NORTH CAROLINA CENTRAL UNIVERSITY

FACULTY HANDBOOK

Revised April, 1997

Compiled by

The Office of Academic Affairs
# FACULTY HANDBOOK — April, 1997

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STATEMENT OF ACCREDITATION

North Carolina Central University is accredited by the Commission on Colleges of the Southern Association of College and Schools to award bachelor's degrees and master's degrees.

The School of Law is accredited by the American Bar Association (ABA). The program in library science is accredited by the American Library Association (ALA); the program in nursing is accredited by the Accrediting Services, National League for Nursing, Inc. (NLNBDP); programs in the School of Business are accredited by the Association of Collegiate Business Schools and Programs (ACBSP); the Speech Pathology and Audiology program is accredited by the American Speech-Language-Hearing Association (ASLHA); the Nutrition and Dietetics track of the Home Economics Program by the American Dietetic Association (AMDA). Programs at the bachelor's and master's levels in early childhood education, elementary teaching, secondary teaching, and K-12 teaching and those at the master's level in educational communications and information technology, school principalship, supervision/curriculum development, and guidance counseling are accredited by the National Council for Accreditation of Teacher Education (NCATE). All of these specialized accrediting bodies are recognized by the U.S. Department of Education. In addition, the School of Law is accredited by the Association of American Law Schools (AALS); the Speech Pathology and Audiology program is accredited by the North Carolina Speech-Language-Hearing Association (NCSLHA); the Home Economics program is accredited by the American Home Economics Association (AHEA); the Early Childhood Education track of the Family Relations and Childhood Development program in the Department of Human Resources has been accredited by the National Academy of Early Childhood Programs, a division of the National Association for Education of Young Children; and the Health Education Program has been approved by the Society of Public Health Education/American Association of Health Education Baccalaureate Program Approval Committee (SABPAC). The North Carolina Department of Justice, Criminal Justice Standards Division has certified the Criminal Justice programs.

Teacher education programs are approved by the North Carolina State Department of Public Instruction. The North Carolina Board of Nursing approves the nursing program. The School of Law is approved by the North Carolina State Bar Council.

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION/ NONDISCRIMINATION POLICY

North Carolina Central University is committed to equality of educational opportunity and does not discriminate against applicants, students, or employees based on race, color, national origin, religion, sex, age, or disability.
North Carolina Central University supports the protection available to members of its community under all applicable federal laws, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 799A and 845 of the Public Health Service Act, the Equal Pay and Age Discrimination Acts, the Rehabilitation Act of 1973, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Executive Order 11246, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), 1990.

In compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, accommodation of persons with disabilities extends to student programs, employment practices, elimination of physical barriers, and special assistance to students and employees within the University. Initial inquiries regarding services for persons with disabilities should be made with the Director of Student Support Services/504 Coordinator, 207 Hoey Administration Building.

Affirmative Action/Non-Discrimination Statement

North Carolina Central University is committed to the principles of affirmative action and non-discrimination. The University welcomes diversity in its student body, faculty, staff, and administration. It admits, hires, evaluates, promotes, and rewards on the basis of the needs of the University and relevant performance criteria without regard to race, gender, age, disability, national origin, ethnicity, veteran's status, religion, sexual orientation, or lifestyle. It actively promotes respect of each individual.

In addition to those individuals already formally affiliated with the University, these affirmative action, non-discrimination principles are applied equally to all applicants for admission to any of the University's academic programs and to all applicants for employment by the University in any of its enterprises. The University maintains an Affirmative Action Officer, Affirmative Action/Non-Discrimination Committee, and a system for addressing concerns relating to affirmative action and non-discrimination principles.

Admission to the University and Receipt of Services

Qualified persons with disabilities may not, on the basis of disability, be denied admission or be subjected to discrimination in admission or recruitment. Institutions may not make pre-admission inquiry as to whether an applicant for admission has a disability but may make inquiries on a confidential basis as to the disability that may require accommodation.

Upon making application to the University, the student's disability need be mentioned only if a request for accommodations is being made at the same time. Once the student asks for special
services, the University has the right to request documentation to verify the disability. Any documentation provided is confidential and cannot be released without the student's permission.

Support Services for Students with Disabilities

The Office of Student Support Services (SSS) was created as a part of the Division of Student Affairs to respond to Section 504 of the Rehabilitation Act of 1993 and the Americans with Disabilities Act (ADA) of 1990. The University's charge is to serve students with disabilities, to ensure that they have reasonable accommodations and services, and to offer them equal opportunities for a successful and satisfying college experience. All currently enrolled students with documented disabilities are eligible for services.

Student support services may include reader and attendant services; interpreter services; campus orientation, mobility, and accessibility services; adaptive transportation; parking; tutoring; and counseling. To provide these specialized services, North Carolina Central University maintains an office for the Director of Student Support Services/Section 504 Coordinator, located in Room 207 of the Hoey Administration Building and a Learning Activity Center, located in Room 210, Hoey Administration Building. The Director and the services provided in the Learning Activity Center provide appropriate educational assistance to students with documented disabilities, including but not limited to learning disabilities, visual and/or auditory impairments, and other physically disabling conditions.

Academic Access and Accommodations

North Carolina Central University shall make such modification to academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified applicant or student. Academic requirements that are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory. Modifications may include changes in the length of time permitted for the completion of degree requirements and adaptation of the manner in which specific courses are conducted. The University shall take such steps as are necessary to ensure that no student with a documented disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under the education programs or activities operated by the University. Persons desiring access must notify the Director of Student Support Services/504 Compliance Coordinator of the specific access sought. The Director will in turn contact all other personnel necessary to provide the program for which access is sought. Where academic programs are concerned, the Director and the Registrar will make the necessary classroom reassignments within 24 hours of notification by the student. They will then notify the department chairperson or dean, who will in turn notify the affected instructor of the reassigned class and of the reason for the reassignment.
With regard to non-academic programs and activities, once the Director is notified by the student of the needed access, he will contact the appropriate person(s) about reassigning the activity or event in question. In most cases, the contact person will be the supervisor or director of the unit sponsoring the activity or providing the service. The unit contact person will reassign the activity to another location ensuring accessibility for the student with a disability—if the Office receives written notices from the student at least five (5) days prior to the event in question—and will notify the Director of the reassignment. The Director will then notify the student who initiated the request. For further information contact:

Director of Student Support Services  
Section 504 Coordinator  
207 Hoey Administration Building  
North Carolina Central University  
Durham, N.C.  27707  
(919) 560-6325

Grievance Procedures for Persons with Disabilities

Grievances in regard to rights under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 should be filed with the Director of Student Support Services. This nondiscrimination policy covers admission and activities, including but not limited to academic admissions, financial aid, educational services, and employment. Anyone desiring information concerning these provisions should contact the Director of Student Services (See above).

ACADEMIC CALENDAR

The Academic Calendar contains all relevant data concerning academic activities. The current calendar is printed in *The Bulletin of North Carolina Central University* and is available in the Office of the University Registrar.

CAMPAUS FACILITIES AND DOCUMENTS

Sources of General Information

Many documents and other sources of general information are available at North Carolina Central University. Some which are of particular interest to faculty members are listed here, although this is not intended to be a complete compilation. If you are interested in some facility, service, policy or other information not described in the *Handbook*, check with your department chairperson or dean or with other campus offices.
FACTS. FACTS is a document which reports statistics on faculty and students. It also contains information about the organization of NCCU, The University of North Carolina, degree programs available at NCCU, goals of the institution, etc. FACTS is designed to provide the University community with accurate, useful information and to provide a common source of data for internal planning and for release to outside agencies. Each department or school receives a copy of FACTS in the spring, and copies are available in the James E. Shepard Library. Faculty members may obtain copies for special projects and for writing grant proposals from the Office of Research, Evaluation, and Planning as long as the supply lasts.

The Bulletin of North Carolina Central University: University Undergraduate and Graduate Catalog, 1992-94. The catalog contains information about the University as well as specific sections on student expenses, student activities, and academic regulations. The academic regulations are especially important to faculty in their roles as advisors and teachers. All faculty members should review this section in the current Bulletin since it may contain new policies and regulations.

University-Wide Committees

Each year a roster of all University-wide committees is compiled and distributed by the Office of the Chancellor. The list includes standing committees, faculty senate committees, and planning committees. In addition, the Chancellor may, from time to time, appoint ad hoc committees to address special problems or issues.

In addition to the University-wide committees, each of the four divisions, the College of Arts and Sciences, each of the schools, and the various departments have their own committees for planning and governance. The vice-chancellors, deans, and department chairpersons may be contacted for lists of those committees.

University Libraries

The University’s library resources for study and research are outstanding. The present combined collection exceeds 500,000 volumes. These materials are housed in the James E. Shepard Memorial Library, the library of the School of Law, the Fine Arts Library, the library of the Department of Health Education, and the departmental learning centers. The James E. Shepard collection has been catalogued and entered into a state-wide computer network. Faculty, students, and staff have access to the catalogues of all major academic libraries in the state through the computer network.

In February of 1994, NCCU became a member of the Triangle Research Libraries Network (TRLN). As a result, NCCU students and faculty have special borrowing privileges and daily courier services from the libraries of Duke University, North Carolina State University, and the University
of North Carolina at Chapel Hill. A new on-line catalog system, which will allow remote access to the catalogs of all four universities, is being installed. In addition, the catalogs of all three of the other universities are available via Internet.

Plans are underway to include the complete texts of selected University policies in a public library on a university server maintained by the Information Technology Department. Information regarding access will be available as part of the log-on procedure later in the fall semester. Any faculty or staff member with an account NCCU e-mail and other computing services will have access to the files.

Computing Facilities

Information Technology Department. The University has a variety of computer facilities available to faculty for instruction and research. The Information Technology Department is located in the basement of the Alexander-Dunn Building. The center houses file servers which support e-mail, some campus network services, a Data General computer and 18 personal computers in a student laboratory. The Statistical Analysis System (SAS), the Statistical Package for the Social Sciences (SPSS), and several programming language compilers are available on these systems. Other computing facilities and student laboratories are located in academic buildings around the campus and in the James E. Shepard library. NCCUNet now connects all of the academic buildings on campus, the Alexander-Dunn Building, the Old Health Building (housing the Administrative Technology Department), the Hoey Administration Building, and most buildings housing administrative services. The library catalog, Internet services, access to the Student Information System for advising, e-mail, and other services are available via the network.

Administrative Technology Department. Most administrative computing needs at North Carolina Central University are completed in this center. The Administrative Technology Department now has two VAX 6410 computers. Most administrative functions have been converted to the VAX machine using Information Associates software. All major administrative offices now have access to the administrative computers through NCCUNet.

Cultural, Recreational, and Physical Facilities

Cultural Events. Film, theater, and musical events are offered each year by students and by professional groups. Information concerning these activities is circulated in the form of brochures, posters, memoranda, and Events and Occasions, a monthly calendar of events published by the Office of University and Community Relations. Faculty may also obtain information by calling the appropriate academic department. The Lyceum Program offers a variety of cultural programs each year. Information on these events may be obtained from the Office of the Vice Chancellor for Student Affairs. The NCCU Art Museum includes a permanent collection of art and sponsors a
program of art exhibits throughout the academic year. The museum collection is being developed to include the work of contemporary African-Americans, Central and South Americans, and Native Americans.

Recreational Facilities. A variety of recreational facilities is available on campus. The track and tennis courts may be used by faculty on a first-come basis when they are not being used for classes, intercollegiate or intramural activities, or athletic team practice. For a fee of $25 per semester or $50 per year, faculty and staff may use the swimming pool and other facilities of the Walker Physical Education and Recreation Complex during specified periods. Schedules and other information may be obtained from the Department of Physical Education and Recreation. Information concerning a physical fitness plan for faculty and staff may be obtained from the same office or by contacting the chairperson of the University Wellness Committee.

Intercollegiate Athletics. North Carolina Central University participates in men's football; basketball; tennis; and indoor, outdoor, and cross country track; and in women's basketball; indoor, outdoor, and cross country track; softball; and volleyball. The University is a member of the Central Intercollegiate Athletic Association (CIAA) and the National Collegiate Athletic Association (NCAA). Season tickets for basketball and football are available to faculty and staff at reduced prices during prescribed pre-season periods. Schedules and ticket information may be obtained by calling the University Ticket Office or the Office of the Athletic Director.

Use of Campus Facilities. Campus facilities are available for faculty to use for University-related functions. Several auditoriums suitable for large groups are listed with their seating capacity in Table I. The person responsible for setting up the meeting should first receive prior approval from his/her department chair, program director, or dean for the activity. Then all requests for facility use should be made to Mr. Bill Evans, Director of University and Community

One may arrange food service for events held on campus by calling the catering manager of the FDY Marriot Food Services at 560-5186 or the office of the Director of Food Services at 560-6192.

Lunch on campus may be obtained in the Student Union, the Cafeteria Annex, or the Student Cafeteria. The Eagle Express card may be used to pay for food in these locations as well as in some vending machines around campus.

