, if the policy is invoked in one case to preclude employment of a faculty member because his or her relative is Chair of the department, the same result should obtain with respect to all identical cases; conversely, if employment is allowed under certain factual circumstances, there should be consistent results achieved in all identical cases. In short, an ad hoc, case-by-case approach,

without the benefit of consistently applied guidelines, is likely to produce variations in result which could prompt charges of discrimination.

### 13.2.3 Conflict of Interest and Commitment

ADMINISTRATIVE MEMORANDUM #334 Adopted June 18, 1993

#### POLICIES AND GUIDELINES OF THE BOARD OF GOVERNORS CONCERNING CONFLICTS OF INTEREST AND COMMITMENT AFFECTING UNIVERSITY EMPLOYMENT

The Code of The University of North Carolina affirms that the basic mission of the faculty is "the transmission and advancement of knowledge and understanding." Faculty employment entails the three responsibilities of teaching, scholarly research and publication, and other professional service to the institution and to society. Realization of those objectives is facilitated and encouraged by certain distinctive characteristics of employment within an academic community, which differs markedly from the conventional work-day and work-week employment models in most business and industrial settings.

Within the academy, time-specific assignments, such as classroom contact hours, constitute only a limited part of the workload. Typically, actual teaching hours account for no more than one quarter of a professor's time. However, activity directly affecting the education of students also includes class preparation and student evaluation, scheduled and unscheduled office hours for individual student counseling, and meetings of committees within departments, divisions and schools of the institution which are responsible for curriculum development, syllabus preparation, and program evaluation. In addition, the collective faculty has extensive authority and responsibility for the governance of the institution. Such work usually is accomplished through membership on various committees, at the department, division, school and institutional levels, which address personnel, financial and other administrative issues.

Finally, every member of the faculty is expected to pursue research in his or her area of specialization. Such scholarly activity may be specifically relevant to instruction, it may add generally to the body of information and understanding in a particular field, or it may have direct practical applications, as in business, industry, government, primary and secondary education, public health and national defense.

Faculty members also pursue their specialized professional interests in other contexts, collateral to their immediate university employment. They hold memberships in and attend meetings of professional associations and learned societies; they serve on review or advisory panels; they present lectures, papers, concerts and exhibits; they participate in seminars and conferences; they review and edit scholarly publications; and they participate in accreditation reviews.

Many faculty members also have opportunities to use their specialized competencies in secondary professional employment, as paid consultants to public and private agencies, and thereby contribute to the transfer and application of knowledge.

The role of a scholar, encompassing both institutional employment responsibilities and broader applications of specialized professional interests, is complex. The university employment environment is designed to accommodate such complexity. For many purposes the faculty member is allowed, and indeed encouraged, to function more independently than employees

in other settings. Aside from assigned teaching responsibilities and committee memberships, a faculty member establishes his or her own agenda and schedule in selecting and pursuing scholarly emphases. A substantial part of the value received by society in exchange for its investment in a scholar's career is attributable to that freedom of inquiry, whether the inquiry consists of basic scientific research, applied or performing art, analysis and criticism of literature, or explication of economic principles. Members of the faculty are paid to be imaginative, inquisitive and creative.

The freedom accorded faculty members carries with it a substantial responsibility. Those who display notable talent and are conscientious and productive in their pursuit of knowledge and learning are invited to establish long-term affiliations with the institution through the award of tenure. There is the possibility, however, that members of the faculty may abuse the essential freedom attending faculty employment and neglect their responsibilities to the institution. Such neglect may become an issue when decisions are being made about reappointment or tenure, or it may require attention at other times during the employment relationship. The problem may consist of what may be denominated either a conflict of commitment or a conflict of interest.

Conflict of commitment relates to an individual's distribution of effort between obligations to one's university employment and one's participation in other activities outside of university employment. The latter may include such generally encouraged extensions of professional expertise as professional consulting. Such activities promote professional development and enrich the individual's contributions to the institution, to the profession, and to society. However, a conflict of commitment occurs when the pursuit of such outside activities involves an inordinate investment of time that interferes with the faculty member's obligations to students, to colleagues, and to the missions of the university.

Conflict of interest relates to situations in which financial or other personal considerations may compromise, may involve the potential for compromising, or may have the appearance of compromising a faculty member's objectivity in meeting university duties or responsibilities, including research activities. The bias that such conflicts may impart can affect many university duties, including decisions about personnel, the purchase of equipment and other supplies, the collection, analysis and interpretation of data, the sharing of research results, the choice of research protocols, and the use of statistical methods. A faculty member may have a conflict of interest when he or she, or any member of that person's immediate family, has a personal interest in an activity that may affect decision making with respect to university teaching, research or administration.

As relationships between university faculty members and private industry, federal and state governments, and nonprofit agencies have grown in number and scope, there has been a corresponding increase in concern about conflicts of commitment and interest. While members of the faculty are encouraged to

engage in appropriate relationships with public and private agencies outside of the university, there is a need for commonly understood principles and corresponding procedures that will identify and address conflicts that would detract from or interfere with a faculty member's dedication of primary professional loyalty, time and energy to university teaching, research and service. Although faculty members are the primary subject of concern, all other university employees similarly must, avoid conflicts of time and commitment.

#### A. Conflicts of Commitment

Questions about conflict of commitment are more easily resolved than questions about conflicting interests. Although full-time faculty employment is not amenable to precise, time- clock analysis and monitoring, administrators at the department and school levels are able to and regularly do evaluate the work of employees within their jurisdiction. The formal occasions for determining whether an individual is devoting sufficient time and energy to university employment include regular reviews of performance in connection with annual salary decisions and scheduled reviews incident to promotion, reappointment or tenure decisions. In addition, complaints from students, colleagues or administrators about possible failures to meet assigned responsibilities may arise and require investigation. The issue, in each case, is whether the faculty member is meeting the requirements of the job. If presented with evidence that he or she is not meeting full-time responsibilities to the university, the Code prescribes that "neglect of duty" is a ground for disciplinary action, including the possibility of discharge. In one particularly relevant context the Board of Governors has established special policies and procedures for monitoring possible conflicts of commitment. A university employee who wishes to engage in external professional activity for pay must make a full disclosure, in advance, of the planned outside involvement and must provide satisfactory assurances that such activity will not interfere with university employment obligations. In another example of special legislation, the Board has established rules for monitoring and regulating the involvement of university employees in political candidacy and officeholding that could interfere with full-time commitment to university duties.

There is no apparent need to adopt new or additional policies or procedures to address concerns about conflicts of commitment. Existing regulations and procedures provide adequate assurances.

#### B. Conflicts of Interest

Conflicts of interest are more difficult to define, detect and resolve. The challenge is to establish some basic parameters, of general applicability throughout the University of North Carolina, that will permit institutions and their faculties to recognize more readily and clearly those situations that are improper or that may be questionable, and to institute basic procedures for avoiding or rectifying any problems. Thereafter, the constituent institutions through collaborative faculty and administrative efforts, should develop more detailed policies and procedures that will accommodate any special conditions and needs of a particular campus or particular faculty.

A faculty member's professional activities and financial interests must be arranged to avoid circumstances that do or may prevent or limit objectivity in the performance of university responsibilities or that otherwise do or may affect adversely any university interests.

## 1. Categories of Potential Conflicts of Interest

Activities that may involve conflicts of interest can be categorized under three general headings: First, those that otherwise might appear to involve such a conflict but that in fact do not, are allowable, and need not be reported; second, those that are questionable and must be reported, but that may be allowable with administrative approval; and third, those that generally are not allowable. The following examples are merely illustrative and do not purport to include all possible situations within the three categories:

### a. Activities allowable. with no reporting required

The cited examples do involve activities external to university employment, and thus may present the appearance of a technical conflict, but they in fact do not have the potential for affecting the objectivity of the faculty member's performance of university responsibilities; at most, some such situations could prompt questions about conflicts of commitment.

- A university employee receiving royalties from the publication of books or for the licensure of patented inventions subject to the UNC Patent and Copyright Policies.
- A university employee having an equity interest in a corporation, the exclusive function of which is to accommodate the employee's external consulting activities.
- A university employee receiving nominal compensation, in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on review panels, presentation of scholarly works, and participation in accreditation reviews.

### b. Activities requiring disclosure for administrative review

The cited examples suggest a possibility of conflicting loyalties that can impair objectivity, but disclosure and resulting analysis of relationships may render the activity permissible, perhaps with certain types of limitation or monitoring.

- A university employee requiring students to purchase the textbook or related instructional materials of the employee or members of his or her immediate family, which produces compensation for the employee or family member.
- A university employee receiving compensation or gratuities (other than occasional meals, gifts of desk copies of textbooks, and the like) from any individual or entity doing business with the university.
- A university employee serving on the board of directors or scientific advisory board of an enterprise that provides financial support for university research, and the employee or a member of his or her immediate family may receive such financial support.
- A university employee serving in an executive position in a for-profit or not-for-profit business which conducts research or other activities in an area related to the university duties of the employee.
- A university employee having significant equity in a for-profit business

which conducts research or other activities in an area related to the employee's university duties.

- A university employee having a financial interest in a business that competes with services provided by the university.

c. Activities or relationships that generally are not allowable.

The cited examples involve situations that are not generally permissible, because they involve potential conflicts of interest or they present obvious opportunities or inducements to favor personal interests over institutional interests. Before proceeding with such an endeavor, the faculty member would have to sustain the burden of demonstrating that in fact his or her objectivity would not be affected or university interests otherwise would not be damaged.

- A university employee participating in university research involving a technology owned by or contractually obligated to (by license or exercise of an option to license, or otherwise) a business in which the individual or a member of his or her immediate family has a consulting relationship, has an ownership interest, or holds an executive position.
- A university employee participating in university research which is funded by a grant or contract from a business in which the individual or a member of his or her immediate family has an ownership interest.
- A university employee assigning students, post-doctoral fellows or other trainees to university research projects sponsored by a business in which the individual or a member of his or her immediate family has an ownership interest.
- A university employee accepting support for university research under conditions that require research results to be held confidential, unpublished, or inordinately delayed in publication (other than as allowed by University Patent and Copyright Policies or by policy of the Board of Governors dated February 12, 1988, Administrative Memorandum No. 260).
- A university employee making referrals of university business to an external enterprise in which the individual or a member of his or her immediate family has a financial interest.
- A university employee associating his or her own name with the university in such a way as to profit financially by trading on the reputation or goodwill of the university.
- A university employee making unauthorized use of privileged information acquired in connection with one's university responsibilities.

2. Avoiding Conflicts of interest

Each constituent institution must adopt procedures (a) that effectively impart a clear understanding of impermissible or questionable conduct and (b) that provide for advance disclosure and periodic audits designed to permit analysis and avoidance of potential problems.

Critical to the success of any program established to address conflicts of interest is employee understanding of the problem, so that individuals are equipped to avoid such conflicts on their own initiative. While in many situations the conflict of interest would be obvious to all, in other situations the potential difficulty would not be so apparent. Since concern about conflicts of interest appropriately embraces situations in which there is a potential for or appearance of conflict, as well as actual conflict, there may be differing views about what is or is not a problematic activity or affiliation. Thus, the faculty and administration of each constituent institution first must reach agreement on and promulgate basic definitions, of the type suggested herein, and then must insure that all affected employees are fully informed, on a regular and continuing basis.

Obviously it is preferable to anticipate and avoid conflicts of interest rather than belatedly discover an existing conflict that requires remedial action, involving the possibility of charges of misconduct, the severance of institutional affiliations or the discontinuation of external activities, or other disruptions of professional or financial arrangements. Thus, an effective method of evaluating possible conflicts of interest, in advance, is indispensable. Before the beginning of each academic year, every faculty member and other affected professional employees should be required to answer a questionnaire that would elicit pertinent information about proposed or existing arrangements, coterminous with university employment, that require attention. Designated administrative and faculty officers and committees then would be equipped to analyze with the employee any apparent problem and decide whether the activity or affiliation in question actually presents a conflict of interest and, if so, what safeguards or remedial actions should be taken. Employees further would be required to supplement the information elicited by the questionnaire at any time during the academic year when a contemplated new venture might entail conflicts of interest. In each case a designated administrative officer would provide a final ruling, subject to prescribed rights of appeal.

In combination, the required advance definition and publicity and advance screening should help all faculty members avoid any difficulties in the area of conflicts of interest.

Each chancellor shall submit to the President, for review, a copy of proposed institutional policies and procedures; including

definitions of conflicts of interest, methods for, publicizing institutional definitions and requirements, and procedures and forms for disclosing relationships and circumstances that may raise questions about conflicts of interest. Such proposals shall be submitted and, subject to presidential approval, shall be implemented on a schedule to be established by the President.

#### 13.2.4 External Professional Activities of Faculty and Professional Staff

ADMINISTRATIVE MEMORANDUM #333 Effective July 1, 1993

## The Board of Governors of The University of North Carolina

## POLICY STATEMENT ON EXTERNAL PROFESSIONAL ACTIVITIES OF FACULTY AND OTHER PROFESSIONAL STAFF

## SECTION 1. UNIVERSITY POLICY

The University of North Carolina and its constituent institutions seek to appoint and to retain, as faculty and other professional staff members, individuals of exceptional competence in their respective fields of professional endeavor. Because of their specialized knowledge and experience, such persons have opportunities to apply their professional expertise to activities outside of their University employment, including secondary employment consisting of paid consultation with or other service to various public and private entities. Through such practical, compensated applications of their professional qualifications, University employees enhance their own capabilities in teaching and research. Thus, participation of faculty and other professional staff members in external professional activities for pay, typically in the form of consulting, is an important characteristic of academic employment that often leads to significant societal benefits, including economic development through technology transfer. However, such external professional activities for pay are to be undertaken only if they do not:

- a. Create a conflict of commitment by interfering with the obligation of the individual to carry out all primary University duties in a timely and effective manner; or
- b. Create a conflict of interest vis-a-vis the individual's status as an employee of the University; or
- c. Involve any inappropriate use or exploitation of University resources; or
- d. Make any use of the name of the University of North Carolina or any of its constituent institutions for any purpose other than professional identification; or
- e. Claim, explicitly or implicitly, any University or institutional responsibility for the conduct or outcome of such activities.

## SECTION 2. DEFINITIONS

- a. "External professional activities for pay" means any activity that 1) is not included within one's University employment responsibilities; 2) is performed for any entity, public or private, other than the University employer; 3) is undertaken for compensation; and 4) is based upon the professional knowledge, experience and abilities of the faculty or other professional staff member. Activities for pay not involving such professional knowledge, experience and abilities are not subject to the advance disclosure and approval requirements of Section 3 of this Policy, although they are subject to the basic requirement that outside activities of any type not result in neglect of primary University duties, conflicts of interest, inappropriate uses of the University name, or claims of University responsibility for the activity.
- b. University employment responsibilities" include both "primary duties" and "secondary duties." Primary duties consist of assigned teaching, scholarship, and all other institutional service requirements. Secondary duties consist of professional affiliations and activities traditionally

undertaken by faculty and other professional staff members outside of the immediate University employment context that redound to the benefit of the profession and to higher education in general. Such endeavors, which may or may not entail the receipt of honoraria or the reimbursement of expenses, include membership in and service to professional associations and learned societies; membership on professional review or advisory panels; presentation of lectures, papers, concerts or exhibits; participation in seminars and conferences; reviewing or editing scholarly publications and books; and service to accreditation bodies. Such integral manifestations of one's membership in a profession are encouraged, as extensions of University employment, so long as they do not conflict or interfere with the timely and-effective performance of the individual's primary University duties.

- c. "Faculty or other professional staff member" means any person who is employed full-time by the University of North Carolina or a constituent institution or other agency or unit of the University of North Carolina and who is not subject to the State Personnel Act.
- d. "Department" means an academic department, a professional school without formally established departments, or any other administrative unit designated by the Chancellor of an institution or by the President for the Office of General Administration, for the purposes of implementing this policy.
- e. "Inappropriate use or exploitation of University resources" means using any services, facilities, equipment, supplies or personnel which members of the general public may not freely use. A person engaged in external professional activities for pay may use, in that connection, his or her office and publicly accessible facilities such as University libraries; however, an office shall not be used as the site for compensated appointments with clients, e.g., for counseling or instruction. Under no circumstances may a supervisory employee use the services of a supervised employee during University employment time to advance the supervisor's external professional activities for pay.
- f. "Conflict of interest" relates to situations in which financial or other personal considerations may compromise, may have the potential for compromising, or may have the appearance of compromising an employee's objectivity in meeting university duties or responsibilities, including research activities.

### SECTION 3. PROCEDURES GOVERNING EXTERNAL PROFESSIONAL ACTIVITY FOR PAY

- a. A faculty or other professional staff member who plans to engage in external professional activity for pay shall complete the "Notice of Intent to Engage in External Professional Activity for pay" (hereinafter referred to as "Notice of Intent," see end of Section 13), which shall be filed with the head of the department in which the individual is employed. A separate "Notice of Intent" shall be filed for each such activity in which an employee proposes to engage. Unless there are exceptional circumstances, the "Notice of Intent" shall be filed not less than ten (10) calendar days before the date the proposed external professional activity for pay is to begin.
- b. Approval of a "Notice of Intent" may be granted for a period not to exceed the balance of either (1) the fiscal year (in the case of 12-month employees and employees with contract service periods that include the summer session) or (2) the academic year (in the case of 9-month employees with no summer session contract period) remaining as of the date of approval; if the approved activity

will continue beyond the end of the relevant fiscal or academic year in which it was begun, an additional "Notice of Intent" must be filed at least ten days before engaging in such activity in the succeeding relevant year.

- c. Except as set out in paragraph "d" below, the "Notice of Intent" shall be considered as follows: If, after a review of the "Notice of Intent" and consultation with the faculty or other professional staff member, the department head determines that the proposed activity is not consistent with this policy statement of the Board of Governors, the faculty or other professional staff member shall be notified of that determination within ten (10) calendar days of the date the "Notice of Intent" is filed. In the event of such notification by the department head, the faculty or other professional staff member shall not proceed with the proposed activity but may appeal that decision to the administrative officer to whom the department head reports, and then to the Chancellor (or, in the General Administration, to the President). A decision on any such appeal shall be given to the faculty or other professional staff member within ten (10) calendar days of the date on which the appeal is received. The decision of the Chancellor or of the President shall be final. Appeals shall be made in writing on the "Notice of Intent" form.
- d. If question 8, question 9a, or question 9b on the "Notice of Intent" is answered in the affirmative, the procedure set out in paragraph 3.c above shall be modified as follows: The decision of the department head to approve the activity shall be reviewed promptly and approved or disapproved within ten (10) days of receipt by the administrative officer to whom the department head reports, and appeal of a disapproval by that officer shall be to the Chancellor (or, in the General Administration, to the president).
- e. Departmental summaries of all "Notices of Intent" filed and of actions taken in response to such "Notices of Intent" during the preceding fiscal year shall be submitted by department heads to the Chancellor (or, in the General Administration, to the President) each July. The Chancellors shall provide annual summary reports to the President by September 1 of each year.
- f. University employees not complying with these procedures will be subject to disciplinary action. Department heads are held responsible for proper reporting.

## SECTION 4. SPECIAL PROVISIONS

- a. External professional activities for pay performed for another institution or agency of the State of North Carolina also must comply with State policies governing dual employment and compensation, unless an exception to those State policies is expressly authorized by the Chancellor or the President.
- b. The procedures in Section 3 shall not be required of faculty and other professional staff members serving on academic year contracts if the external professional activity for pay is wholly performed and completed between the day following spring commencement and the first day of registration for the fall semester, provided that the activity does not conflict with this policy statement of the Board of Governors and is not conducted concurrently with a contract service period for teaching, research, or other services to the institution during 'a summer session.