Physical Plant Facilities

The Physical Plant/Facilities unit is an integral part of the campus operations and consists of the maintenance, housekeeping, grounds, and safety sections. Maintenance is responsible for new
construction and the renovation of existing buildings and includes the painting, carpentry, plumbing, locksmith, and electrical departments. Housekeeping cleans buildings and dormitories and is responsible for the removal of trash and debris. The Grounds unit maintains, enhances, and beautifies campus grounds. The Safety unit is responsible for the removal of hazardous waste and chemicals, and for compliance with OSHA safety regulations and for other codes. Call 560-6448 for services. The offices are open from 8:00 A.M. to 4:00 P.M.

**TABLE 1**

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<th>LOCATION OF AUDITORIUMS</th>
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<tbody>
<tr>
<td>B. N. DUKE AUDITORIUM</td>
<td>700</td>
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<tr>
<td>FARRISON-NEWTON COMMUNICATIONS</td>
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<tr>
<td>BUILDING AUDITORIUM</td>
<td>250</td>
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<tr>
<td>HUBBARD CHEMISTRY BUILDING AUDITORIUM</td>
<td>200</td>
</tr>
<tr>
<td>LEE BIOLOGY AUDITORIUM</td>
<td>100</td>
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<tr>
<td>MILLER-MORGAN HEALTH SCIENCES AUDITORIUM</td>
<td>300</td>
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<tr>
<td>ALBERT WHITING CRIMINAL JUSTICE BUILDING</td>
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<td>AUDITORIUM</td>
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<td>TAYLOR EDUCATION BUILDING AUDITORIUM</td>
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<td>WALKER PHYSICAL EDUCATION AND</td>
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<td>RECREATION COMPLEX AUDITORIUM</td>
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<tr>
<td>RUTH EDWARDS MUSIC BUILDING AUDITORIUM</td>
<td>60</td>
</tr>
<tr>
<td>MCCLENDON-MCDougald GYMNASIUM</td>
<td>5000</td>
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**Student Services**

*Academic Support Center.* The Academic Support Center was instituted in late 1993 to provide support for students with academic problems. The emphasis during the first year of operation was providing assistance to student athletes. As the staff expands and the program develops, the program will serve all undergraduate students who request help.

*Learning Resources Center.* The University provides a centralized pool of educational media and services for all University departments through the Learning Resources Center which is located in the Farrison-Newton Communications Building. The staff of the Center is available to teachers and to students for consultation and help in the selection, use, and production of instructional materials. The Center also provides technical equipment such as slide projectors, overhead projectors, some media equipment, and movie projectors.

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1 Written permission from the chairperson of the Department of Dramatic Arts is also necessary for use of the theatre in the Farrison-Newton Communications Building.
Learning Activity Center. As mandated by the Rehabilitation Act of 1973, Section 504, the University provides tutorial and counseling services to students with learning disabilities. The Center, located in Room 210 of the Hoey Administration Building, is funded in part by special allocations from The University of North Carolina - General Administration.

Computer Writing Center. The Computer Writing Center was established by the Department of English in July of 1988. The objectives of the Center are to train students and faculty to use computer software as a tool for composition; to provide undergraduate and graduate students with a resource center to enhance their composition skills; and to provide faculty with a resource center for research. The Center has 21 student work stations. Word processing workshops are conducted in the Center. Faculty should contact the Department of English for further information and a schedule of hours of operation.

English Learning Laboratory. The Department of English maintains a learning laboratory to provide students with an environment and resources designed to increase the students' communication skills and to enhance the classroom experience of students enrolled in beginning college English courses.

Mathematics/Computer Science Learning Center. The Center provides self-paced skill improvement programs in mathematics and computer science, special training for self-improvement for students enrolled in Mathematics 0900 and Mathematics 1100, walk-in tutorials in mathematics and computer science, and video-taped instruction in algebra, trigonometry, Calculus I, and Calculus II. The Center is open seven days a week. The Department of Mathematics can provide information as to specific hours of operation.

Other Computer Laboratories. The Schools of Business and Education and the Departments of Art, Geography, Home Economics, Psychology, and Sociology maintain computer laboratories. Information about the hours of operation and the equipment available in each of these laboratories can be obtained from the dean or department chairperson of the respective schools.

University Testing Center. The Testing Center has the responsibility for testing all incoming undergraduate students to assist in placement in appropriate courses. In addition, the Testing Center offers assistance to various schools and departments in meeting the specific testing needs of their students.

Career Counseling and Placement Center. The Center provides assistance to students and alumni in discovering career opportunities and in defining their career and educational goals. Facilities and assistance are provided to employer representatives in selecting candidates to meet the needs of their organizations. The offices are in the basement of the Alexander-Dunn Building.
The Student Counseling Center. The Counseling Center provides a full range of services including personal counseling, psychological and vocational testing, academic and educational counseling, and evaluation for referral. Counselors in the Center serve as instructors in the freshman orientation classes. The Center is located on the third floor of Old Senior Dormitory.

Student Health Service. Primary care for illness and injuries for all students as well as information on preventive health care is available through the Student Health Service. The facility is located in the south wing of the old Health Building. Regular clinic hours are provided on weekdays and a nurse is on duty 24 hours a day.

United Campus Ministry. The United Campus Ministry (UCM) offers students at NCCU an opportunity to engage in religious activities that include counseling, inspirational programs, various services and limited religious study. A campus minister has been provided by the ministry. He/she is assisted by other denominational assignments representing the Baptist, Catholic, Church of Christ, Episcopal, Lutheran, Methodist, Pentecostal, Presbyterian, and other religious groups. The UCM office is located in the Old Honors House at 525 Nelson Street.
SECTION II - HISTORY AND ORGANIZATION
THE UNIVERSITY OF NORTH CAROLINA

History. The University of North Carolina is comprised of all the public institutions of higher education in North Carolina that confer degrees at the baccalaureate level or higher. The University was authorized by the State Constitution in 1776, and it was chartered in 1789 by the General Assembly.

The University of North Carolina opened its doors to students at Chapel Hill in 1795. Thereafter, beginning in the latter part of the nineteenth century, the General Assembly of North Carolina has established and supported fifteen other public senior institutions in keeping with Article IX, Section 8, of the Constitution of North Carolina which 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."

By 1969, The University of North Carolina included six constituent institutions, governed by a single Board of Trustees. This multi-campus University had its beginnings in legislation enacted in 1931 that defined The University of North Carolina to include The University of North Carolina at Chapel Hill, North Carolina State University at Raleigh, and The University of North Carolina at Greensboro. In the 1960's, three additional campuses were added: The University of North Carolina at Wilmington, the University of North Carolina at Charlotte and the University of North Carolina at Asheville.

Between 1877 and 1969, the General Assembly of North Carolina established or acquired ten additional separately governed state-supported senior institutions of higher education. They were Appalachian State University, East Carolina University, Elizabeth City State University, Fayetteville State University, North Carolina Central University, North Carolina Agricultural and Technical State University, North Carolina School of the Arts, Pembroke State University, Western Carolina University, and Winston-Salem State University. Then, in 1971, the General Assembly redefined The University of North Carolina, and under the terms of new legislation, all sixteen public senior institutions became constituent institutions of The University of North Carolina.

Organization. The constitutionally authorized governing board of the sixteen-campus University of North Carolina is designated The University of North Carolina. The Board of Governors of The University of North Carolina consists of 32 members elected by the General Assembly, and it is charged with "the general determination, control, supervision, management, and governance of all affairs of the constituent institutions." The chief executive officer of The University is the President. The staff of the President is designated The University of North Carolina General Administration.
Each constituent institution of the University has its own faculty and student body. The chief administrative officer of each institution is the Chancellor, and the chancellors are responsible to the President.

Each constituent institution also has a Board of Trustees composed of thirteen members: eight elected by the Board of Governors, four appointed by the Governor, and the elected president of the student body ex officio. (The School of the Arts has two additional ex officio trustees.) The institutional boards are responsible for promoting the "... sound development of its institution..." and for serving as advisors to the Board of Governors and to the Chancellor. Other powers and duties are delegated by the Board of Governors as required by The Code.

The major document containing the regulations and powers of the Board of Governors, the Board of Trustees and the Chancellor is The Code. The policy and regulations concerning faculty governance are also defined in The Code. Copies of The Code may be obtained from the Office of the Provost/Vice Chancellor for Academic Affairs.

NORTH CAROLINA CENTRAL UNIVERSITY

History and Background. North Carolina Central University, a state-supported liberal arts institution, was chartered in 1909 as a private institution and opened to students on July 10, 1910. It was founded by Dr. James E. Shepard. From the beginning, when it was known as the National Religious Training School and Chautauqua, its purpose has been the development in young men and women of the character and sound academic training requisite for real service to the nation. To this end, the training of all students has been entrusted to the most capable teachers available.

The institution's early years were characterized by a wealth of enthusiasm and high endeavor, but not of money. Private donations and student fees constituted the total financial support of the school, and the heavy burden of collecting funds rested on the President.

In 1915 the school was sold and reorganized, then becoming the National Training School. During this period of its history, Mrs. Russell Sage of New York was a generous benefactor of the school.

In 1923 the General Assembly of North Carolina appropriated funds for the purchase and maintenance of the school; thus, in that year it became a publicly-supported institution and was renamed Durham State Normal School. Two years later, the General Assembly converted it into the North Carolina College for Negroes, dedicating it to the offering of liberal arts education and the preparation of teachers and principals of secondary schools.

At its 1927 session, the General Assembly began a program of expansion of the college plant to conform to the needs of an enlarged academic program. The interest of the honorable Angus W.
McLean, then Governor of North Carolina, and his belief in the institution aided greatly in the promotion of this program. State appropriations were supplemented by a generous gift from B. N. Duke and by contributions from citizens of Durham in 1929. The 1930's afforded federal grants and State appropriations for a new program of physical expansion and improvement of educational facilities; this program continued until the beginning of World War II.

The College was accredited by the Southern Association of Colleges and Secondary Schools as an "A" class institution in 1937 and was admitted to membership in that association in 1957.

The General Assembly of 1939 authorized the establishment of graduate work in liberal arts and the professions. Pursuant thereto, graduate courses in the Arts and Sciences were first offered in that same year; the School of Law began operation in 1940, and the School of Library Science was established in 1941.

In 1947 the General Assembly changed the name of the institution to North Carolina College at Durham.

On October 6, 1947, Dr. Shepard, the founder and President of the college, died. The Board of Trustees appointed an interim committee consisting of Dr. Albert E. Manley, Dean of the College of Arts and Sciences; Miss Ruth G. Rush, Dean of Women; and Dr. Albert L. Turner, Dean of the School of Law, to administer the affairs of the institution until the election of the second president.

On January 20, 1948, Dr. Alfonso Elder was elected President of the institution. At the time of his election, Dr. Elder was serving as head of the Graduate Department of Education and had formerly been Dean of the College of Arts and Sciences. Dr. Elder retired September 1, 1963.

Dr. Samuel P. Massie was elected as the third President of the college on August 9, 1963. Dr. Massie came to the institution from Washington, D.C., where he was Associate Program Director for Undergraduate Science Education of The National Science Foundation and Professor and Chairman of the Department of Pharmaceutical Chemistry at Howard University. He resigned on February 1, 1966.

The Board of Trustees appointed an interim committee consisting of William Jones, Business Manager; Dr. Helen G. Edmonds, Graduate Dean; and Dr. William H. Brown, Professor of Education, to administer the affairs of the institution until the fourth president took office.

On July 20, 1966, Dr. Albert N. Whiting was named the fourth President of the institution. He came to North Carolina College from Baltimore, Maryland, where he had been Dean of the Faculty of Morgan State College. Dr. Whiting served as President and Chancellor from July 1, 1967, until his retirement on June 30, 1983.
In 1969 the General Assembly changed the name of the institution to North Carolina Central University. On July 1, 1972, North Carolina Central University became a constituent institution of The University of North Carolina.

On July 1, 1983, Dr. LeRoy T. Walker became Interim Chancellor of the University. He had served the institution as Chairman of the Department of Physical Education and Recreation, Head Track Coach, and Vice Chancellor for University Relations. At its February 1986 meeting, the University of North Carolina Board of Governors, at the request of the University's Board of Trustees, decreed that Dr. Walker was Chancellor of the University rather than Interim Chancellor and made that action retroactive to the beginning of his term.

Dr. Tyronza R. Richmond, formerly Dean of the School of Business, succeeded Dr. Walker as Chancellor on July 1, 1986. Prior to his arrival at North Carolina Central University, Dr. Richmond was Associate Dean and Professor in the School of Business Administration at Howard University.

Dr. Richmond resigned as Chancellor to return to the classroom and was succeeded on January 1, 1992 by Dr. Donna J. Benson as Interim Chancellor.

On July 31, 1992, Atty. Julius Chambers, formerly Director-Counsel of the Legal Defense Fund of the National Association for the Advancement of Colored People (NAACP), was appointed Chancellor of North Carolina Central University by the Board of Governors. He assumed the office of Chancellor on January 1, 1993.