### 13.2.5 Political Activities of University Employees

WHEREAS, as private citizens all University employees retain the rights and obligations of citizenship, including freedom to engage in political activities; and

WHEREAS, certain types of activities by University employees related to governmental and political processes may be incompatible with the general responsibilities of public employment or with the particular responsibilities of University employment; and

WHEREAS, the Board of Governors on September 13, 1974, adopted policies concerning political activities pertaining only to certain designated employees of the University; and

WHEREAS, the Board deems it desirable to have one set of policies on this subject that will apply to all University employees, with exception only of those who are subject to the State Personnel System;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA: (Amended 2/8/85)

1. Definitions. For purposes of this Resolution, the following words and phrases shall have the meanings indicated:
  - a. "Employees" means all employees of The University of North Carolina and of the constituent institutions who are exempt from the State Personnel System (Article 1 of Chapter 126 of the General Statutes).
  - b. "Senior Administrative Officers" means the President and all employees on the President's staff and the Chancellors and senior officials of the constituent institutions, including persons at the rank of vice chancellor, provost, dean, and other positions of equivalent rank and responsibility.
  - c. "Public Office" means any national, state, or local governmental position of public trust and responsibility, whether elective or appointive, which is created, prescribed, or recognized by constitution, statute, or ordinance (other than within The University of North Carolina).
  - d. "Compensation Which Is More Than Nominal" means compensation over and above (1) payments in the nature of reimbursements for expenses incurred by the officeholder incident to holding office (whether calculated on an average per diem basis or on an actual-expense basis) plus (2) the amount of per diem compensation prescribed by G.S. 138-5(a)(1) (currently established to be \$15 per diem).
2. Holding Public Offices Concurrent With University Employment.
  - a. Full-Time Public Offices.

Upon election to or acceptance of appointment to a public office requiring full-time service, an employee of the University will be deemed to have resigned from his or her University employment; provided, that if deemed practicable by the University, an affected employee may be granted a full leave of absence from University employment, without pay, to coincide with the period of public service, with such period of leave not to exceed two years in any case; such a request for leave shall be addressed to and resolved by the Board of Governors, shall be transmitted through the President, and shall be accompanied

by a recommendation from the appropriate Chancellor in any case pertaining to an institutional employee (if the request for leave pertains to a Chancellor, it shall be accompanied by a recommendation of the Board of Trustees).

b. Part-Time Public Offices For Which Compensation Is More Than Nominal.

If a University employee is elected to or accepts appointment to a public office requiring part-time service, for which compensation is more than nominal, including membership in the General Assembly, it shall be presumed that holding such public office creates a conflict of time or interest which interferes with responsibilities owed the University and which requires the affected employee either to procure an appropriate leave of absence or to resign from University employment. If prior to assuming the public office the affected employee by petition is able to establish to the satisfaction of the University that, contrary to the presumption, holding such public office in fact will not create a conflict of time or interest which interferes with responsibilities owed the University, the resignation requirement shall not be applicable; if consistent with the presumption the resignation requirement is found to be applicable, upon request by the affected employee and if deemed practicable by the University the employee may be granted a full or partial leave of absence from University employment, with corresponding suspension of or reduction in pay, applicable to the period of public service (if a full leave of absence is deemed necessary and is granted, it shall not exceed two years in any case; if a partial leave of absence is deemed necessary and is granted, the period of leave shall be at the discretion of the University). Such petitions for leave by senior administrative officers (and by all other employees if the petition is for service in the General Assembly) shall be addressed to and resolved by the Board of Governors, shall be transmitted through the President, and shall be accompanied by a recommendation from the appropriate Chancellor in any case pertaining to an institutional employee (if the request for leave pertains to a Chancellor, it shall be accompanied by a recommendation of the Board of Trustees); such petitions for leave by University employees other than senior administrative officers (with the exception of petitions for service in the General Assembly) shall be addressed to and resolved by the appropriate Board of Trustees and shall be transmitted through the Chancellor. With respect to each such decision rendered by a Board of Trustees, the Chancellor shall transmit to the Committee on University Governance of the Board of Governors a report, containing such information as the Committee may specify, concerning the action of the Board of Trustees.

c. Part-Time Public Offices For Which Compensation Is Only Nominal.

Election to or acceptance of appointment to a public office requiring part-time service, for which no compensation is paid or for which the compensation paid is only nominal, shall be presumed not to create a conflict of time or interest which interferes with responsibilities owed the University; provided, that if the President (with respect to senior administrative officers) or the Chancellor (with respect to other employees) believes that, contrary to the presumption, there will be a conflict of time or interest in the particular case, the question may be referred for resolution by either the Board of Governors or the appropriate Board of Trustees (depending on whether or not the employee is a senior administrative officer). Any employee who files as a candidate for or intends to accept appointment to such a

public office must file promptly with his or her immediate supervisor a written statement setting forth the amount of any payments to which the holder of such office is entitled as officeholder.

### 3. Candidacy for Elective Public Office.

#### a. Full-Time Offices.

The candidacy of a University employee for election to a public office requiring full-time service is presumed to create a conflict of time which interferes with the performance of responsibilities owed the University and requires the affected employee either to procure an appropriate leave of absence or to resign from University employment. If prior to announcing his or her candidacy the affected employee by petition is able to establish to the satisfaction of the University that, contrary to the presumption, such candidacy in fact will not create a conflict of time which interferes with responsibilities owed the University, the resignation requirement shall not be applicable; if consistent with the presumption the resignation requirement is found to be applicable, upon request by the affected employee and if deemed practicable by the University the employee may be granted a full or partial leave of absence from University employment, with corresponding suspension of or reduction in pay, to be coextensive with the period of candidacy. Such petitions and/or requests for leave shall be addressed to and resolved by the Board of Governors, shall be transmitted through the President, and shall be accompanied by a recommendation from the appropriate Chancellor in any case pertaining to an institutional employee (if the request for leave pertains to a Chancellor, it shall be accompanied by a recommendation of the Board of Trustees).

#### b. Part-Time Offices For Which Compensation is More Than Nominal.

The candidacy of a University employee for election to a public office requiring part-time service, for which compensation is more than nominal (including membership in the General Assembly) is presumed to create a conflict of time which interferes with the performance of responsibilities owed the University and requires the affected employee either to procure an appropriate level of absence or to resign from University employment. If prior to announcing his or her candidacy the affected employee by petition is able to establish to the satisfaction of the University that, contrary to the presumption, such candidacy in fact will not create a conflict of time which interferes with responsibilities owed the University, the resignation requirement shall not be applicable; if consistent with the presumption the resignation requirement is found to be applicable, upon request by the affected employee and if deemed practicable by the University the employee may be granted a full or partial leave of absence from University employment, with corresponding suspension of or reduction in pay, to be coextensive with the period of candidacy. Such petitions for leave by senior administrative officers (and by all other employees if the petition concerns candidacy for the General Assembly) shall be addressed to and resolved by the Board of Governors, shall be transmitted through the President and shall be accompanied by a recommendation from the appropriate Chancellor in any case pertaining to an institutional employee (if the request for leave pertains to a Chancellor, it shall be accompanied by a recommendation of the Board of Trustees); such petitions for leave by University employees other than senior administrative officers (and petitions concerning

candidacy for the General Assembly) shall be addressed to and resolved by the appropriate Board of Trustees and shall be transmitted through the Chancellor. With respect to each such decision rendered by a Board of Trustees, the Chancellor shall transmit to the Committee on University Governance of the Board of Governors a report, containing such information as the Committee may specify, concerning the action of the Board of Trustees. (See Administrative Memo in 10.B below)

c. Part-Time Offices For Which Compensation Is Only Nominal.

The candidacy of a University employee for election to a public office requiring part-time service, for which no compensation is paid or for which the compensation paid is only nominal, is presumed not to create a conflict of time which interferes materially with responsibilities owed the University; provided, that if the President (with respect to senior administrative officers) or the Chancellor (with respect to other employees) believes that, contrary to the presumption, there will be a material conflict of time in the particular case, the question may be referred for resolution by either the Board of Governors or the appropriate Board of Trustees (depending on whether or not the employee is a senior administrative officer). Any employee who files as a candidate for such a public office must file promptly with his or her immediate supervisor a written statement setting forth the amount of any payments to which the holder of such office is entitled as officeholder.

4. Political Campaign Activities.

With respect to his or her own candidacy for election to public office or to any other person's candidacy for election to public office, no University employee shall:

- a. Use University funds, services, supplies, vehicles, or other property to support or oppose the candidacy of any person for elective public office;
- b. Make any promise of preferential treatment (or actually confer such preference) or make any threat of detrimental treatment (or actually impose such detriment) to any person, with respect to any condition or incident of employment over which the employee has authority, control, or influence, for purposes of inducing support of or opposition to any candidate for elective public office.

Violation of the prohibitions contained in subparagraphs a and b, above, shall be cause for appropriate disciplinary action, including discharge from employment.

5. Other Leaves of Absence for Senior Administrative Officers.

A senior administrative officer who desires a leave of absence for purposes other than political candidacy or office holding may petition the University for such a leave in the following manner: (a) with respect to periods of leave not to exceed 90 days, the petition shall be addressed to and resolved by the President, who shall report to the Board of Governors all such leave arrangements as he may grant; (b) with respect to periods of leave to exceed 90 days, the petition shall be addressed to and resolved by the Board of Governors, shall be transmitted through the President, and shall be accompanied by a recommendation from the appropriate Chancellor in any case pertaining to an institutional employee (if the request for leave pertains to a Chancellor, it shall be accompanied by a recommendation of the Board of Trustees).