Mission

The following mission statement was formally adopted by the Board of Trustees of North Carolina Central University on February 23, 1994.

North Carolina Central University is a comprehensive university offering programs at the undergraduate and graduate levels. It is the nation's first public liberal arts institution founded for African Americans. The University maintains a strong liberal arts tradition and a commitment to academic excellence in a diverse educational and cultural environment. It seeks to encourage intellectual curiosity and to enhance the academic and professional skills of its students and faculty.

The mission of the University is to prepare students academically and professionally and to promote consciousness of social responsibility and dedication to the advancement of the general welfare of the people of North Carolina, the United States, and the world. The University will serve its traditional clientele of African-
American students; it will also expand its commitment to meet the educational needs of a student body that is diverse in race and other socioeconomic attributes.

Teaching is the primary focus of the University. As a part of that focus, the University encourages its faculty to pursue intellectual development and rewards effective teaching and learning. North Carolina Central University, therefore, encourages and expects faculty and students to engage in scholarly, creative, and service activities which benefit the global community.

Goals

The following institutional and educational goals were established for the 1989-91 planning period. No revisions were made during the 1991-1992 academic year.

Institutional Goals

1. To improve enrollment management procedures, including identifying prospective students, developing an effective marketing and recruiting strategy, admitting students with good chances of academic success, and retaining those students to graduation.

2. To further develop and maintain a climate where there is a University-wide commitment to the general welfare of the institution, open and candid communication, open and amicable airing of differences, and mutual trust and respect among students, faculty, staff, and administrators.

3. To encourage, support, and reward outstanding performance in teaching, research, service, and creative activities.

4. To further strengthen administrative support for coordination of research activities through workshops, seminars, and consultation with individuals and departments.

5. To support the development and accreditation of professional schools and programs.

6. To enhance and develop programs which will attract mature and non-traditional students to North Carolina Central University.

7. To further promote an image of a dynamic, innovative institution with programs that are responsive to the needs of all the people in its service area.
Educational Goals

1. To ensure that undergraduate students gain a knowledge of their cultural heritage as a framework for better understanding the diversity inherent in the existing social order.

2. To ensure that undergraduate students acquire a sense of history, an understanding of science, an appreciation of the fine and performing arts, and an understanding and appreciation of other cultures.

3. To encourage among all students an attitude about learning and intellectual work, which includes familiarity with research and problem solving methods, the ability to employ critical thinking skills, the ability to synthesize knowledge from many sources, the enhancement of communication skills, the capacity for self-directed learning, and a commitment to life-long learning.

4. To ensure that all students acquire both general and specialized knowledge, thus contributing to high intellectual standards on campus and preparing students for advancement after graduation.

Organization

North Carolina Central University, like all other institutions of The University of North Carolina, is headed by a chancellor who serves as chief administrative officer. The Chancellor reports to the President of the University system. A list of the current members of the Board of Trustees is on page 18.

Administratively, North Carolina Central University is organized into four major divisions: Academic Affairs, Student Affairs, Financial Affairs, and Development. Each of these divisions is headed by a vice chancellor who is delegated authority and responsibility by the Chancellor. The Vice Chancellor for Academic Affairs is also designated the provost. Within each division, the vice chancellor is responsible for monitoring implementation of all policies affecting the division, for assuring that new policies are developed according to established University procedures, for developing budgets for the division, for administering the division, and for supervising the various unit heads reporting to him or her. A list of the administrative officers within each division begins on page 19.

In addition to the four major divisions of the University, there are several advisory groups assisting the Chancellor, the Provost, and the vice chancellors.
The Chancellor's Cabinet is responsible for advising the Chancellor on policy matters and on such other matters regarding University affairs as the Chancellor may request. The Cabinet, which is composed of the Provost, the vice chancellors, the Executive Assistant to the Chancellor, the Special Assistant to the Chancellor, and the Legal Assistant to the Chancellor, meets with the Chancellor to discuss all aspects of University life and the relationship of these areas to the academic area. The Council of Deans advises the Provost/Vice Chancellor for Academic Affairs on matters relating to the academic programs of the University.

The University Planning Council and the six planning committees are responsible for providing input for development of the University long-range plan, the Title III proposal, and the biennial expansion budget request. Four of the committees coordinate planning in areas corresponding to the functional responsibilities of the four Vice Chancellors. These are the Academic Planning Committee, the Administrative Services Planning Committee, the Institutional Advancement Planning Committee, and the Student Services Planning Committee. Two additional committees have responsibilities for coordinating planning across all units in the University. These are the Computer and Telecommunication Planning Committee and the Facilities Planning Committee. Complete descriptions of the University Planning System are on reserve in the James E. Shepard Library. A draft of the document describing the planning system is included in Appendix I. Pending approval by the University Planning Council, the draft shows suggested additions to the document shaded in gray and suggested deletions with a line through the text.
NORTH CAROLINA CENTRAL UNIVERSITY
BOARD OF TRUSTEES

E. Lavonia Allison (Secretary) Durham
Franklin R. Anderson Durham
David E. Benevides Research Triangle Park
Brenda B. Broadie Durham
Dudley E. Flood Raleigh
Ralph K. Frasier Columbus, OH
Sekou Gargonuu Charlotte
Franklin E. McCain Charlotte
Terry Sanford, Jr. Durham
William A. Shore Research Triangle Park
William G. Smith (Vice Chair) Durham
R. Edward Stewart Durham
Peggy M. Ward (Chair) Charlotte
OFFICERS AND ADMINISTRATIVE STAFF
1996-1997

OFFICE OF THE CHANCELLOR

Julius L. Chambers, LL.M.
Margot M. Flood, B.A.
James E. Tyson, B.S.
Marilyn M. Nance, J.D.
George H. Walls, M.A.
William E. Lide, Ph.D.
McDonald Vick, B.A.
Kerry O. Randel, B.S., M.A.
Edward O. King, B.S.E.E., M.S.E.E., Ph.D.
Lebbie E. Bumpass
Arthur Cheatham-Smart, B.S.
Richard Goward
Kathy M. Wolfe
Robert P. Smith, B.S.
George McGhee
Lula G. Thorpe, B.A.
Shirley H. Hamilton, M.B.A.
Kaye R. Webb, J.D.
Melvin L. Riggs, M.S.
Natalie C. McIver, B.S.
Vacant
Vernestine Thorpe, B.S.
Lillian B. Downey, M.A.
Audrey L. Crawford-Turner, J.D.

Chancellor
Administrative Assistant II
Executive Assistant to the Chancellor
Internal Auditor
Special Assistant to the Chancellor
Athletic Director
Chief of Security
Director of Physical Plant/Facilities
Building Systems Engineer
Building Maintenance Supervisor
Building Systems Engineer
Housekeeping Supervisor
Grounds Supervisor
Business Officer
Central Heating Plant Supervisor
Special Assistant to the Chancellor
Assistant to the Chancellor
Legal Assistant
Title III Coordinator
Director of Public Relations
Assistant Vice Chancellor for Scholarships and Student Aid
Assistant Scholarships and Student Aid Manager
Assistant Director for Scholarships and Student Aid
EEO/Affirmative Action Officer

ACADEMIC AFFAIRS

Patsy B. Perry, Ph.D.

Interim Provost, Vice Chancellor

SCHOOL OF GRADUATE STUDIES
Rudolph S. Jackson, Ph.D.

Dean

COLLEGE OF ARTS AND SCIENCES
Bernice D. Johnson, Ph.D.
Lana T. Henderson, Ph.D.
Mattie E. Moss, Ph.D.

Interim Dean
Associate Dean
Associate Dean

22
Academic Department Chairs
Melvin Carver, Ph.D.
John E. Mayfield, Ph.D.
John A. Myers, Ph.D.
George P. Wilson, Ph.D.
Johnny B. Alston, III, Ph.D.
Arlene Clift-Pellow, Ph.D.
Albert P. Barnett, Ph.D.
Theodore R. Parrish, D.P.H.
Sylvia M. Jacobs, Ph.D.
Beverly A. Bryant, Ed.D.
Manuel Keepler, Ph.D.
Thomas N. Hammond, Ph.D.
Celia A. Davidson, Ph.D.
W. Kaye McDonald, Ph.D.
Virginia Politano, Ph.D.
Angelaurelio F. Soldi, Ph.D.
Joseph Aicher, Ph.D.
Elwood L. Robinson, Ph.D.
George H. Conklin, Ph.D.

SCHOOL OF BUSINESS
Sundar W. Fleming, Ph.D.
Raphael N. Thompson, M.B.A.
Youngil Cho, Ph.D.
John V. Turner, M.Ed.

SCHOOL OF EDUCATION
Sammie C. Parrish, Ph.D.
Cecelia Steppe-Jones, Ph.D.
Vacant

SCHOOL OF LAW
Percy L. Luney, J.D.
Charles E. Smith, LL.M.
Mark W. Morris, LL.M.
Adrienne L. Meddock, J.D.
Sandra J. Polin, J.D.
Monica K. Kalo, J.D.
Lisa M. Crutchfield, J.D.
Tracy H. Barley, J.D.
SCHOOL OF LIBRARY AND INFORMATION SCIENCES
Benjamin F. Speller, Jr., Ph.D.
Duane Bogenschneider, M.L.I.S.
Robert Montgomery, M.S.

UNIVERSITY COLLEGE
Eugene A. Eaves, Ph.D.
Vacant

RESEARCH, EVALUATION AND PLANNING
Lawrence A. Lee, Ph.D.
Duncan Floyd
Fitzpatrick Anyanwu
Sandra E. Davis, M.B.A.
Kenneth Chambers, Ph.D.
Roy R. Cappadona, B.S.
Donald R. Nolen, M.P.H.
Paul Harrison, B.S.

ACADEMIC SERVICES
LaFayette W. Lipscomb, Ph.D.
Nancy R. Rowland, M.A.
Mildred L. Mundine, M.A.
Alice J. Mayer, J.D.
Vacant
Barbara S. Moore, B.A.
Leon B. Hardy, Ph.D.
Sherry M. Eaton, Ph.D.

ACADEMIC ADVISING
Mattie E. Moss, Ph.D.
Sarah Bell-Lucas, M.A.

ART MUSEUM
Kenneth Rodgers, M.F.A.

INSTITUTE FOR STUDY OF MINORITY ISSUES
Beverly W. Jones, Ph.D.

LEARNING RESOURCES
Marvin E. Duncan, Ph.D.
Lawrence S. Lovette, M.A.
James E. Osler, Ph.D.

LIBRARY SERVICES
FACULTY HANDBOOK — April, 1997

Floyd C. Hardy, Ph.D.

SPONSORED RESEARCH AND PROGRAMS
Vacant

DEVELOPMENT

Vice Chancellor
Associate Vice Chancellor for Development
Interim Assistant Vice Chancellor for Development
Director of University and Community Relations
Director of News Bureau
Director of Development
Director of Alumni Affairs
Foundation Accountant
Director of Corporation and Foundation Relations

FINANCIAL AFFAIRS

Ruby Pittman, M.B.A.
Lola T. McKnight, B.S.
Mozell Robinson, B.S., C.P.M.
Lula M. Bullock, B.S.
Christopher L. Hinton, M.B.A., C.P.A.
Janette D. Street, B.S.
Wayne Jones, B.S.
Reginald K. Smith, M.P.A.
Joseph D. Alston, B.S.
Chester Ray, Jr.
Arshad Y. Ali, B.A.
Joyce Page, M.A.
Shirley B. Ragland, M.A.
Vacant
Mavis B. Lewis, B.S.
Ronald D. Reaves, B.S.
Mack Lee White, B.A.
Vanessa Gregory, A.S.
Carolyn J. Thomas, M.A.
Charles R. Warren, M.A.
Francina Y. Tate, B.S.
Deborah Fenner, M.B.A.
Nathaniel Hall, B.S.
Ralph Fennell, B.S.C., C.P.M.
William K. James, M.B.A., C.P.A.
Norma P. Smith, B.A.

Vice Chancellor
Assistant to the Vice Chancellor
Director of Administrative Services
Budget Officer
Associate Vice Chancellor for Financial Affairs
Administrative Assistant for Food Services
System Accountant
Ticket Office/Vending Manager
Book Store Manager
Mail Center Supervisor
Central Stores/Receiving Manager
Director of Purchasing
Purchasing Manager
Purchasing Agent/Contracts Specialist
Director of Human Resources
Position and Staffing Manager
Position and Classification Specialist
Employee Services Officer
Benefits Officer
Employment Officer
Staff Development Officer
Comptroller
Accounting Manager
Director of Cash Management
Reporting Manager
Director of Disbursements
Mary Thompson, B.S.
Carlos Rivera, B.B.A.
Linda Belton, B.S.
Lisa B. Mitchell, B.S.
Joyce Smith, B.A.
Jacqueline Scurlock

Accounts Payable Supervisor
Accountant I
Endowment Accountant
Federal Loans Officer
Contracts and Grants Officer
Student Billings/Receivable Supervisor

STUDENT AFFAIRS

Arthur G. Affleck, J.D.
Roger G. Bryant, Ed.D.
Tyrone Bledsoe, Ph.D.
Evelyn C. Deck, M.A.
James B. Fuller, Ed.D.
Phyllis F. Shumate, M.S.
Glen R. Martin, Ed.D.
Peggy Alexander, M.A.