6. Appeals.

With respect to any decision reached by a Board of Trustees as prescribed in Sections 2 and 3 of

this Resolution, an employee aggrieved by the decision may appeal to the Board of Governors only on the basis of an allegation that such decision was contrary to the provisions of this Resolution. Any such appeal shall be addressed to the Chancellor for transmission to the President, who in turn will transmit the appeal to the Board of Governors.

#### 7. Effective Date.

The requirements of this Resolution shall be applicable prospectively only, on and after the date of adoption by the Board of Governors. No change in the employment status of an employee who was an incumbent in a public office as of the adoption date of this Resolution shall be required under the terms of this Resolution for the balance of the term of office being served on the effective date of this Resolution.

#### 8. Relation to State Laws.

The foregoing regulations as adopted by the Board of Governors are designed to supplement, and do not purport in any way to supplant or modify, those statutory enactments which may govern or limit the political activities of employees of the State of North Carolina.

#### 9. Repeal of Prior Enactments.

With respect to the resolution of the Board of Governors entitled "Policies Concerning Senior Administrative Officers of The University of North Carolina" which was adopted under date of September 13, 1974, paragraphs 1, 2, and 3 of said resolution are repealed; additionally, the resolution of the Board of Trustees of The University of North Carolina entitled "Statement of Policy on Elective Office-Holding" which was adopted under date of November 14, 1969, is repealed.

### 10. ADMINISTRATIVE MEMORANDA

- A. SUBJECT: Amendments to Board Policy NUMBER 214 Concerning Political Activities of University Employees: Candidacy for and Membership in General Assembly  
DATE: February 13, 1985

The purpose of the changes is to permit a more flexible response to cases in which an employee becomes a candidate for or is elected to membership in the General Assembly. The basic consequences of the changes are these:

1. An employee elected to the General Assembly is presumed thereby to have created a conflict in time or interest that precludes his or her continued employment with the University. That presumption is irrebuttable with respect to any semester during which General Assembly is in session; thus, the employee either must resign from University employment or must seek and be granted a full leave of absence, without pay, for that semester, if such a leave is deemed practicable by the Chancellor and the Board of Governors. By contrast, with respect to any semester during which the General Assembly is not in session, the presumption of conflict continues to be applicable, but that presumption may be rebutted through a showing by the employee that it is possible and practicable for him or her to discharge the non-session responsibilities of a member of the General Assembly and simultaneously perform satisfactorily all or a portion of his or her University responsibilities; typically, an affected employee might request a partial leave of absence, without pay, during such a semester; it would be the responsibility of the Chancellor and the

Board of Governors to determine whether in fact such a leave would be practicable and ought to be granted (or should be denied, with the consequence that the employee would be required to resign). Thus, for each of the semesters falling within the two-year term of office-holding, a separate timely petition referable to each would have to be submitted by the employee, in advance of the beginning of the semester, and acted upon ultimately by the Board of Governors.

2. Similar changes with respect to the consequences of candidacy for membership in the General Assembly have been effected by the Board amendments and must be addressed accordingly, under Section 3 of the policy.

Any questions concerning the interpretation and application of the amended Board policy may be addressed to the office of the UNC system President.

B. SUBJECT: Clarification of Board policies concerning political candidacy and officeholding

DATE: December 10, 1990

Section 3.b. above deals with candidacy for and holding of part-time political offices for which compensation is more than nominal. The regulations establish that compensation is more than nominal if it exceeds \$5,475 per year.

Concern expressed by the Faculty Assembly relates to such part-time offices at the local government level, e.g., membership on city councils, boards of county commissioners, school boards. Reports indicate that some prospective candidates for such offices have been informed that holding such an office necessitates their resignation from University employment or the procurement of an appropriate leave of absence without pay. While the presumption embodied in the policy does so prescribe, the Board policy also provides an opportunity for the affected employee to offer evidence that in fact no conflict in time or interest will attend the holding of such an office and, thus, that the employee should be excused from the requirement that he or she resign or procure a leave of absence, as a condition prerequisite to such officeholding.

One recurring problem is that the level of compensation paid for particular officeholding often is not a reliable guide to the actual nature and extent of time commitments required of the officeholder. Accordingly, care should be exercised by campus administrators to insure that prospective candidates are made aware of the proviso which permits an employee to demonstrate that no actual conflict of time or interest will result from particular part-time officeholding, even if the compensation is deemed to be "more than nominal."

### 13.3 FORMS for Section 13.0

- External Professional Activities for Pay for Faculty

## **14.0 UNCA POLICY AND INFORMATION DOCUMENTS**

### **14.1 Constitution of the Faculty Senate**

#### **CONSTITUTION OF THE FACULTY SENATE**

#### **OF**

#### **THE UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE**

(as Amended)

The faculty of the University of North Carolina at Asheville as hereinafter defined, having responsibility for the academic program of the institution, establishes, for the purpose of regulating the conduct of its business and deliberations, this constitution. This is done in full awareness that all procedures must be compatible with acts of the legislature, rulings of the Board of Governors and the Board of Trustees, and rules established for the University as a whole. Nothing in this constitution shall abrogate the Chancellor's final authority over policies and procedures at the University of North Carolina at Asheville.

#### **ARTICLE I**

The faculty shall be composed of all persons having academic rank at the University of North Carolina at Asheville, the Chancellor of the University, and the Vice Chancellor for Academic Affairs. The ranks are Professor, Associate Professor, Assistant Professor, Lecturer, and Instructor. All full-time ranked members whose primary responsibility is teaching and all ranked librarians are eligible for election to the Faculty Senate and may vote in faculty elections. An untenured faculty member may request the Secretary of the Senate to omit his or her name from the ballot and thus decline Senate election. Tenured faculty members may not decline election to the Senate or to Senate offices, except as described in ARTICLE II Section 2. It is assumed the members of the Faculty Senate will regularly attend Senate meetings and Senate committee meetings. When a Senator cannot attend a regular meeting of a Senate committee or the Senate, he should inform in advance the appropriate chairman and specify his reasons. A Senator missing more than three meetings of either the Senate or a Senate committee will have his Senate membership reviewed by the Faculty Senate.

#### **ARTICLE II**

##### **Section 1**

The Senate is empowered to act as the legislative body of the faculty, with provision for faculty review as follows: The Senate shall promptly distribute a written report of its actions and recommendations to all members of the faculty. The faculty, in general meeting, may discuss, amend, endorse or veto any Senate

action, provided that at least one week in advance of the meeting the faculty is given written notice of the issue to be raised and the action to be proposed. A quorum of the faculty (50% +1) must be present at such a meeting where amendment or veto shall be by two-thirds majority of those voting. Because of this provision the Senate must report actions within two weeks via faculty mail so that any faculty member may initiate discussion of Senate actions.

The faculty may refer appropriate concerns to the Senate for investigation, clarification, discussion and debate. The Secretary of the Senate shall issue an agenda to all faculty members prior to each Senate meeting. Meetings of the Senate shall be open to all members of the faculty; visitors may participate in Senate debate by majority consent of the members present.

## **Section 2**

The Senate shall be composed of fifteen elected faculty members, the Chancellor of the University, ex officio, and the Vice Chancellor for Academic Affairs, ex officio, non-voting. The members of the Senate shall hold three year terms of office from April 25th through April 24th of each succeeding year. Terms of office shall be phased so that five members are elected to new terms each year, except for the first year of this constitution when all fifteen members shall be newly elected.

After serving a complete three year term on the Senate, a faculty member is ineligible for reelection for one year following the expiration of his or her term. At the end of that period, and no later than one month prior to new elections, a faculty member may request of the Executive Committee a leave of absence from Senate service for an additional year to pursue valid academic concerns. Leaves of absence may be renewed by the same procedure for a third year, after which time the faculty member shall again become eligible for election.

## **Section 3**

Each year the faculty shall vote for five senators. One senator each shall be elected from the broad academic areas - Social Sciences, Natural Sciences, and Humanities - being the highest vote recipient in each area. Two senators shall be elected at large, being the next two highest vote recipients over all. All elected representatives shall represent the faculty as a whole and not solely the exclusive academic area in which they teach.

In each election, three alternates, being the next highest vote recipients from each of the three divisions after the above senators are designated, shall be elected for one year terms. The alternates shall attend Senate meetings with voice, but without vote. Should a vacancy occur for any reason, the Senate shall elect one of the alternates to assume full duties of that position. Should a vacancy occur after all alternates are in place, a special election shall be called to fill the vacancy, unless the vacancy occurs within 45 days prior to the next regularly scheduled election, in which case the position will remain vacant.

## **Section 4**

The officers of the Senate shall be elected annually by the Senate membership for a term of one year. They shall serve on the Executive Committee of the Senate. The elections shall be held in the spring of each year at the first meeting of the new Senate. The chairman and officers of the outgoing Senate shall convene the new Senate and hold the election of the new officers. The election of officers by the Senate shall be by secret ballot; a majority of the senators voting shall be necessary for election.

The officers shall be:

The Chairman who shall normally preside at Senate meetings, be the chairman of the Executive Committee of the Senate, and serve as the official spokesman of the Senate.

The First Vice Chairman, who shall preside in the absence of the chairman and chair the Committee on Academic Policies.

The Second Vice Chairman, who shall preside in the absence of the chairman and the first vice chairman and chair the Committee on Institutional Development.

The Secretary, who shall supervise the preparation of the minutes of the Senate, issue the Senate agenda, distribute written reports of Senate actions to the faculty, and chair the Committee on Faculty Welfare and Development.

A Senate Officer may be recalled by a secret vote of the Senate. Twelve votes shall be needed for recall.

## **Section 5**

The standing committees of the Senate shall be: The Executive Committee, the Committee on Academic Policies, the Committee on Institutional Development, and the Committee on Faculty Welfare and Development.

The Executive Committee shall be composed of the officers of the Senate and shall be chaired by the Chairman of the Senate. The Executive Committee shall be concerned with the Senate agenda, shall appoint the members of all standing and ad hoc committees of the Senate, and shall supervise the faculty elections, preparing and insuring the integrity of ballots.