Vice Chancellor
Associate Vice Chancellor and Dean of Students
Assistant Vice Chancellor
Assistant Dean of Students
Director, Student Support Services
(Acting) Director, Residence Operations
Associate Vice Chancellor and Director of Counseling Center
Dean of Student Development and
Director, University Career Services
Student Activities Officer
Interim Director of Campus Religious Life
Director of Student Union
Director of Student Health Services

FACULTY SENATE

James M. Schooler, Ph.D.
Freddie L. Parker, Ph.D
Amal M. Abu-Shakra, Ph.D.
Acie Ward, J.D.

Chair
Vice Chair
Secretary
Parliamentarian

Academic Programs

The academic programs of NCCU are administered by the College of Arts and Sciences and the Schools of Business, Education, Law, and Library and Information Sciences. Each school is headed by a dean who serves, by virtue of powers delegated by the Chancellor, as the chief administrative officer of his or her school. The deans are responsible to the Provost/Vice Chancellor for Academic Affairs for the academic activities of their schools. They make recommendations to the Provost regarding faculty personnel appointments, reappointments, dismissals, promotions, salaries, and tenure. They supervise the application and operation of the various academic policies and procedures established by the appropriate agencies, and they allocate and administer the budgets assigned to their schools. The Dean of the University College serves as the Director of Summer Sessions, Continuing Education, Extension, and the Evening Degree Program. In all four capacities, this Dean coordinates schedules and selection of faculty with the deans of the College of Arts and
Sciences and the Schools of Business, Education, and Library and Information Sciences. The Dean of the School of Graduate Studies works with the deans of the College of Arts and Sciences and the Schools of Business, Education, and Library and Information Sciences to develop coordinated policies and procedures for all graduate programs at NCCU. The Dean of the School of Graduate Studies is also responsible for the reporting and coordination connected with sponsored research and programs.

The College of Arts and Sciences has twenty academic departments. Each department is headed by a departmental chairperson who is, by virtue of powers delegated by the Chancellor, the chief administrative officer of the department. Each chairperson is responsible to the Dean for the recruitment, employment, and evaluation of the departmental faculty. Although the Dean may seek the advice of departmental faculty on his/her recommendation of a chairperson, the departmental faculty does not elect the department chairperson; the chairperson is appointed by and represents the Chancellor in the department.

Summer School and Continuing Education. Other than the specialized activities in the Law School Evening Program, all summer sessions, evening degree program, extension, and continuing education courses are coordinated by the Office of the Dean of the University College. The summer sessions are conceptually and budgetarily separate from other academic units. Faculty employment in the summer is based entirely on the needs of the summer program. Department chairpersons recommend to the Dean of the University College the faculty for summer school. Working in cooperation with the deans of the participating schools and the Dean of the College of Arts and Sciences, he/she implements and monitors the institutional policies which assure high academic quality of those courses offered for degree credit by approving the credentials of the recommended faculty. The contracts for these faculty members are written by the Dean of the University College and approved by the University Provost. Faculty members who teach in the summer are paid on the basis of their rank in the regular session. This payment is made in addition to and by a separate check from their compensation for regular session employment. Faculty members who have ten-, eleven-, or twelve-month contracts are expected to teach during the summer.

Faculty members not on eleven- or twelve-month contracts may negotiate with their department chairperson, dean, and the Dean of the University College for summer employment. However, employment to the regular nine-month session is not a commitment by NCCU to provide employment to teach summer, extension, or continuing education courses. Since summer employment is geared to the needs of the program, there is no requirement that summer session teaching slots be rotated among the individual departmental faculty members; nor is employment in the summer offered as a reward for performance in the regular session.
Degree Programs

The University's authority to offer instruction and to confer degrees is derived from The University of North Carolina through its Board of Governors under the legislation which created the unified University of North Carolina on October 30, 1971.

North Carolina Central University offers degree programs at the baccalaureate, master's, and first professional levels. This list changes periodically as programs are added or dropped. The current degree inventory is listed below.

<table>
<thead>
<tr>
<th>API CODE</th>
<th>DIVISION AND PROGRAM TRACK</th>
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<th>DEGREE</th>
<th>PROGRAM TRACK</th>
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<td>B.S. Biology</td>
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<td>B</td>
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<td></td>
<td>B</td>
<td>B.B.A. Computer Information Systems</td>
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<td>B.B.A. Management</td>
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<td>B</td>
<td>B.B.A. Marketing</td>
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<td>Information Sciences &amp; Systems</td>
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<td>M.I.S. Information Sciences</td>
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<td>Elementary Ed., Intermediate (4-6)</td>
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<td>Education of Mentally Retarded</td>
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<td>M.Ed.</td>
<td>Education of the Emotionally Disturbed</td>
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<td>Student Personnel (Counseling and Guidance)</td>
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<td>M.A.</td>
<td>Career Counseling and Placement</td>
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<td>Art, Art Education</td>
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<tr>
<td>1004</td>
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<td>Music (Liberal Arts Program)</td>
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**INTERDISCIPLINARY STUDIES**

| 4902     | Biological and Physical Sciences            | B       | B.S.    | Environmental Sciences  |

Source: *Academic Program Inventory*, The University of North Carolina, dated June, 1996
FACULTY HANDBOOK — April, 1997

FACULTY ASSEMBLY

The Charter of the Faculty Assembly of the University of North Carolina was adopted unanimously on April 15, 1972, by an assembly representing the faculties of all sixteen public institutions of higher education in North Carolina. The Charter was subsequently ratified by each of the sixteen faculties.

The three delegates apportioned to North Carolina Central University are selected according to procedures adopted by the Faculty Senate. The Charter of the Faculty Assembly is included in Appendix II.

THE FACULTY SENATE

The faculty participates in the governance of North Carolina Central University through the formal, structured mechanism of the Faculty Senate. The Senate is a faculty-elected body consisting of faculty representatives from each department and/or school. The Faculty Senate is the official body recognized in The Code that "may advise the Chancellor on any matters pertaining to the institution that are of interest and concern to the Faculty." Appropriate procedures have been established to provide the Senate the opportunity 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 structure of the Senate, its organization, methods of election, and other operational matters are found in the Senate Constitution and Bylaws (Appendix II). The Faculty Senate amended the Constitution on April 20, 1992. The amended version is printed in Appendix II. The Bylaws were amended on May 6, 1994. A summary of the major Senate committees and their fields of action is included in the Bylaws.

FACULTY MEMBERSHIP ON OTHER COMMITTEES

Members of the faculty as individuals, and as representatives of the Faculty Senate, also serve on major policy and operating committees of the University. The Chairperson of the Faculty Senate serves on the Executive Council and, along with other faculty members, serves on additional University-wide committees including the Academic Planning Committee, Administrative Services Planning Committee, University Planning Council, as well as the other four planning committees. These seven bodies formulate and recommend all University missions, goals, plans, and expansion budget requests for North Carolina Central University as a whole.
SECTION IV - TERMS AND CONDITIONS OF FACULTY EMPLOYMENT
GENERAL CONDITIONS OF EMPLOYMENT

Recruitment. It is the practice as well as the policy at North Carolina Central University to recruit the highest quality of instructional and academic personnel without regard to race, color, creed, or sex. Positions are advertised in The Chronicle of Higher Education and/or appropriate professional journals. Applications are screened by the department chairperson (or dean) or by a committee appointed by the chairperson or dean. Final candidates are interviewed and the credentials of final candidates, including the candidate recommended for hiring are sent to the Chancellor via the dean and the Provost for final approval. The document EPA Faculty Contracts outlines the procedure in detail.

Initial Decisions on Appointment. In the College of Arts and Sciences, initial appointment decisions are made by the dean based on the recommendation of the department chairperson. After consulting with the full professors in the department, the chairperson sends a recommendation to the dean, accompanied by a completed contract, appropriate affirmative action forms, a transcript, a curriculum vita, and a complete "EPA and Faculty Employment Form." The dean signs the recommendation to employ form and other forms as appropriate and sends the complete package to the Provost/Vice Chancellor for Academic Affairs; the Provost reviews these documents and, when approving, signs the appropriate forms and the contract. The contract is then mailed to the faculty member (or arrangements are made for the faculty member to pick up the contract in the Office of the Provost). The process is similar in the other schools except that the dean makes the initial decision and completes the recommendation to employ form, the contract, and the affirmative action forms.

Conditions of Appointment. Appointments must follow the affirmative action guidelines as described in the Affirmative Action Plan for Equal Employment Opportunity (Revised December 1986). Copies of this plan may be obtained from the Affirmative Action Officer.

The usual expected minimum degree for employment is a terminal degree in the appropriate field; however, faculty with a lesser degree but compensatory qualifications can be appointed upon the recommendation of the department (or school) with the approval of the Board of Governors. Part-time and temporary faculty members are expected to meet the same requirements for employment as full-time faculty teaching in the same discipline at the same or comparable rank.

Each initial appointment to the rank of instructor, assistant professor, associate professor, or professor is a probationary term appointment. The probationary period and the notification processes for each of the ranks are detailed in the Tenure Policies and Regulations of North Carolina Central

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^2Or senior faculty if there are not enough full professors available. (Tenure Policies and Regulations of North Carolina Central University, Section 3, C, 1).
University, Section 3 B. The purpose of the probationary period is to give the faculty member a chance to demonstrate the ability to perform at the level NCCU expects. The designation of a specific probationary period is neither a guarantee nor a requirement that the faculty member will be retained for the entire probationary period. Promotions may be considered at any time the faculty member is judged to be performing at the level of the higher rank, and tenure may be granted on the same basis. Conversely, non-reappointment decisions can be made at the end of any contract period in accordance with the Tenure Policies and Regulations of North Carolina Central University.

Faculty Ranks. North Carolina Central University uses the usual faculty ranks for tenure-track positions. In ascending order, these titles are: instructor, assistant professor, associate professor, and professor. These ranks are used only to designate tenure-track positions. Individuals with these titles receive probationary term contracts and are entitled to the various notification processes appropriate to their rank. Faculty members may receive special appointments to non-tenure-track positions. These appointments carry such title designations as "lecturer," "artist in residence," or any of the above-mentioned tenure-track designations prefixed with such qualifiers as "adjunct," "clinical," or "visiting." Non-tenure-track appointments are "fixed-term" appointments, and the period of employment automatically ends at the date stated on the contract. (See Tenure Policies and Regulations, Sections 3 B(5) and (6).)

The qualifications for the tenure-track ranks are affected by the 1976 Tenure Policies and Regulations. The following operational criteria are used for initial appointment to the various ranks. Please note that these criteria represent minimum standards and that individual schools and departments have developed their own criteria which may be more stringent.

Professor. The earned doctorate or an appropriate terminal degree, demonstrated ability to direct research in one's field, evidence of continued growth as may be shown by scholarly contributions to one's field, five or more years of experience in postsecondary education, and demonstrated teaching ability are usually required for appointment to the rank of professor (Note: The term scholarly contributions refers to the sections on tenure and promotions of the Tenure Policies and Regulations of NCCU. Corresponding creative activities in the fine and performing arts are, for purposes of this definition, regarded as publications.)

Associate Professor. The earned doctorate or appropriate terminal degree, demonstrated ability to direct research in one's field, a record of continued growth as evidenced by publications or the corresponding creative activities in the fine and performing arts, three or more years of experience in postsecondary education, and demonstrated teaching ability are usually required for appointment to the rank of associate professor.
Assistant Professor. The earned doctorate or appropriate terminal degree, evidence of potential ability to direct research in one's field, evidence of potential for continued growth in scholarly contributions as evidenced by publications or the corresponding creative activities in the fine and performing arts, and demonstrated potential for teaching effectively at the college level are normally required for appointment to the rank of assistant professor.

Instructor. The rank of instructor is appropriate for one who is appointed to the faculty in the expectation that in the normal course, he/she will progress through the professorial ranks in this or another institution but lacks, when appointed, the appropriate degree expected by his or her department for appointment as assistant professor. When the appropriate degree is obtained, an instructor will usually be promoted to assistant professor. (Note: Although the rank of instructor is designated as a tenure-track position, this designation refers only to the notification procedures. Tenure is no longer granted to those holding the rank of instructor.)

Graduate and Professional Faculties. The criteria for membership in the graduate and professional faculties as approved by the Council of Graduate and Professional Programs include (1) appointment at the rank of assistant professor or above; (2) possession of the highest earned degree in the field; (3) demonstrated competence in upper-level and graduate-level teaching; (4) productive and creative scholarship; (5) evidence of abilities and competencies essential to directing and supervising theses and research projects; (6) activity in research; and (7) activity in the profession or discipline. The Council receives recommendations for appointment from the appropriate deans.

Academic Freedom. The Code is the official document describing the powers and responsibilities of the various elements of The University of North Carolina. The following excerpt is the official statement of The University concerning academic freedom:

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 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 spokespersons 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. (The Code, Sections 600-601, p.19)

Tenure. The complete text of the Tenure Policies and Regulations for North Carolina Central University is reproduced in Section V. This copy contains amendments through 1984. You should refer to this text rather than to any other copies you may have previously received. In particular, refer to this copy when questions arise regarding retirement and reappointment beyond the normal retirement date.

Promotion. Policies and regulations in the present Tenure Policies and Regulations of North Carolina Central University were approved by the Board of Governors February 13, 1976. The faculties of departments and schools have developed standards for promotion and initial appointment. Copies of these standards may be obtained from the office of the department chairperson or dean as appropriate.

Tenure and Promotion. Each request for promotion and tenure must be accompanied by a portfolio of information, some of which must be in a special format. Appendix II contains a detailed description of the portfolio and its contents. Note that all tenure requests and all promotions conferring tenure must be approved by the Board of Governors.
The major thread running through all promotion considerations is growth. In keeping with the concept of "all-around" excellence, achievement is expected in three areas: instruction, research and scholarly achievement, and service. Growth in scholarly achievement is to be evidenced by publication or other professional activities. The publication criteria apply to publications submitted in support of a request for promotion. However, it should be clear that the growth as evidenced by publication—and indeed in all the other criteria—is intended to be growth from the level of the rank from which the promotion is requested to the minimum standards of the rank to which the promotion is sought.

Promotion to the rank of professor confers tenure. Therefore, the factors considered in dealing with promotion to professor include not only the basic factors involved in the change in rank, but also the elements involved in the tenure decision.

The faculty member presents his/her request for promotion to the department chairperson. The chairperson consults with the department's assembled full professors\(^3\) and then makes a recommendation to the dean. (Note: If the school has no departments, the dean performs the actions listed for the chairperson.) The recommendation may be either approval or disapproval, but the chairperson may not refuse to send the request and recommendation to the next official in the channel of communication. The dean transmits the request, together with his or her own recommendation, to the Provost/Vice Chancellor of Academic Affairs. The Provost transmits the request, together with his/her recommendation, to the Chancellor. The Chancellor shall consult the Faculty Personnel Committee. If the Chancellor decides not to approve the recommendation, "...the decision will be handled as if it had been made by the department chairperson" (*Tenure Policies and Regulations of North Carolina Central University*, Section 3, B, (5)).

**Contract Periods.** The school year runs from the Faculty Institute through Commencement. These dates change each year. In order to avoid short-changing any faculty member, in order to reduce the bookkeeping load, and in order to assure a smooth flow of checks to the individual faculty members, the contracts are drawn, with a few exceptions, for a standardized period. Nine-month contracts are in effect between mid-August and mid-May of the following year. Ten-month contracts are in effect between mid-August and mid-June of the following year. Eleven-month contracts are in effect between August 1 and June 30 of the following year. Twelve-month contracts are in effect July 1 through June 30. All faculty and staff who are eligible for full benefits may elect to receive their salary over twelve months regardless of the length of the obligation described in the contract.

\(^3\)See *Tenure Policies and Regulations of North Carolina Central University*, Section 3, C for the exact procedure.
SALARIES AND BENEFITS

Regular Session Salaries. Salaries and salary increases are set subject to the policies and instructions of The University of North Carolina Board of Governors.

Summer Session Salaries. Summer session salary scales are based on recommendations made by the Dean of the University College and are dependent on the number of hours taught, average regular term salaries of each academic rank, and the number of students enrolled in the class. This payment is made in addition to, and by a separate check from, compensation for regular session employment.

Overload Contracts. Faculty may not be paid additional compensation beyond their regular contract except in rare cases where there are clearly defined extra duties. Generally, only those faculty teaching off-campus extension and continuing education courses in addition to their regular class schedules will qualify.

Retirement and Reappointment Beyond Retirement. On September 14, 1984, the University of North Carolina Board of Governors, acting on authorization granted by Chapter 1019 of the Session Laws of the 1983 General Assembly, affirmed the amended Section 606 of The Code of the University of North Carolina, which sets age 70 as the standard retirement age for faculty and other university employees "Exempt from the Personnel Act (EPA)." This provision will remain in effect until July 1, 1998. Details on the application of this age limit can be found in the Tenure Policies and Regulations (Section 7).

Faculty members entering the retirement system for the first time have a choice of two plans: The State Retirement System and TIAA-CREF. The choice must be made in the first year and cannot afterwards be changed. The State System is formula-based and is vested after five years. TIAA-CREF involves investment in bonds, mortgages, or a broadly diversified common stock fund. Details of the retirement benefits can be obtained from the Human Resources Office.

Tuition Waiver. Any full-time faculty or staff member at NCCU may enroll, tuition free, in one class per semester at NCCU or at any other campus in the University of North Carolina system, provided the person has been admitted through usual university procedures and provided there is space in the class. The department chairperson (or dean in schools with no departmental structure) and the Chancellor or his designee must approve each request. Forms may be obtained from the Office of the Chancellor.

Leaves of Absence. Faculty members may arrange for leaves of absence without pay for one or more semesters (not to exceed two years in succession) for the purpose of advanced study, research, or public service. Such leaves will not prejudice the faculty member’s position regarding
future promotion in rank, tenure, or other forms of advancement. Requests for professional study leaves are made through the department chairperson and forwarded to the Chancellor via the established channels of communications. In some cases, the faculty member may arrange to continue retirement and health insurance benefits. The Human Resources Office will determine the status of benefits for each case based on current state guidelines.

Absences from Class. The university and the faculty are legally and ethically responsible for ensuring that all students receive consistent and appropriate instructional experiences. This responsibility includes meeting classes regularly (or providing alternative learning experiences) and providing laboratory experiences where a laboratory is part of the course. The following policy concerning absences from class by faculty was approved by the Administrative Council on February 3, 1986.

Teachers may miss occasional classes for attendance at professional meetings, meetings of campus-wide committees, or other specifically assigned duties. Occasional absences for the usual personal and emergency reasons are also seen as legitimate. However, except in the case of unforeseen emergencies or illnesses, departmental chairpersons (or deans in schools without departments) must be notified in advance of such absences (in time for the completion of satisfactory arrangements for the coverage of classes and for notification of students). In some cases, absences must be approved by the chairperson (or dean in schools without departments) in advance. Arrangements for missed classes are the principal responsibility of the faculty member, but must be approved by the department chairperson (or dean where appropriate).

Sick Leave. The State of North Carolina does not provide for sick leave for faculty. Absences for short term illness are normally covered by other departmental members without loss of pay by the affected faculty member. The arrangements should be made by the department chairperson. Extended absences resulting from lengthy illness are handled on a case-by-case basis.

Maternity Leave. Faculty members should request maternity leave through their department chairperson (or dean). Maternity leave will be treated as a leave of absence without pay.

Inclement Weather. Both the State and NCCU have policies governing the suspension of activities because of inclement weather. The state policies cover, generally, the non-faculty staff member; NCCU policies for EPA personnel cover faculty members and certain administrators. Because NCCU is largely a residential institution, it rarely suspends classes because of inclement weather.

Both policies provide for various notification procedures, make-up schedules, and other means of coping with disruptive weather conditions. The NCCU policy is included in Appendix III.
Vacation. There is no formal provision for vacation for NCCU faculty members. Faculty members are expected to attend classes, complete committee assignments and keep regular office hours during the academic terms (and through summer school for those with summer school contracts).

External Professional Activities for Pay. The University encourages participation in consulting and other paid professional activities provided these are related to the faculty member's field of study and provided that the activities do not interfere with his/her normal duties at NCCU. All such activities must be approved in advance within certain specified time periods. The policy describing the University position on this matter is included in Appendix IV.

Fringe Benefits. Fringe benefits for NCCU faculty and staff are determined by the policies and procedures of the State of North Carolina. Information concerning fringe benefits is provided by the Human Resources Office of NCCU to new faculty members as a group and to individual faculty members on an appointment basis.

FACULTY EVALUATION

The Evaluation System. All faculty, including part-time and temporary faculty members at North Carolina Central University, are evaluated by a formal Faculty Evaluation System. See Appendix V for a complete description of the system. Each teaching faculty member is required to have students evaluate at least one of his/her classes each fall and spring semester. A calendar giving critical dates for implementation of the system is distributed to each faculty member each year. The department chairperson (or dean in schools with no departmental structure) is responsible for evaluating each faculty member every year. It is expected that the results of the evaluation will be used to guide each faculty member's professional development.

Observation of Teaching Performance. In compliance with a directive from the UNC-General Administration and to improve the teaching performance of our faculty, classroom observation of teaching performance is required of all faculty members for a minimum of one class period per year. Observation of classroom performance is required for at least one class period per semester for all new and non-tenured faculty members and for all graduate teaching assistants. A form for this purpose—Form 2D, Observation of Teaching Performance—is available from the Office of Research, Evaluation, and Planning as a suggested guide and recording form for observation of teaching performance. In general, each instructor should be observed for an entire class period. If time permits, observation should occur on several occasions. This is especially important for new, non-tenured faculty members and imperative for graduate assistants. After sufficient observations have been completed, all ratings should be averaged to yield a composite assessment. In order to maximize the effectiveness of the procedure, the person conducting the observation should share a copy of the
completed form with the instructor immediately following the class period, allowing time for a
discussion of the strengths and weaknesses observed during the class period. The original of the form
should then be sent to the department chairperson or dean of the school for inclusion in the yearly
faculty evaluation ratings.

Procedures for selecting observers must be included in the specific evaluation standards for
each academic unit. The observers may be selected from within the department or from another
department in a related discipline. The observers should be generally familiar with the subject area,
and they should be recognized as competent instructors and/or evaluators. The observer should not
be a close personal friend of the instructor being observed.

The evaluation procedures are also related to the salary administration plan in that the ratings
for the preceding calendar year (January 1 - December 31) form the basis for recommendations for
increments. The decision on the amount of funds available for salary increments is made by the
General Assembly. Both the amount and the method of distribution are determined by the
Legislature. If the Legislature directs an across-the-board increase, each eligible faculty member will
receive the appropriate amount specified in the legislation. If the Legislature does not distribute the
funds across the board, the University may distribute them according to other procedures as specified
by The Board of Governors.

Evaluation Appeals. A faculty member who disagrees with his/her evaluation at Steps IV or
V should appeal to the department chairperson in the College of Arts and Sciences or to the dean in
the Schools of Business, Education, Law, and Library and Information Sciences, following the
procedures established by the department or the school.

In the College of Arts and Sciences, after exhausting the departmental process, the faculty
member may appeal the evaluation in writing to the Dean. The appeal letter should be received by
the Dean within five working days after the action at the departmental level. The Dean reviews the
evaluation appeal and notifies the faculty member of his/her decision within five working days after
the receipt of the appeal letter.

In all schools and in the College of Arts and Sciences, a faculty member should follow the
process for appeal to the dean. Then if a faculty member wishes to carry the matter further, he/she
may file a grievance following the procedures described in Section 607 of *The Code* and the NCCU
Faculty Grievance Procedure. The appeal to the Faculty Grievance Committee must be within 10
working days of receipt of the dean's response to the appeal.

In cases where the Faculty Grievance Committee judges that adjustments in the evaluation
are appropriate, it makes recommendations to the department chairperson in the College of Arts and
Sciences or to the dean in the Schools of Business, Education, Law, and Library and Information
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Sciences. The Faculty Grievance Committee sends advice for adjustment in favor of the faculty member to the Chancellor only after similar advice has been sent to, and has not been acted upon favorably by, the department chairperson, then the dean, and finally the Provost.

In the case where a faculty member concurs with the evaluation of the immediate supervisor but the dean or other administrator rejects the evaluation, then the faculty member retains the same avenue of appeal as described above.

APPEALS AND GRIEVANCES

In addition to the appeal of his/her annual faculty evaluation described above, there are four general categories of situations in which the faculty member may disagree with the decisions of the department chairpersons, deans, Provost/Vice Chancellor for Academic Affairs, or Chancellor.

Descriptions of these situations and of the procedures to be followed by the faculty member in each case follow:

Non-Reappointment. Provided the University follows the procedures described in Section 3. C(2) of the Tenure Policies and Regulations and notifies the faculty member in a timely manner, the University may choose not to renew a probationary term (tenure-track) contract. The faculty wishing to appeal a non-reappointment decision must initiate the appeal procedure and must follow the guidelines in Section 3 of the Tenure Policies and Regulations. Fixed term (non-tenure track) contracts, which are not probationary contracts, terminate on the ending date of the contract.

Termination of Faculty Employment. Tenured faculty or faculty on fixed (non-tenured) or probationary term (tenure-track) contracts may be terminated prior to the end of the stated contract period if there is a "bona-fide institutional financial exigency" or if a major curtailment or elimination of a program occurs. The situations in which such terminations are permissible, the exact procedures to be followed by the University, and the procedures for appeals and hearings are described in Section 6 of the Tenure Policies and Regulations.