As the elected leadership of the Faculty Senate, the Executive Committee will consult as appropriate with members of the faculty, with Senate committees, with ad hoc committees appointed by the Chancellor, and with officers and officials of the University, including the Chancellor and the Vice Chancellors. The Executive Committee will consult with the Vice Chancellor for Academic Affairs in the execution of his responsibility for the formation and dissolution of institutional committees and in the annual appointment of members thereto. The Executive Committee, the Chancellor and Vice Chancellor for Academic Affairs will consult with one another in the appointment of members of ad hoc committees.

The Committee on Academic Policies shall be composed of seven voting members: the First Vice Chairman of the Senate, who shall chair the Committee, six members appointed by the Executive

Committee; and the Vice Chancellor for Academic Affairs, who shall be a non-voting ex officio member. The University Librarian and Registrar are included as non-voting ex officio members. The Committee shall have responsibility for developing institutional policy and procedure in academic matters, and shall be available for discussion and consultation with appropriate student groups, as well as with members of the faculty, about academic policy.

The Committee on Institutional Development shall be composed of four members: the Second Vice Chairman of the Senate, who shall chair the committee, and three members appointed by the Executive Committee. The committee shall have concern for policy, planning, and initiatives in the area of institutional development where faculty involvement is proper. The committee shall fulfill this role by membership on the university-wide planning council. The committee shall be responsible for reporting planning activities to the Faculty Senate, with the Senate responding through Senate action where appropriate.

The Committee on Faculty Welfare and Development shall be composed of four members: the Secretary of the Senate, who shall chair the committee; two members appointed by the Executive Committee, and a voting faculty member who is the UNCA representative to the sixteen campus Faculty Welfare Committee in consultation with the Vice Chancellor for Academic Affairs. The committee may consist of only three members, in the event that the UNCA representative is also an elected member of the Faculty Senate. This committee shall have concern in areas of faculty study, research, and the attainment of professional goals by faculty members, leave, insurance, and annuities, and general faculty enhancement. It shall be the responsibility of this committee to communicate information on these matters as appropriate to all faculty members.

Appointment of senators to standing committees shall be made with continuity in mind.

Ad hoc committees of the Senate, which may be established from time to time, may include in their membership faculty members who are not then serving on the Senate and others.

All ad hoc and Senate committees shall report to the Senate for review, clarification, and coordination of faculty policy.

## **Section 6**

The Senate shall choose a regular time of meeting and shall meet monthly during the academic year. It may be called into special session by the Chairman, by concurrence of three members of the Executive Committee, or by petition to the Secretary of nine of its members. A quorum shall consist of nine elected members.

## **Section 7**

The Chancellor shall be a member of all committees of the Senate and is empowered to call a meeting of the Senate, or of any of its committees, and may preside at his discretion.

## **ARTICLE III**

### **Section 1**

Provisions outlined in this constitution may be amended by a two-thirds majority of the votes cast, provided that at least a simple majority of the faculty members vote, and provided at least one month's notice has been given to the faculty of the vote. The vote shall be by secret ballot.

### **Section 2**

In the event that a future senate shall desire to revise this constitution as a whole, the revised version shall be enacted by the same procedure outline in Section 1. A revision is interpreted to be a substantive alteration of the basic structure or charge of the Faculty Senate. The vote shall be by secret ballot.

## 14.2 UNCA Tenure Policies and Regulations

### **TENURE POLICIES AND REGULATIONS**

#### The University of North Carolina at Asheville

Approved: Board of Trustees - July 17, 1980

Board of Governors - August 8, 1980

### **Section I. FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY**

- A. The University of North Carolina at Asheville is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution therefore supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.
- B. The University of North Carolina at Asheville shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.
- C. Faculty and students of this institution shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.

### **Section II. ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY**

- A. It is the policy of The University of North Carolina at Asheville to support and encourage full

freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staffs of this institution. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with this institution and their position as men and women of learning. They should not represent themselves, without authorization, as spokesmen for The University of North Carolina at Asheville.

- B. The University of North Carolina at Asheville will not penalize or discipline members of the faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

### **Section III. ACADEMIC TENURE (amended by SD1089S)**

#### **A. General Considerations.**

1. Academic tenure refers to the conditions and guarantees that apply to a faculty member's employment. More specifically, it refers to the protection of a faculty member against involuntary suspension or discharge from employment or reduction in rank except upon specified grounds and in accordance with the procedures provided in Section IV or against termination of employment except as provided for in Section V.
2. The purpose of according the protection of academic tenure to faculty members is to secure their academic freedom and to help the institution attract and retain faculty members of the high quality it seeks. While academic tenure may be withheld on any grounds except those specifically stated to be impermissible under Section III.J.1., its conferral requires an assessment of the faculty member's demonstrated professional competence, his or her potential for future contribution, and the institution's needs and resources.

#### **B. Tenure, Notice, and Reappointment.**

1. Tenure. Whether contractual or permanent in nature, the tenure conferred on a faculty member is held with reference to employment by The University of North Carolina at Asheville, rather than by The University of North Carolina.
2. Conferral of Permanent Tenure. Permanent tenure may be conferred only by action of the President and the Board of Trustees of The University of North Carolina at Asheville. Because promotion to the rank of Associate Professor or Professor confers permanent tenure from the effective date thereof, any such promotion must be approved by the President and Board of Trustees as stated above.
3. Reappointment Decisions. All reappointment decisions provided for herein shall be made and communicated as provided in Section III.D.
4. Early Tenure Requests. A faculty member may request a review for tenure before the contractually specified time. A negative tenure decision in this case is equivalent to a decision to not reappoint the faculty member after completion of the current probationary term. Because a promotion implies tenure, a request for a review for promotion from a non-tenured faculty member has the same consequences.

5. Notice of Nonreappointment. Failure to give required notice of a decision not to reappoint a faculty member has the same effect as a decision at that time to offer a terminal appointment at the same rank for the following year,<sup>1</sup> except explicitly stated otherwise herein.

### C. Faculty Ranks.

Academic tenure, as herein described, pertains exclusively to the employment of faculty members by appointment to specified faculty ranks. Such appointments may be for fixed terms of employment, automatically terminal when they expire ("fixed term appointment"); or they may be for probationary terms ("probationary term appointment"); or they may be continuous until retirement, death, or resignation except as provided in Sections IV and V herein ("appointment with permanent tenure").

The full-time faculty ranks to which appointments may be made are:

#### 1. Non Tenurable Ranks.

- a. Instructor. The rank of instructor is appropriate for a person who is appointed to the faculty in the expectation that he or she will soon progress to a professorial rank but who lacks, when appointed, the necessary terminal degree for appointment to a professorial rank. Initial appointment to the rank of instructor shall be for one year, with one additional year of instructor rank allowable so as to complete the required degree. (The candidate can be offered a terminal one-year appointment following the two-year allowance.) Effective on completion of the necessary degree, advancement to the rank of Assistant Professor begins the following fall semester and initiates the first four-year probationary term. No person holding a position as an instructor may be appointed to permanent tenure at that rank. Notice to an instructor of the decision concerning reappointment shall be given according to this schedule:
1. during the first year of service as an instructor, no less than 90 days<sup>2</sup> before the end of that year;
  2. during the second year of service as an instructor, no later than 180 days<sup>2</sup> before the end of that year with reference to a third year of service.
- b. Lecturer. The rank of lecturer is reserved for persons who are appointed to non-tenure track full-time faculty positions of specifically contracted length. Initial appointment to the rank of Lecturer shall be for one year. After completion of at least three one-year appointments, terms may be extended to three or five years. Reappointment requires successful performance by the Lecturer and continuing need for this type of position in the department or program. Lecturers are not eligible for tenure. Notice to a Lecturer of the decision concerning reappointment for the following academic year should be given before the end of the spring semester.

- c. Other Special Faculty Appointments. Special fixed-term appointments with the title designations of "artist in residence," or "writer in residence," or with any faculty rank when accompanied by the qualifying prefix "adjunct," "clinical," or "research," may be made as provided herein. Such an appointment is appropriate for a person who has unusual qualifications for research, academic administration, or public service but for whom neither a Professorial rank nor the instructor rank is appropriate because of the limited duration of the mission for which he or she is appointed, because of concern for continued availability of special funding for the position, or for other valid institutional reasons. An initial special appointment shall be for fixed terms of one to five years and may be made either in direct succession or at intervals. Individuals with this type of appointment are not eligible for tenure. The "notice" provisions of Section III.B.4. do not apply to special faculty appointments, and a faculty member holding such an appointment is not entitled to any notice concerning offer of any subsequent appointment at any rank or title or for any term.
- d. Visiting Faculty Appointments. Persons other than regular members of the faculty may receive fixed-term appointments as visiting members of the faculty with rank designations, prefixed by the word "visiting," appropriate to their status in their regular employment. Such an appointment shall be for a term of not more than one year; one subsequent appointment may be made for a term of not more than one year. The "notice" provisions of Section III.B.4. do not apply to visiting appointments, but during the term of appointment a visiting faculty member enjoys the protections afforded by Section IV.

2. Tenable Ranks. To be eligible to hold a tenurable rank a person must hold the terminal degree (usually the doctorate) in his or her discipline.

- a. Assistant Professor. Initial appointment to this rank shall be for a probationary term of four years. In the third year of this term following a review, the person may be appointed for a second four-year probationary term in the following academic year. An unfavorable review allows the fourth year of the first term to serve as a grace year of employment with faculty status. Reappointed persons on tenure track will normally be evaluated for tenure and promotion to Associate Professor in the sixth year of the full probationary period. Candidates awarded tenure will begin a permanent contract in the following year of employment. Candidates not awarded tenure may not be reappointed beyond the seventh year of employment. Notice to an Assistant Professor of the decision concerning reappointment shall be given no less than twelve months before the end of the individual's then-current term.
- b. Associate Professor. For untenured faculty, the initial appointment to this rank shall be for a probationary term of four years. Appointments will normally be evaluated for tenure in the third year of the term. Candidates awarded tenure will begin a permanent contract in the fourth year of employment. Candidates not awarded tenure may not be reappointed beyond the fourth year of the term. Notice to an associate professor of the decision concerning reappointment shall be given no less than twelve months before the end of his or her probationary term.
- c. Professor. For untenured faculty, the initial appointment to this rank shall be for a

probationary term of four years. Appointments will normally be evaluated for tenure in the third year of the term. Candidates awarded tenure will begin a permanent contract in the fourth year of employment. Candidates not awarded tenure may not be reappointed beyond the fourth year of the term. Notice to a Professor of the decision concerning reappointment shall be given no less than twelve months before the end of his or her probationary term.

#### D. Initiation, Review, and Approval of Promotion and Reappointment Decisions.

1. Initiation of Review. In the case of a contractually required review (i.e., a reappointment or tenure review), the VCAA begins the process by sending a notice of review to each candidate with a copy to the faculty member's Chair. The notice of review specifies the documents to be prepared and the timetable for the review process. In the case of a requested review (i.e., a promotion or early tenure review), the candidate initiates the process, notifying his or her department Chair of the request for review.
2. Chair's Evaluation.
  - a. Each decision concerning reappointment or promotion in rank (whether or not the decision concerns a recommendation for conferral of permanent tenure) requires an evaluation by the department Chair after consulting with the department's assembled tenured faculty. When the faculty member under review serves as a department Chair, the VCAA, or designated Associate VCAA, in consultation with the faculty member being evaluated, will assign a tenured faculty member to serve in the role of Chair. The designated Chair will have a tenured faculty appointment outside the department (or program) and within the division (or divisions). After consulting with the tenured department members, and reviewing all materials in the evaluation file, the Chair writes an evaluation of the faculty member under review, including the vote of the assembled tenured department members, and the date of that meeting, as well as the Chair's own recommendation regarding the faculty member.
  - b. If the department has fewer than three tenured faculty members, the Chair will consult with faculty members outside the department chosen in consultation with the candidate and approved by the VCAA. No fewer than three tenured faculty members shall participate fully in the departmental review process. The following are faculty appropriate to consider for inclusion:
    1. Tenured faculty members in Departments where the faculty member has taught courses.
    2. Chairs or Program Directors in Departments where the faculty member has taught courses.
    3. Tenured faculty members in other Departments who are familiar with the faculty member's work.
  - c. If the Chair intends to recommend reappointment or promotion, he or she shall notify the faculty member and shall submit to the Vice Chancellor a written recommendation which shall include an assessment of the faculty member's demonstrated professional competence and his or her potential for future contributions.

- d. When the Chair intends to make a negative recommendation, he or she shall communicate that intention to the Vice Chancellor for Academic Affairs and the faculty member privately by a simple, unelaborated written statement. Within five days after receipt of that notice the faculty member may request a conference with the Chair and the opportunity to provide the Chair, for inclusion in the faculty member's record, additional written evidence or views bearing on the faculty member's demonstrated professional competence and potential for future contributions. Any such request shall be granted and any conference or submission shall be accomplished within five days of the date the request is made. If the faculty member does not make timely request for the opportunities set forth above, or after any such opportunity is afforded the faculty member, the Chair within five days thereafter shall submit to the Vice Chancellor for Academic Affairs the written recommendation described in Section III.D.1.
3. Vice Chancellor's Favorable Recommendation. After receiving the department Chair's recommendation the Vice Chancellor for Academic Affairs shall consult the Committee of the Tenured Faculty which consultation shall include review both of the Chair's recommendation and of institutional needs and resources. A committee member who holds an appointment in the faculty member's department or has a conflict of interest shall withdraw from the deliberations and voting on that case after consultation with the committee Chair and the Chair of the Faculty Senate. The VCAA may involve the Associate Vice Chancellor(s) of Academic Affairs in a consultative role so as to help assure equity of standards. Except where the Vice Chancellor intends to decide that a faculty member shall not be reappointed, the Vice Chancellor then shall notify the faculty member and send his or her written recommendation, together with the Chair's recommendations and written statements of the views of the Committee of the Tenured Faculty, to the Chancellor.
4. Vice Chancellor's Decision not to Reappoint.

When the Vice Chancellor intends to decide that the faculty member shall not be reappointed, he or she shall communicate that intention to the faculty member privately by a simple, unelaborated written statement. Within five days after receipt of that notice the faculty member may request a conference with the Vice Chancellor, either alone or together with the Committee of the Tenured Faculty; any such request shall be granted and the conference shall be within five days of the date the request is made.

- a. If the faculty member does not make timely request for such a conference, or after any such conference is held, the Vice Chancellor within five days shall either recommend to the Chancellor that the faculty member be reappointed *or promoted* as provided in paragraph 3 2, or notify the faculty member of *the* his decision that the faculty member shall not be reappointed. Notice of a decision not to reappoint shall be made by a simple, unelaborated written statement, a copy of which is sent to the Chancellor; no other materials shall be transmitted to the Chancellor.

- b. The faculty member may seek review of the Vice Chancellor's decision before the Faculty Hearings Committee in accordance with Section III.J. herein if the faculty member alleges that the decision is based on a ground prohibited by Section III.J.1 or affected by the material procedural irregularities as defined by III.J.2.
5. Chancellor's Decision. The Chancellor shall make a decision on each favorable recommendation submitted by the Vice Chancellor for Academic Affairs and on each appeal as provided in Sections III.J. within 20 days of receipt of the recommendation or appeal. When the Chancellor makes a favorable decision, he or she shall forward it to the Board of Trustees for final approval (unless that Board has delegated approval authority to the Chancellor), provided that pursuant to Section III.B.2., in any case involving a recommendation for conferral of permanent tenure, if the Board of Trustees concurs with the Chancellor's recommendation he or she shall forward that recommendation to the President and Board of Governors for approval. If the Chancellor's decision is unfavorable, he or she shall so notify the faculty member by a simple, unelaborated written statement, and within 10 days thereafter the faculty member may appeal to the Board of Trustees pursuant to Section 501C(4) of the Code. A positive decision regarding tenure or promotion becomes effective on July 1 of the year in which the decision is made.
- E. Resignations. A faculty member shall give prompt written notice of his or her resignation, including the effective date, to the department Chair and to the Vice Chancellor for Academic Affairs.
- F. Leave of Absence During Probationary Terms. If a probationary faculty member receives a one-year leave of absence, that year will not be counted as part of the faculty member's probationary service and the term of his or her probationary contract will be extended one year. A probationary faculty member who receives a one-semester leave of absence normally does not stop the tenure clock. However, the faculty member may request a one-year term and timetable extension from the Vice Chancellor for Academic Affairs. A leave of absence due to maternity or primary care duties (as prescribed by the Family Leave and Medical Act) automatically extends the probationary period by one year unless otherwise requested by the faculty member and authorized by the VCAA.
- G. Terms and Conditions of Appointment. The terms and conditions of each initial appointment and of each reappointment shall be set out in writing; the faculty member and the Chancellor each shall receive a copy thereof signed by both parties. Each document of appointment shall state that the appointment is subject to these Tenure Policies and Regulations of The University of North Carolina at Asheville and to The Code of the Board of Governors of the University of North Carolina. Any other terms and conditions of appointment shall either be set out in the document of appointment or incorporated therein by clear reference to specified documents that shall be readily available to the faculty member.
- H. Continued Availability of Special Funding. Appointment, reappointment, or promotion of a faculty member to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the faculty member's services, whether for a specified term or for permanent tenure, shall be contingent upon the continuing availability of such funds. This contingency shall not be included in a faculty member's contract in either of the following situations:

1. In a promotion to a higher rank, if before the effective date of that promotion, the faculty member had permanent tenure and no such condition is attached to the tenure.  
>
2. If the faculty member held permanent tenure in the institution on 1 July 1975 and his or her contract was not then contingent upon the availability of sources other than continuing state budget or permanent trust funds.

I. Provisions for Less Than Full-Time Employment. Special terms for less than full-time employment or for relief from all employment obligations for a specified period, with commensurate changes in compensation, may be included in an appointment or reappointment to any faculty rank, or may be added by a written memorandum of amendment during the term of an appointment. For compassionate reasons of health or requirements of child care, or for other compelling reasons, such terms may, with the concurrence of the faculty member, include extensions of the period of a current probationary term of appointment to coincide with the extent and duration of the relief from full-time employment obligation; such terms shall include such extensions for requirements of maternity leave as are provided for by federal and state legislation. Such special terms must be expressly stated in initial appointment documents or, if added by a memorandum of amendment, must be approved by signature of the Chancellor and the faculty member. Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are on the basis of full-time employment obligation. These provisions do not apply to informal temporary adjustments of the regularly assigned duties of faculty members by the department Chair who is responsible for their direct supervision. Faculty members who drop to part-time employment due to maternity or primary-care duties for any part of the academic year are entitled to extend the probationary period by one year upon request to the VCAA.

#### Endnotes:

1. Wherever used in Sections III, IV, and V, the word "year" means an academic year.
2. Wherever used in Section III, the word "day" excludes Saturday, Sunday, and any institutional holiday; in computing any period of time, the day on which notice is received is not counted but the last day of the period being computed is counted.

#### **Section IV. DUE PROCESS BEFORE DISCHARGE OR THE IMPOSITION OF SERIOUS SANCTIONS.** (amended by [SD1089S](#))

A. A faculty member who is the beneficiary of institutional guarantees of tenure shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty.<sup>6</sup> These penalties may be imposed only in accordance with the procedures prescribed in this section. For purposes of these regulations, a faculty member serving a stated term shall be regarded as having

tenure until the end of that term. These procedures shall not apply to nonreappointment (Section III.J) or termination of employment (Section V).