Discharge and Serious Sanctions. Imposition of disciplinary penalties on a tenured faculty member can be made 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" (Tenure Policies and Regulations of North Carolina Central University). The procedures for initiation of such action and the process which must be followed by both the faculty member and the University are given in detail in Section 4 of the Tenure Policies and Regulations.

Grievances. In addition to appeals to the faculty evaluation system, faculty members having problems or grievances not specifically covered to this point may petition the Faculty Grievance
Committee in accordance with the procedures described in Section 607 of The Code and the NCCU Faculty Grievance Procedures. Both are reproduced in Appendix VI. For example, all appeals concerning salary increments must be made using this procedure.

**Sexual Harassment.** Sexual harassment of university employees is a violation of current university policy and will not be tolerated. The full policy statement is contained in Appendix VII.

**FACULTY RESPONSIBILITIES**

The primary responsibility of every faculty member at North Carolina Central University is to be an effective teacher. This implies that the faculty member is a competent scholar in his/her field and is able to impart the knowledge gained through that scholarship to students and to his/her professional peers.

**Professional Responsibilities.** North Carolina Central University has been fortunate in recruiting a dedicated high-level professional faculty. The particular procedures these faculty members adopt to fulfill their professional responsibility to teach the students both by precept and example are stipulated in the individual departments. In particular, faculty members are expected to be role models in the intellectual sphere by attending campus events related to their area, by encouraging students to attend events, by requiring attendance at events related to the course being taught, and by discussing relevant events in subsequent classes.

Various departments conduct courses in different ways. However, the initial session of each course should provide an orientation to the course. This orientation should include, as a minimum, the following elements: an outline of the objectives and requirements of materials; the number and the nature of written and oral reports to be given by the student; a list of outside readings required for the course; and the type, number, and dates of examinations. This orientation material should be provided to the student in written form. A description of the way in which final grades are to be calculated should also be included. Faculty are expected to conform to all NCCU regulations regarding the awarding and changing of grades. Copies of the appropriate policies may be obtained in the office of the dean of the school or college in which the faculty member is teaching.

Academic advising of students is a vital component of the implementation of the curriculum. All faculty members are expected to be thoroughly familiar with the curriculum. All faculty members are expected to be available to the students assigned to her/him for advising and to maintain regular office hours for that purpose. Departmental procedures will specify the actual mechanics of posting and observing office hours.
Faculty members are expected to refrain from conduct that might lead to the perception of impropriety. Care should be exercised to follow all state regulations in the use of state properties, telephone service, purchases with state or state-controlled funds, and requests for reimbursement for services including travel. A memorandum from the Provost to the faculty and academic administrators describes state policy on misuse of state property. That memorandum is reprinted in Appendix VIII.

Faculty members are also expected to maintain appropriate professional relationships with students. In order to better define certain aspects of the relationships between students and faculty, the University has approved several policies including procedures for appeal of grades, for appeal of charges of violations of academic integrity, and for filing sexual harassment complaints. Sexual harassment of students is a violation of university policy and is no more to be tolerated than sexual harassment of employees. The policy, Sexual Harassment (Students), is contained in Appendix IX.

**Textbook Purchases.** Faculty members, in coordination with Department Chairpersons, Deans, and CFAS unit heads, are expected to submit textbook requests and course pack materials to personnel at the Student Store on the dates requested. These dates are currently April 1st for both summer sessions. April 15th for the fall semester and October 20th for the spring semester.

**Faculty Institute, Convocation, Honors and Awards and Commencement.** Attendance at the Faculty Institute and the orientation/registration period following it, at the annual Convocation, at the annual Honors and Awards Ceremony, and at Commencements are regarded as contractual obligations. Faculty members are expected to attend these activities. For Convocation, Honors and Awards Ceremonies and Commencements, faculty members are expected to wear full academic regalia unless otherwise directed by the Faculty Marshal. Faculty members are expected to arrange their schedules so as to avoid other commitments for those days. Excuses from these activities are seldom granted; unauthorized absences may be accompanied by the loss of pay for the period as well as other possible sanctions. Faculty members who will be absent from Convocation, Honors and Awards, or Commencements should obtain prior written approval from the Chancellor.

**Teaching Loads.** The normal teaching load is 12 semester hours of undergraduate courses and nine semester hours of graduate courses. Reductions in teaching loads may be made for the purpose of improving the quality of instruction, provided additional faculty are not required. Such reductions are made by the chairperson with the approval of the dean. Examples of appropriate activities for which course loads may be reduced include the preparation and design of a new course, assignment as advisor to majors in the department, assignment to develop a department handbook or to oversee preparation for accreditation of programs in the department, and opportunities to attend specialized training sessions.
If additional faculty support is required to replace the faculty member receiving release time, the dean, the Provost/Vice Chancellor for Academic Affairs, and ultimately the Chancellor must also grant approval.

Faculty members may also, for private reasons, request reduced loads with accompanying salary reductions. The department chairperson, dean, Provost/Vice Chancellor for Academic Affairs, and the Chancellor must all approve the reduced loads, and appropriate contracts must be prepared.

**Class Record Keeping.** Faculty members are expected to follow procedures for checking class rolls as outlined by the Registrar. This enables the Registrar to maintain an accurate enrollment file.

**Special Accommodations for Handicapped Students.** North Carolina Central University supports the protection of the rights guaranteed all persons under Section 504 of the Rehabilitation Act of 1973 at the University. The procedures described herein are to be used in providing access to all North Carolina Central University programs, services, and activities by the handicapped.

Persons desiring access must notify the Section 504 Coordinator, who is also the Director of Student Support Services, of the specific access sought. The coordinator will then contact any other personnel necessary to provide the program for which access is sought.

**Academic Programs.** To facilitate class schedule completion, the Coordinator will designate a schedule facilitator from the University Counseling Center or the Student Academic Advising Center for each student. The facilitator will be responsible for seeing that the student's proposed schedule is approved by an appropriate academic advisor in the student's major field or from the Student Academic Advising Center if no major has been chosen.

Once the schedule has been approved by the appropriate academic advisor, the facilitator will deliver it to the Registrar for entry in the computer system. At that time, the Registrar will be notified that this is a schedule for a handicapped student and the nature of the handicapped services required.

The Registrar will make any necessary classroom reassignments within 24 hours and will notify the Department Chairperson or Dean as well as the facilitator, who will in turn notify the teacher of the reassigned class and of the reason for the reassignment.

**Non-Academic Programs and Activities.** Once he is notified, the Coordinator will contact the appropriate person about reassigning the activity or event in question. In most cases, that will be the supervisor or director of the unit sponsoring the activity or providing the service.

The Contact person will reassign the activity to ensure accessibility for the handicapped person if the office receives written notice from the student five (5) days prior to event, and will
notify the Coordinator of the reassignment. The Coordinator will notify the student who initiated the request.

**Resignations.** Faculty members should give sufficient notice of their resignation to allow the University to find a suitable replacement. The length of time varies in each situation, but generally increases with the seniority and responsibility of the faculty member. Prior to receiving a final pay check, the faculty member must complete a personnel clearance form indicating that all grade reports are completed, keys and library books are returned, university equipment is accounted for, and outstanding accounts are settled.

**Part-Time and Temporary Faculty.** Although part-time and temporary faculty are generally held to the same professional standards as regular tenured and tenure-track faculty, responsibilities and duties, such as teaching load, advising, counseling, and committee assignments, are defined in the employment negotiations and may be adjusted as appropriate.

**FACULTY ROLE IN ACADEMIC AFFAIRS**

**Curriculum Development.** The curricula of North Carolina Central University are determined by factors inside and outside the University. North Carolina Central University has developed procedures for the development of academic programs which are described in detail in Appendix X. Accrediting agencies or licensing boards may dictate the offering of specific materials and classes. New degree programs and program tracks at NCCU must be approved by the Board of Governors of the University following a formal planning process for which permission must also be sought from the same body.

In the College of Arts and Sciences, all new course and program development begins at the departmental level. Proposed new courses and programs are reviewed by the Course and Program Screening Committee of the College Council. This committee reports to the Council, which votes approval of new courses and programs. If a course, whether new or already approved, is proposed as a course for the General College Studies Program, that course is reviewed by the General College Studies Committee, whose recommendations are then reported to the College Council. Each of the other schools has a committee to review curriculum changes and new courses.

**Course Development.** With the exception of the structured courses approved for inclusion in the General College Studies program, the content of courses is normally determined by the person or persons devising the course. Faculty members have substantial freedom in the selection of materials for the courses they teach. Department chairpersons or departmental curriculum committees may establish requirements for the use of texts and supplementary reading materials. The University does not require the use of any particular text or supplementary reading, and departments may elect to offer some courses without using texts.
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FACULTY DEVELOPMENT

Faculty Development Funds. Some funds are available for the funding of small development activities. One such fund is the Faculty Development Fund which can be used for participation in workshops, seminars, and similar activities of short duration. Guidelines and application materials may be obtained from the offices of the deans.

From time to time, the academic deans acquire private contributions which may be used for faculty development purposes. Information on the availability of such funds can be obtained from the offices of the deans.

Faculty Research Grants. A small sum of money is available for distribution to faculty members as research grants. Faculty members should submit requests to the Dean of Graduate Studies.

Office of Sponsored Programs and Research. Faculty members are encouraged to pursue their research interests and to seek external funding to assist them. The Office of Sponsored Programs and Research (OSPR) assists faculty to identify sources of extramural support, helps prepare grant applications, and aids in the monitoring and reporting of research after an award. OSPR makes available a handbook describing procedures and grant opportunities.

Distribution of Indirect Costs. North Carolina Central University receives 70% of the funds allocated to indirect costs on grants and contracts. Distribution of the funds is determined by the Chancellor based on the University needs.

Board of Governors' Faculty Doctoral Study Assignment Program. Each year the Board of Governors assigns a certain number of faculty members to the doctoral study program. Full pay and benefits are continued for the period (usually one year). The faculty member must be enrolled in an approved doctoral program and must pay his/her own educational expenses. Assignments are made by the Board of Governors based on recommendations by the Chancellor of each university.

FACULTY TRAVEL

Travel to professional meetings, workshops, seminars, etc. is expected and encouraged. Limited funds are available for such travel and must be requested through the respective dean's office. Policies for distributing funds vary by school. Information on these policies is available from the deans.
SECTION V - TENURE POLICIES AND REGULATIONS OF NORTH CAROLINA CENTRAL UNIVERSITY
COPY OF TENURE REGULATIONS AS APPROVED BY
THE BOARD OF GOVERNORS OF THE UNIVERSITY
OF NORTH CAROLINA, FEBRUARY 13, 1976

AND AS AMENDED, MAY 4, 1982
AS FURTHER AMENDED, NOVEMBER 14, 1984

TENURE POLICIES AND REGULATIONS OF
NORTH CAROLINA CENTRAL UNIVERSITY

SECTION 1. FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY

A. North Carolina Central University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution, therefore, supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.

B. North Carolina Central University shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.

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 2. ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY

A. It is the policy of North Carolina Central University 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 North Carolina Central University.

B. North Carolina Central University will not penalize or discipline members of the faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.
SECTION 3. ACADEMIC TENURE

A. In General

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 by North Carolina Central University except upon specified grounds and in accordance with the procedures provided in Section 4 and against termination of employment except as provided for in Section 6.

Academic tenure for faculty members is intended to secure their academic freedom and to help the institution attract and retain faculty members of high quality. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible under Section 5A, a conferral of tenure requires an assessment of the faculty member's demonstrated professional competence, his potential for future contribution, and institutional needs and resources.

B. In Relation to 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 terminable when they expire ("fixed term appointment"); or they may be for probationary terms ("probationary term appointment"); or they may be continuous until resignation, retirement, or death ("appointment with permanent tenure").

The faculty ranks to which appointments may be made and the incidents of academic tenure applicable to each are:

(1) Instructor. The rank of instructor is appropriate for one who is appointed to the faculty in the expectation that in the normal course he will progress to the professorial rank in this or another institution but lacks, when appointed, one or more qualifications expected by his department or school for appointment to professorial rank. When he meets all those qualifications, the faculty member will usually be promoted to assistant professor or given a terminal appointment of one year.

The initial appointment to the rank of instructor is for a probationary one-year term. The instructor may be reappointed successively for six one-year terms, a total of seven such terms. At least 90 days before the end of the first term and 180 days before the end of the second consecutive term, a written decision shall be given the instructor whether, when his current term expires, he will be reappointed at the rank of instructor for another term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 3B(5), or not.
reappointed. During the last 180 days of the second consecutive year of employment, the institution may notify the instructor that his employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, an instructor who has not been notified that his employment will be ended in that year as provided in the preceding sentence shall be given a written decision whether, when his current term expires, he will be reappointed to a fourth consecutive term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 3B(5), or offered a terminal one-year appointment at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and sixth consecutive terms. No reappointment to the rank of instructor may be made after seven consecutive years' employment at that rank. The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal one-year appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3C.