- B. The Chancellor or his delegate shall send the faculty member by registered mail, return receipt requested, a written statement of intention to discharge him. The statement shall include notice of the faculty member's right, upon request, to both written specification of the reasons for the intended discharge and a hearing by the Faculty Committee on Hearings.
- C. If, within ten days after he receives the notice referred to in Section IV.B. above, the faculty member makes no written request for either a specification of reasons or a hearing, he may be discharged without recourse to any institutional grievance or appellate procedure.
- D. If, within ten days after he receives the notice referred to in Section IV.B. above, the faculty member makes written request, by registered mail, return receipt requested, for a specification of reasons, the Chancellor or his delegate shall supply such specification in writing by registered mail, return receipt requested, within ten days after receiving the request. If the faculty member makes no written request for a hearing within ten days after he receives the specification, the faculty member may be discharged without recourse to any institutional grievance or appellate procedure.
- E. If the faculty member makes a timely written request for a hearing, the Chancellor or his delegate shall insure that the hearing is accorded before the elected Faculty Committee on Hearings. The hearing shall be on the written specification of reasons for the intended discharge. The Hearings Committee shall accord the faculty member twenty days from the time it receives his written request for a hearing to prepare his defense. The Hearings Committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member.
- F. The hearing shall be closed to the public unless the faculty member and the Hearings Committee agree that it may be open. A quorum for the hearing is a simple majority of the committee membership. Committee members are subject to the same eligibility restrictions as in Section J.4. The faculty member shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. A written transcript of all proceedings shall be kept; upon request, a copy thereof shall be furnished to the faculty member at the institution's expense.
- G. The Chancellor, or his delegate or counsel, may participate in the hearing to present evidence, cross-examine witnesses, and make argument.
- H. In reaching decisions on which its written recommendations to the Chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written and oral arguments as the committee, in its discretion, may allow. The committee shall make its written recommendations to the Chancellor within ten days after its hearing concludes.
- I. If the Chancellor concurs in a recommendation of the committee that is favorable to the faculty member, his decision shall be final. If the Chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the Chancellor's decision to the Board of Trustees. This appeal shall be transmitted through the Chancellor and be addressed to the Chairman of the Board. Notice of appeal shall be filed within ten days after the faculty member receives the Chancellor's decision. The appeal to the Board of

Trustees shall be decided by the full Board of Trustees. However, the Board may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members. The Board of Trustees, or its committee, shall consider the appeal on the written transcript of hearings held by the Faculty Committee on Hearings, but it may, in its discretion, hear such other evidence as it deems necessary. The Board of Trustees' decision shall be made within 120 days\* after the Chancellor has received the faculty member's request for an appeal to the Trustees. This decision shall be final except that the faculty member may, within ten days after receiving the Trustees' decision, file a written petition for review with the Board of Governors if he alleges that one or more specified provisions of The Code of The University of North Carolina have been violated. All such petitions to the Board of Governors shall be transmitted through the President, and the Board shall, within 90 days\* after it receives the petition, grant or deny the petition or take such other action as it deems advisable. If it grants the petition for review, the Board's decision shall be made within forty-five days after it has notified the faculty member that it will review the petition.

\*Board of Governors, September 14, 1984.

- J. When a faculty member has been notified of the institution's intention to discharge him, the Chancellor may suspend him at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be exceptional and shall be with full pay.

## **Section V. TERMINATION OF FACULTY EMPLOYMENT** (amended by [SD1089S](#))

### **A. Reasons Justifying Termination and Consultation Required.**

1. Reasons for terminating employment. The employment of a faculty member with permanent tenure or of a faculty member appointed to a fixed term may be terminated by The University of North Carolina at Asheville because of (a) demonstrable, bona fide institutional financial exigency; or (b) major curtailment or elimination of a teaching, research, or public service program. Financial exigency is defined as a significant decline in the financial resources of the institution that is brought about by decline in institutional enrollment or by other action or events that compel a reduction in the institution's current operations budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public service program shall be made by the Chancellor, after consulting with the academic administrative officers and faculties as required by Section V.A.2. This determination is subject to concurrence by the President and then approval by the Board of Governors. If the financial exigency or curtailment or elimination of a program is such that the institution's contractual obligation to a faculty member cannot be met, the faculty member's employment may be terminated in accordance with the institutional procedures set out in subsection B. below.
2. Consultation with faculty and administrative officers. When it appears that the institution will experience an institutional financial exigency or when it is considering a major curtailment in or elimination of a teaching, research, or public service program, the Chancellor or his delegate shall first seek the advice and recommendations of the academic

administrative officers and the Executive Committee of the Faculty Senate. If the Chancellor, the academic administrative officers, and the Executive Committee of the Faculty Senate agree that it may be necessary to eliminate faculty positions currently filled, the matter shall then be referred to a meeting of all department chairmen, and this body shall make its recommendation to the Chancellor before any further action is taken. A copy of the department chairmen's recommendation, signed by the presiding officer of their meeting, shall be appended to any proposal the Chancellor may make on this subject to the Board of Trustees, The President, or the Board of Governors.

B. Termination procedure.

1. Considerations in determining whose employment is to be terminated. In determining which faculty member's employment is to be terminated for the reasons set forth in Section V.A.1., consideration shall be given to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.
2. Timely notice of termination.
  - a. When a faculty member's employment is to be terminated because of major curtailment or elimination of a teaching, research, or public service program and such curtailment or elimination of program is not founded upon financial exigency, the faculty member shall be given timely notice as follows: (1) one who has permanent tenure shall be given not less than twelve months' notice; and (2) one who was appointed to a fixed term and does not have permanent tenure shall be given notice in accordance with the requirements of Section 604A of The Code.
  - b. When a faculty member's employment is to be terminated because of financial exigency, the institution shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources, to give the same notice as set forth in Section V.B.2. (a).
3. Type of notice to be given. The Chancellor or his delegate shall send the faculty member whose employment is to be terminated a written statement of this fact by registered mail, return receipt requested. This notice shall include a statement of the conditions requiring termination of the faculty member's employment; a general description of the procedures followed in making the decision; a disclosure of pertinent financial or other data upon which the decision was based; a statement of the faculty member's right, upon request, to a reconsideration of the decision by a faculty committee if he alleges that the decision to terminate him rather than another faculty member was arbitrary or capricious; and a copy of this procedure on termination of employment.
4. Termination if reconsideration not requested. If, within ten days after he receives the notice required by Section V.B.3., the faculty member makes no written request for a reconsideration hearing, his employment shall be terminated at the date specified in the notice given pursuant to subsection B.3., without recourse to any institutional grievance or appellate procedure.
5. Request for reconsideration hearing. Within ten days after he receives the notice required by Section V.B.3., the faculty member may request by registered mail, return receipt

requested, a reconsideration of the decision to terminate his employment if he alleges that the decision was arbitrary or capricious. The request shall be submitted to the Chancellor and shall specify the grounds upon which the faculty member contends that the decision to terminate his employment was arbitrary or capricious and shall include a short, plain statement of facts that he believes support the contention.

Submission of such a request shall constitute on the part of the faculty member: (a) a representation that he can prove his contention, and (b) an agreement that the institution may offer in rebuttal of his contention whatever relevant data it may have.

6. Jurisdiction of reconsideration committee. If the faculty member makes a timely written request for a reconsideration of the decision, the Chancellor or his delegate shall insure that the hearing is accorded before the elected Faculty Committee on Hearings. This reconsideration shall be limited solely to a determination of the contentions made in the faculty member's request for reconsideration. The reconsideration hearing shall be held promptly, but the committee shall give the faculty member five days from the time it receives his written request for a hearing to prepare for it.
7. Conduct of hearing. The hearing shall be conducted informally and shall be closed to the public. The faculty member and the Chancellor have the right to legal counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. The faculty member and the committee shall be given access, upon request, to documents of The University of North Carolina at Asheville that were used in making the decision to terminate the faculty member after the decision was made that some faculty member's employment must be terminated. At the faculty member's request a transcript of the proceedings shall be given him at the institution's expense. The committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers fair and reliable. All witnesses may be questioned by the committee members. Except as herein provided, the conduct of the hearing is under the committee chairman's control.

A quorum for purposes of the hearing is a simple majority of the committee's total membership. No one shall serve on this hearing committee who holds appointment in the faculty member's department who participated in the final recommendation to the Vice Chancellor for Academic Affairs or who will testify as a witness. A committee member who has a conflict of interest shall withdraw from the hearing of that case after consultation with the committee Chair and the Chair of the Faculty Senate.

8. Hearing procedure. The hearing shall begin with the faculty member's presentation of contentions, limited to those grounds specified in the request for hearing and supported by such proof as he desires to offer. The Chancellor or his representative may then present in rebuttal of the faculty member's contentions, or in general support of the decision to terminate his employment, such testimonial or documentary proofs as he desires to offer, including his own testimony.

At the end of this presentation, the reconsideration committee shall consider the matter in

executive session and shall make its written recommendations to the Chancellor within ten days after its hearing concludes. The burden is on the faculty member to satisfy the committee that his contention is true to a substantial certainty.

9. Procedure after hearing. If the reconsideration committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify him and the Chancellor. The faculty member may then appeal the decision to terminate his employment in the manner provided by Section 501 C(4) of The Code of The University of North Carolina.

If the reconsideration committee determines that the faculty member's contention has been satisfactorily established, it shall so notify him and the Chancellor by a written statement that includes a recommendation for corrective action by the Chancellor.

Within ten days after he receives the recommendation, the Chancellor shall send written notice to the faculty member and the chairman of the reconsideration committee what modification, if any, he will make with respect to the original decision to terminate the faculty member's employment. If the Chancellor fails to reverse the original decision, the faculty member may appeal termination in the manner provided by Section 501 C(4) of The Code of The University of North Carolina. If the Chancellor concurs in a recommendation of the committee that is favorable to the faculty member, his decision is final.