Promotion at any time from the rank of instructor to that of assistant professor constitutes an initial appointment at the latter rank, with the incidents described in Section 3B(2).

(2) Assistant Professor. The initial appointment to the rank of assistant professor is for a probationary term of one year. Unless at any point the assistant professor is not reappointed, he will be reappointed to a second one-year term and to two successive three-year terms before a decision is made to recommend permanent tenure at the same or higher rank or not to reappoint. At least 90 days before the first one-year appointment ends, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed at the rank of assistant professor for another one-year term or not reappointed. At least 180 days before the end of the second consecutive one-year appointment, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed at the rank of assistant professor to a three-year term or not reappointed.

Before the end of the second year of the first three-year term as assistant professor, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed to a second three-year appointment or not reappointed. Before the end of the second year of the second three-year term, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed with permanent tenure at the same or higher rank or not reappointed.

The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3C.
Promotion at any time from the rank of assistant professor to that of associate professor constitutes an initial appointment to the three-year term at the latter rank, with the incidents described for that term in Section 3B(3).

(3) **Associate Professor.** When a faculty member's initial appointment by the institution is to the rank of associate professor, the appointment is to a probationary term of one year. Unless at any point the associate professor is not reappointed, he will be reappointed to a second one-year term and then to a three-year term before a decision is made whether to recommend permanent tenure at the same or higher rank or not to reappoint. At least 90 days before the end of the first one-year appointment, a written decision shall be given the associate professor whether, when his current term expires, he will be reappointed at the rank of associate professor for another one-year term or not reappointed. At least 180 days before the end of the second consecutive one-year appointment, a written decision shall be given the associate professor whether, when his current term expires, he will be reappointed at the rank of associate professor for a three-year term or not reappointed.

Before the end of the second year of the three-year term, a written decision shall be given the associate professor whether he will be recommended for permanent tenure at the same or higher rank when his current term expires or not reappointed.

The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal one-year appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3C.

Promotion at any time from the rank of associate professor to that of professor confers permanent tenure from the effective date of the promotion. Since this promotion confers tenure, it must be approved by the President and the Board of Governors.

(4) **Professor.** When a faculty member's initial appointment by the institution is to the rank of professor, the appointment is to a probationary term of three years. Before the end of the second year of this term, a written decision shall be given the professor whether, when his current term expires, he will be recommended for permanent tenure or not reappointed.

The decision shall be made in the manner provided in Section 3C. If a decision not to grant tenure is made but not communicated as herein required, the Chancellor shall offer a terminal appointment of one academic year.

(5) **Special Faculty Appointments.** Appointments may be made to fixed-term faculty ranks with title designations "lecturer," "artist in residence," "writer in residence," and any faculty rank designation provided in paragraphs (1) through (4) of this subsection with the prefix-
qualifier "adjunct," "clinical," or "research" under the conditions and with the incidents herein provided. Such an appointment, using any of the foregoing title designations, is appropriate for one who has unusual qualifications for teaching, research, academic administration, or public service, but for whom neither the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

An initial appointment may be for a fixed term of from one to three years. Subsequent appointments to fixed terms of one to five years' duration may be made either in direct succession or at intervals. Each is considered an initial appointment. No obligation exists on the part of North Carolina Central University to give any notice before a current term expires as to whether appointment will be offered for a succeeding term. But the appropriate departmental chairman, upon the faculty member's written request made not earlier than 180 calendar days nor later than 90 calendar days before his current term expires, shall give the faculty member, within 20 calendar days after he receives the request, a written decision whether an offer of reappointment will be made and, if so, its terms. Failure to communicate a decision constitutes notice that no offer will be made.

The decisions herein required shall be made as provided in Section 3C.

(6) Visiting Faculty Members. Persons other than regular members of the faculty may be appointed as visiting members of the faculty with rank designations, prefixed by the word "visiting," appropriate to their status in their regular employment. Such appointments shall be for a term of not more than one year. One successive appointment for a term of not more than one year may be made. Appointments are made in accordance with the procedures for appointing an instructor, except that North Carolina Central University is not obliged to give notice before a current term expires whether an appointment will be offered for a second term. During his term of appointment, a visiting faculty member may not be suspended or discharged except upon the grounds and by the procedures provided in Section 4.

C. General Provisions

(1) Initiation, Review, and Approval of Appointments, Promotions, and Reappointments. Each initial appointment, each promotion in rank, each reappointment to a fixed term, and

"Department" is used herein as a generic term for departments, professional schools, and other academic units 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.

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each reappointment of an instructor, assistant professor, associate professor, or professor, whether or not the reappointment recommends the conferral of permanent tenure, shall be initiated by recommendation of the chairman of the department concerned after consulting with the department's assembled full professors. If, because there are too few full professors or for other reasons, it appears that the consultation required by the preceding sentence may not produce advice adequately representative of the departmental faculty members' views, the chairman shall consult with other senior members of the department familiar with the faculty member's work.

The chairman's recommendation shall be sent to the dean of the school, who shall forward it with his recommendation to the Provost/Vice Chancellor for Academic Affairs; the Provost shall forward the recommendation of the chairman and dean with his recommendation to the Chancellor. The Chancellor shall consult the Faculty Personnel Committee. (See the Faculty Handbook for the composition of this committee.) If the Chancellor decides not to recommend reappointment, promotion, or the conferral of tenure, that decision shall be handled as if it had been made by the department chairman. If the Chancellor concurs in a recommendation that will confer permanent tenure, he shall consult with the Board of Trustees and, if he still concurs in the recommendation, he shall forward the recommendation to the President and the Board of Governors for final approval. All other personnel actions in which the Chancellor recommends reappointment or promotion shall be forwarded by him to the Board of Trustees for final approval unless the approval authority is delegated by that Board.

(2) Decisions Not to Reappoint When Probationary Terms Expire. The decision not to reappoint when a probationary term appointment as instructor, assistant professor, associate professor, or professor expires shall be made by the chairman of the department concerned after consulting with the department's assembled full professors. If, because there are too few full professors or for other reasons, it appears that the consultation required by the preceding sentence may not produce advice adequately representative of the departmental faculty members' views, the department head shall consult with other senior members of the department familiar with the faculty member's work. This decision is final except as it may later be reviewed in accordance with the provisions of Section 5. The chairman shall notify the faculty member of his decision by a simple, unelaborated written statement that the faculty member will not be reappointed. Each such decision shall be communicated for information through the administrative channels prescribed for review had the decision been to reappoint.

(3) Early Promotion and Tenure. Nothing in these regulations shall be construed to preclude the Chancellor from recommending permanent tenure and/or promotion of a faculty member at any time.
(4) **Terms and Conditions of Appointments.** The terms and conditions of each initial appointment and of each reappointment to the faculty shall be set out in writing. A copy of the terms, signed by the Chancellor, shall be delivered to the faculty member; the Chancellor shall also retain a copy. The general terms and conditions of such appointments, including those provided herein, shall be either set out in the document of appointment or incorporated therein by clear reference to specified documents that shall be readily available to the faculty member.

Any special terms and conditions shall be clearly stated in the written appointment. Except as herein provided, no special terms or conditions may be included that vary the general terms and conditions stated herein. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the chairman or dean who recommends the appointment.

(a) **Continued Availability of Special Funding.** 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 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 contract was not then contingent upon the continuing availability of sources other than continuing state budget or permanent trust funds.

(b) **Provisions for Less Than Full-Time Employment.** Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specified period, may be included in an appointment or reappointment to any faculty rank or may be added by a written memorandum of amendment during the term of an appointment. For compassionate reasons of health, or requirements of childbirth or child care, or similar compelling reasons, such terms may, with the concurrence of the faculty member, include extension of period of a current probationary term of appointment to coincide with the extent and duration of the relief from the full-time employment obligation. Such special terms must be expressly stated in initial appointment documents or, if added by memorandum of
amendment, must be approved by signature of the Chancellor and the faculty member, with a copy to be retained by each. Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are on the basis of a full-time employment obligation and confer the full incidents of academic tenure pertinent to the particular appointment.

These provisions do not apply to informal temporary adjustments of the regularly assigned duties of faculty members by the department chairman who is responsible for their direct supervision, or to the granting by the University of extended leaves of absence with or without compensation.

D. Resignation

A faculty member shall give prompt written notice of his resignation with its effective date to the Chancellor and to his department head. A professor or associate professor should ordinarily give not less than four months' notice and an assistant professor or instructor not less than three months' notice of resignation.

SECTION 4. DUE PROCESS BEFORE DISCHARGE OR THE IMPOSITION OF SERIOUS SANCTIONS

A. A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged 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. 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 5) or termination of employment (Section 6).

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

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5 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.
discharge and a hearing by the Faculty Tenure Committee.  (See Faculty Handbook for the composition of this committee.)

C. If, within ten days* after he receives the notice referred to in paragraph 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 paragraph 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 Faculty Tenure Committee. The hearing shall be on the written specification of reasons for the intended discharge. The committee shall accord the faculty member twenty days from the time it receives his written request for a hearing to prepare his defense. The 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 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.

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

*Whenever it is used in Section 4, 5, and 6, 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.
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 hearing 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 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 forty-five 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.

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 5. NONREAPPOINTMENT OF FACULTY MEMBER ON PROBATIONARY TERM APPOINTMENTS

A. Permissible and Impermissible Grounds for Nonreappointment

The decision whether to reappoint a faculty member when a probationary term appointment expires may be based on any factor considered relevant to the total institutional interest, but it must consider the faculty member's demonstrated professional competence, his potential for future contributions, and institutional needs and resources. These considerations may form, in whole or in part, the basis of the ultimate decision, except that a decision not to reappoint may not be based upon (1) a faculty member's exercise of rights guaranteed by either the First Amendment to the United States
Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's race, sex, religion, or national origin; or (3) personal malice.

B. Conference with Department Head

Within five days after receiving a written notice of nonreappointment, a faculty member may in writing request a private conference with his department head to discuss the reasons for nonreappointment. This request shall be granted and the conference held forthwith, within five days after receipt of the request if possible.

Within five days after the conference, the department head shall give the faculty member a simple, unelaborated, written statement of whether the original decision remains in effect.

C. Conference with Supervisor of Department Head

Within five days after receiving notice that the original decision remains in effect, the faculty member may in writing request a conference with the department head's immediate administrative supervisor. This request shall be granted and the conference held forthwith, within five days after receipt of the request if possible.

Within ten days after this conference, the reviewing administrative officer shall send a written evaluation of the matter to the faculty member and to the department head. The evaluation may be in the form of an unelaborated concurrence with the decision; an expression of disagreement with the decision, with or without supporting reasons; or a recommendation for reconsidering the decision, with or without suggestions for specific procedures in doing so. Whatever form the evaluation may take, it is merely recommendatory and not binding upon the department head or final as to the faculty member.

Within five days after receipt of an evaluation that disagrees with the decision or recommends its reconsideration, the department head shall give the faculty member and his immediate supervisor his response in writing.

D. Request for Review By Faculty Tenure Committee: Scope of Review

If the initial decision not to reappoint is made by an administrative officer other than the Chancellor, substitute the name of that administrative officer for department chairman wherever the latter phrase appears. If the initial decision not to reappoint is made by the Chancellor or Board of Trustees, the faculty member who is not to be reappointed may seek review of that decision in accordance with the procedures set forth in Section 501 C(4) of The Code.
Within five days after he receives notice of an unfavorable action resulting from the conference with the department head's supervisor, the faculty member may request that the Faculty Tenure Committee review the decision. This review is limited solely to determining whether the decision not to reappoint was based upon any of the grounds stated to be impermissible in subsection A of this section.

The request for review shall be written and addressed to the Chairman of the Faculty Tenure Committee. It shall specify the grounds upon which the faculty member contends that the decision was impermissibly based, with a short, plain statement of facts that the faculty member believes supports the contention. Such a request constitutes on the faculty member's part: (1) a representation that he can prove his contention, and (2) an agreement that the institution may offer in rebuttal of his contention any relevant data within its possession.

The Faculty Tenure Committee shall consider the request and grant a hearing if it determines that (a) the request contains a contention that the decision was impermissibly based under this section and (b) the facts suggested, if established, will support the contention. A denial of the request finally confirms the decision. If the request is granted, a hearing shall be held within ten days after the request is received; the faculty member shall be given at least five days' notice of the hearing.

E. **Conduct of Hearing**

The hearing shall be conducted informally and in private with only the members of the Faculty Tenure Committee, the faculty member, the department head, and such witnesses as may be called in attendance, except that the faculty member and the department head may each be accompanied by a person of his choosing. A quorum for the hearing is a simple majority of the total committee membership. Committee members who hold an appointment in the faculty member's department or school, who will testify as witnesses, or who have any other conflict of interest are disqualified. If the faculty member requests it and the chairman of the Faculty Tenure Committee approves, a transcript of the proceedings shall be made and provided to the faculty member. 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, the faculty member, the department head, and the representatives of the faculty member and department head. Except as herein provided, the conduct of the hearing is under the committee Chairman's control.