C. Assistance for Faculty Members and Rights to New Positions.

1. Institutional assistance to employees who are terminated. The institution, when requested in writing by an employee whose employment has been terminated, shall give him reasonable assistance in finding other employment.
2. First right of refusal of new positions. For two years after the effective date of termination of a faculty member's contract for any of the reasons specified in subsection A., the institution shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by registered mail, return receipt requested, to the address last reported by the faculty member, and he shall have thirty calendar days after he receives the notice to accept or reject the offer.

**Section VI. RETIREMENT** (Revised September 14, 1984: Board of Governors)

A. Faculty Members

1. Each member of the faculty shall be retired automatically, without notice, on July 1 coincident with or next following his or her seventieth birthday, except as provided in subsection (2), below.
2. A faculty member may be continued in employment beyond the retirement date specified in subsection (1) upon recommendation of the Chancellor and approval of the Board of Trustees; provided, that such a continuation in employment may be accomplished only through a term appointment or a series of term appointments, with each such term appointment not to exceed one year in duration.

- a. Each proposed appointment to continue employment beyond the retirement date specified in Section VI.A. shall be initiated by recommendation of the chairman or dean of the department or school concerned after consultation with the faculty member. The recommendation shall present evidence that the faculty member can continue to perform at a high level, and it shall set forth in detail the exceptional circumstances that justify the recommendation.
  - b. The chairman's recommendation for continuation shall be reviewed through the administrative channels prescribed for reviewing recommendations for other fixed-term faculty appointments.
  - c. Not later than twelve months before the retirement date specified in subsection A. and not later than six months following the start of any subsequent term of employment, the faculty member shall be given written notice either by the Vice Chancellor that his continuation is not to be effected or by the Chancellor that his continuation has been approved. Failure to give notice as herein required is not a basis for continuing employment.
  - d. If the faculty member's department chairman determines that the continuation of employment should not be effected, he shall so notify the faculty member in writing. A copy of the notice given to the faculty member shall be sent to the Vice Chancellor for Academic Affairs.
  - e. The faculty member may request a review of the chairman's determination by the Vice Chancellor for Academic Affairs. This request must be written and may set forth any exceptional circumstances relating to adverse effects upon the institution that the faculty member expects will result if he is not continued. The Vice Chancellor's concurrence with the chairman's decision affirms the decision. If the Vice Chancellor thinks the matter should be reviewed, he shall so notify the faculty member's chairman, who shall thereupon put the matter forward into the regular administrative review channels. Concurrence with the chairman's determination at any level of administrative review is a final determination, and review thereupon terminates at that level. If there is disagreement with the chairman's decision at any level of review below the Chancellor, the question of reappointment shall immediately be referred to the Chancellor for final decision.
- B. Non-Faculty Employees (E.P.A.). Employees in "covered positions" shall be retired automatically, without notice, on July 1 coincident with or next following their seventieth birthday, unless continued in service beyond that date upon recommendation of the Chancellor and approval of the Board of Trustees, only through term appointments each of which is not to exceed one year in duration.
- C. Senior Administrative Officers of the University. Senior administrative officers of the University shall be retired from those appointments on July 1 coincident with or next following their seventieth birthday.

## **Section VIII. COMMITTEES OF THE FACULTY**

### **A. Committee of the Tenured Faculty**

Not later than April 15 of each year, the faculty shall elect members to a committee of the Tenured Faculty. The committee's mission is to consult with the Vice Chancellor for Academic Affairs, on call, in cases requiring decision on reappointment, promotion, and the conferral of permanent tenure. The committee shall elect its own chairman. This committee shall be composed of two tenured full or associate professors from each of the areas of Humanities, Sciences, and Social Sciences; no more than one member may come from any subject-matter department. Members of the Faculty Committee on Hearings may not serve on the Committee of the Tenured Faculty or the Grievance Committee. Election to the committee shall be for a term of two years, except that in the first election one faculty member from each of the three academic areas shall be designated to serve only one year. Members may not succeed themselves. New members formally replace outgoing members on the date of the first faculty meeting of the school year.

B. Faculty Committee on Hearings.

Not later than April 15 of each year, the faculty shall elect members to a Faculty Committee on Hearings to conduct hearings as prescribed in this document and in Chapter Six of The Code of the University of North Carolina. This committee shall be composed of two tenured faculty members from each of the areas of Humanities, Sciences, and Social Sciences; only one member may come from any subject-matter department. Members of the Committee of the Tenured Faculty or the Grievance Committee may not serve on this committee. Election to the committee shall be for a term of two years, except that in the first election one faculty member from each of the three academic areas shall be designated to serve only one year. Members may not succeed themselves. New members formally replace outgoing members as of the date of the first faculty meeting of the school year.

C. Faculty Grievance Committee. (amended by [SD4089S](#))

1. Not later than April 15 of each year, the faculty shall elect members to a Faculty Grievance Committee. This committee shall contain at least one faculty member at each professor rank. Only one member may come from any subject-matter department. No officer of administration shall serve on the committee. For purposes of this section, officers of administration shall be deemed to include department chairman and program directors. Members of the Committee of the Tenured Faculty and members of the Faculty Committee on Hearings may not serve on this committee.
2. The committee shall be authorized to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty. The committee's power shall be solely to hear representations by the persons directly involved in a grievance, to mediate voluntary adjustment by the parties, and to advise adjustment by the administration when appropriate. Advice for adjustment in favor of an aggrieved faculty member may be sent to the Chancellor only after the department chairman or other administrative official most directly empowered to adjust the matter has been given similar advice and has not acted upon it within a reasonable time.
3. "Grievances" within the province of the committee's power shall include matters directly related to a faculty member's employment status and institutional relationships within this institution. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge, or termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by the

committee.

4. If any faculty member feels that he has a grievance, he may petition the Faculty Grievance Committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and against whom the grievance is directed. The petition shall contain any information that the petitioner considers pertinent to his case. If the grievance arises out of a single action, the petition should be filed within thirty days from the time that the grievant should have reasonably known that the action occurred. The committee shall decide whether the facts merit a detailed investigation so that submission of a petition shall not result automatically in an investigation or detailed consideration of the petition.

D. Committee on Institutional Development.

The Faculty Senate Committee on Institutional Development shall be composed of five members: the Second Vice Chairman of the Senate, who shall chair the Committee, and four members appointed by the Senate Executive Committee. (See University of North Carolina at Asheville Senate Constitution, Section 5, for the composition of this committee.) The committee shall have concern for policy, planning, and initiatives in those areas of institutional development where faculty involvement is proper.

**Section VIII. EFFECTIVE DATE:** September 5, 1980

- A. These policies and regulations supersede all other institutional documents governing the matters covered herein.
- B. All provisions of these policies and regulations shall become operative (with respect to all existing and all future faculty appointments) on the effective date, which shall be the date 28 calendar days after the day on which these policies and regulations have been approved by the President and the Board of Governors of The University of North Carolina.
- C. The provisions of Section VI shall apply both to all persons who, upon the effective date, have attained normal retirement age and are in continued terms of employment and to those persons who attain normal retirement age after the effective date.

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NOTES

<sup>1</sup>Wherever used in Sections III, IV, and V the word "year" means an academic year and the word "term" applies to service during the academic year(s) within that term, unless another meaning is set forth explicitly in the contract with the faculty member.

<sup>2</sup>Wherever used in Section III, the word "day" excludes Saturday, Sunday, and any institutional holiday; in computing any period of time, the day on which notice is received is not counted but the last day of the period being computed is counted.

<sup>3</sup>"Department" is used as a generic term for departments, professional schools, and any other academic

unit to which faculty appointments are made; "chairman" as a generic term for department chairman, deans of professional schools, and any other heads of academic units to which faculty appointments are made.

<sup>4</sup>When a faculty member under consideration is a chairman or is in a department that has no chairman, the Vice Chancellor for Academic Affairs shall make the assessment called for in paragraph 1 and accomplish the consultation and recommendation called for in paragraph 2. If the Vice Chancellor intends to recommend reappointment, he shall provide the notice and opportunities called for in paragraph 3.a., together with the Committee of the Tenured Faculty if the faculty member requests, and then shall proceed as in paragraph 3.b.

<sup>5</sup>And the department chairman, if the faculty member alleges that his or her recommendation was impermissibly based or affected by material procedural irregularities. In such cases references herein to the Vice Chancellor for Academic Affairs include reference to the department chairman.

<sup>6</sup>Retirement for reason of disability shall be in accordance with North Carolina statutes and regulations governing retirement for faculty who are members of the state retirement system. A faculty member who is not a member of the state retirement system and who is mentally or physically disabled, but refuses to retire, may be discharged because of that disability only in accordance with the procedures of this section.

<sup>c</sup>In Sections IV and V the term "days" shall in each instance mean consecutive calendar days. (Board of Governors Time Limits on Appeals, September 17, 1984, Administrative Memorandum, no. 206).

### 14.3 UNCA Catalog

The UNCA Catalog contains information on academic programs and degree requirements as well as much other useful information. Copies are distributed annually to each member of the faculty through the departmental secretary. Faculty are responsible for keeping themselves well informed on the content of the UNCA Catalog to ensure they follow UNCA policies in advising students, teaching classes, and making curriculum changes.

Each year departments must submit catalog changes to the APC for review and approval by the Faculty Senate. Annually APC notifies departments and programs of the schedule for submission of proposed Catalog changes for the following year. Generally the proposed changes must be received by APC by the end of Fall semester. The Assistant VC for Enrollment Services coordinates the annual Catalog revision and production.

The University Catalog contains the official statement of graduation requirements applicable to the year of issuance. Consequently, the Catalog current for the year entered as a degree-seeking student contains the general education requirements applicable to the student regardless of date of graduation. Requirements for the major are those current at the time the student is accepted into the major.

Contact the Registrar's Office, the Office of Enrollment Services or the Office of Academic Affairs if you have questions about the content of the Catalog. The Catalog is available online at <http://www.unca.edu/catalog/>.

#### 14.4 FORMS for Section 14.0

No forms for this section.