F. **Hearing Procedure**

The hearing shall begin with the faculty member's presentation of contentions, which shall be limited to those grounds specified in the request for a hearing and supported by such proof as he desires to offer. When the faculty member has concluded this presentation, the committee shall recess to consider whether he has established a prima facie case. If it determines that the contention has not
been established, it shall so notify the parties to the hearing and thereupon terminate the proceedings. Such termination confirms the decision not to reappoint. If it determines that rebuttal or explanation is desirable, it shall so notify the parties and the hearing shall proceed. The department head may then present in rebuttal of the faculty member's contentions, or in general support of the decision not to renew, such testimonial or documentary proofs as he desires to offer, including his own testimony.

At the end of this presentation, the committee shall consider the matter in executive session. The burden is upon the aggrieved faculty member to satisfy the committee that his contention is true.

G. Procedure After Hearing

If the Faculty Tenure Committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify him, the department head, and the department head's immediate supervisor. Such a determination confirms the decision not to reappoint. If the committee determines that the faculty member's contention has been satisfactorily established, it shall so notify him, the department head, and the department head's immediate supervisor by a written notice that shall also include a recommendation for corrective action by the department head.

Within 5 days after receiving such a recommendation, the department head shall notify the faculty member, his own immediate supervisor, and the Chairman of the Faculty Tenure Committee what modification, if any, he will make with respect to the original decision not to reappoint.

If the department head fails to make a recommended modification in the original decision, the committee shall submit a report to the Chancellor containing the committee's findings and recommendation and what it considers to be appropriate action by the Chancellor to resolve the matter.

SECTION 6. TERMINATION OF FACULTY EMPLOYMENT

A. Reasons Justifying Termination and Consultation Required

(1) Reasons for Terminating Employment. The employment of a faculty member with permanent tenure or of a faculty member appointed to a fixed or probationary term may be terminated by North Carolina Central University 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 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 subsection A(2) below. 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 employment of the faculty member may be terminated in accordance with the institutional procedures set forth 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 faculties of the departments or other units that might be affected.

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 subsection A(1), consideration shall be given to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

(2) Timely Notice of Termination.

(a) 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.

   i. One who has permanent tenure shall be given not less than twelve months' notice; and

   ii. One who was appointed to a fixed term and does not have permanent tenure shall be given notice in accordance with the requirements specified in Section 604A of The Code of The University of North Carolina.
(b) 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 subsection 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 subsection 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) and without recourse to any institutional grievance or appellate procedure.

(5) Request for Reconsideration Hearing. Within ten days after receiving the notice required by subsection 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 it is contended that the decision to terminate his employment was arbitrary or capricious, and shall include a short, plain statement of facts that the faculty member believes support the contention.

Submission of such a request shall constitute on the part of the faculty member: (1) a representation that he can support his contention by factual proof and (2) an agreement that the institution may offer in rebuttal of his contention whatever relevant data it may have.

(6) Jurisdiction of Faculty Tenure 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 Faculty Tenure Committee. This reconsideration shall be limited solely to a consideration of the contentions made in the faculty member's request for reconsideration. The reconsideration hearing shall be held promptly, but the committee shall accord 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 North Carolina Central University that were used in making the decision to terminate the faculty member after the decision was made that some faculty members' employment must be terminated. Upon request, a transcript of the proceedings shall be given the faculty member at the institution's expense. The committee may consider only such evidence as is presented at the hearing and need consider only that offered that it considers fair and reliable. All witnesses may be questioned by the members of the committee. Except as herein provided, the conduct of the hearing is under the control of the committee Chairman.

A quorum for purposes of the hearing is a simple majority of the total membership. No one shall serve on the committee who holds appointment in the faculty member's department or school, participated directly in the decision to terminate this individual faculty member, or has any other substantial conflict of interest.

(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 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 committee determines that the contention of the faculty member 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 committee determines that the contention of the faculty member has been satisfactorily established, it shall so notify him and the Chancellor by a written notice that shall also include a recommendation for corrective action by the Chancellor.
Within ten days after receiving the recommendation, the Chancellor shall send written notice to the faculty member and the Chairman of the Faculty Tenure 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 the 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, this decision is final.

C. Assistance for Faculty Members and Rights To New Position

(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, to the address last furnished by the faculty member, return receipt requested, and the faculty member will be given thirty calendar days after he receives the notice to accept or reject the offer.

SECTION 7. REAPPOINTMENT OF FACULTY BEYOND NORMAL RETIREMENT DATE*

SECTION 8. EFFECTIVE DATE

A. These policies and regulations supersede all other institutional documents governing the matters covered herein.

B. Except as otherwise provided below, 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:

1. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of instructor for seven or more years shall be appointed on

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*Mandatory retirement was repealed effective December 31, 1993. Section J of the Tenure Policies and Regulations have been removed to make the policy consistent with the repeal of the requirement.
July 1, 1976 to a fixed term rank as authorized by Section 3.B(5), promoted to the first three-year term as assistant professor, recommended for permanent tenure at the rank of assistant professor, or offered a terminal appointment of one academic year. This decision shall be made in accordance with the procedure of Section 3.C.

2. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of assistant professor for fewer than two years shall be appointed on July 1, 1976 to the first three-year term as assistant professor unless they are not reappointed in accordance with Section 3.B(2). Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of assistant professor for two or more years shall be appointed on July 1, 1976 to the second three-year term as assistant professor, recommended for permanent tenure at the rank of assistant professor, promoted to associate professor with or without a recommendation for permanent tenure, or offered a terminal appointment of one academic year. These decisions shall be made in accordance with Section 3.C.

3. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of associate professor for fewer than two years shall be appointed on July 1, 1976, to the second one-year term as associate professor unless they are not reappointed in accordance with Section 3.B(3). Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of associate professor for two or more years shall be appointed on July 1, 1976 to the three-year term as associate professor, recommended for permanent tenure at the rank of associate professor, recommended for promotion to professor, or offered a terminal appointment of one academic year. These decisions shall be made in accordance with Section 3.C.

4. Faculty members who, upon the effective date, have been serving at the rank of professor without permanent tenure shall be appointed on July 1, 1976 to the three-year term as professor, recommended for permanent tenure, or offered a terminal appointment of one academic year. This decision shall be made in accordance with Section 3.C.

5. The provisions of Section 3 requiring the department chairman to consult with the assembled full professors of his department shall apply only with respect to personnel recommendations initiated by the department chairman after the effective date of these regulations.

6. The provisions of Section 5 shall apply, not only with respect to those to whom notices of nonreappointment are given after the effective date, but also with respect to those to whom such notices have been given within the period of 60 calendar days next preceding the effective date. Instructors, assistant professors, associate professors, and professors to whom notices of nonreappointment have been given within the period of 60 calendar days next
preceding the effective date shall have 20 calendar days after the effective date within which to initiate the procedures for review provided in Section 5.
SECTION VI - MISCELLANEOUS POLICIES AND REGULATIONS
CHARTER OF THE FACULTY ASSEMBLY/CONSTITUTION OF FACULTY SENATE

The Faculty Assembly of The University of North Carolina is a body of faculty members from the constituent institutions. The Charter describes the organizations and operations of that assembly. The Faculty Senate of North Carolina Central University is the official faculty organization of the University. Texts of the charter of the Faculty Assembly and of the Constitution of the Faculty Senate are contained in Appendix II.

PROMOTION/TENURE PORTFOLIO REQUIREMENTS

Faculty applying or being considered for promotion and rank or permanent tenure must collect and submit a variety of information for review by those responsible for making the decisions. Appendix III contains a description of the material to be included in this portfolio.

POLICY ON ADVERSE WEATHER

Since the undergraduate student body at North Carolina Central University is largely residential, it is assumed that University operations, including classes, will not be suspended except in rare cases. A copy of the Policy on Adverse Weather, with special reference to faculty, is contained in Appendix IV.

EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY

Faculty are encouraged to participate in external activities relative to their academic discipline. However, if a faculty member receives reimbursement for his/her efforts, then permission for participation must be obtained in advance. A copy of the University policy on payment for external professional activities is contained in Appendix V, along with a copy of the form to be completed prior to the initiation of each activity.

FACULTY EVALUATION SYSTEM

North Carolina Central University has a formal Faculty Evaluation System. A copy of that system, along with the calendar for activities, is contained in Appendix VI.

FACULTY GRIEVANCE PROCEDURE

Faculty members wishing to file a formal grievance should consult the procedures contained in Appendix VII.
SEXUAL HARASSMENT

North Carolina Central University has a policy relating to sexual harassment, covering both faculty and staff. This policy is contained in Appendix VIII.

MISUSE OF STATE PROPERTY

Employees of North Carolina Central University are also employees of the State of North Carolina and, as such, are subject to the state policies and regulations concerning use of state property, use of telephone service, purchases using state-controlled funds, and reimbursement for travel and services. A description of the University position on misuse of state property is contained in Appendix IX.

PROCEDURES FOR ACADEMIC POLICY DEVELOPMENT

The procedures for proposing new academic policies for North Carolina Central University are included in Appendix X. The flow chart which accompanies the procedure describes the flow of communication from one level of the academic hierarchy to another.

CAMPAIGNING AND HOLDING MAJOR POLITICAL OFFICES

The Board of Governors has adopted policies governing campaigning by University employees—including faculty—for major political offices. Copies of the policy and of a 1985 amendment to the policy are included in Appendix XI.

In essence, the policy defines a major political office as one for which the campaigning requires a major portion of the candidate's time, and the holding of which is normally regarded as a full-time position. The office of mayor, for example, is not classified as a major political office; but the office of sheriff is. Candidates for, or holders of, major political offices are required by the Board of Governors' policies to resign or to take leave without pay for the duration of the campaign or for the period of holding the office.

EMPLOYMENT OF RELATED PERSONS

The University policy on employment of related persons prohibits one person from being appointed to a position where he/she would directly supervise a relative. In situations where such a supervisory situation occurred prior to 1973, the policy prevents the supervisor from participating in the evaluation of the relative. The complete text of this policy is included in Appendix XII.

POLICY ON RESEARCH RELATIONS WITH PRIVATE ENTERPRISE AND ON PUBLICATION OF RESEARCH FINDINGS
The University of North Carolina Board of Governors passed a resolution concerning research agreements on May 8, 1987. This resolution was amended on February 12, 1988. A complete copy of the resolution, including the amendments, is found in Appendix XIII.

CHANNELS OF COMMUNICATION

All faculty and staff at North Carolina Central University are expected to follow appropriate procedures of communication. For faculty, this means that ideas, problems, suggestions, etc. should first be discussed with the dean (or department chairperson in Arts and Sciences) prior to communications with the Provost/Vice Chancellor for Academic Affairs or the Chancellor. Appendix XIV contains the text of a memorandum describing this philosophy in more detail.

ETHICS IN RESEARCH

In compliance with federal regulations and good practice, North Carolina Central University has approved a policy on ethical standards in research. The policy is contained in Appendix XV.

PAYROLL PROCESS

Before any new faculty member can be placed on the state payroll, a number of procedures need to be followed. Several documents, including an EPA Application/Data form, a federal W-4 form, and an Employment Eligibility form (Form I-9), must be completed; and an official transcript must be available for filing in the Office of the Provost/Vice Chancellor for Academic Affairs. Appendix XVI contains a description of the payroll process, written to new faculty and EPA employees by the VCAA.

If a faculty member misses a regularly scheduled pay period, salary advances of up to 60% of one month’s salary are available. To qualify, the faculty member must have worked at least one month, missed a scheduled pay date, and agree to repay the advance upon receiving the first paycheck. Appropriate paperwork is initiated by the department chairperson or the dean.

PATENT AND COPYRIGHT POLICIES

North Carolina Central University has a policy whereby patentable inventions developed by employees or students of the University, using University facilities and funds, become the property of the University. Only those inventions or discoveries made entirely on the employee’s or student’s own time and without use of University facilities are exempt. This policy is contained in Appendix XVII.
PRIVACY OF PERSONNEL RECORDS

Personnel records with the exception of "directory" information (name, address, telephone number, length of service, and academic rank and department for faculty members) are considered private and are not to be released to outside agencies (exclusive of the courts) without the permission of the faculty member. Salaries are an exception to this rule because, as employees of a state-supported University, NCCU faculty are state employees and state employees' salaries are open to the public.

OBLIGATING THE UNIVERSITY AND UNAUTHORIZED PURCHASES

No individual, other than one duly authorized by the Chancellor, has the authority to commit NCCU to any financial or other obligation. Individuals who violate this regulation will be liable for payment of the obligation. Any purchase in excess of $100 must be made through regular purchasing procedures. Violation of this policy will result in a warning on the first offense. A second violation will result in termination. Smaller purchases (less than $100) may be made with a small purchase order (available in the offices of the Vice Chancellors) or by using personal funds and submitting a request for reimbursement on a regular purchase order form. Information concerning procedures for procuring goods and services may be obtained in the Purchasing Department, Room 305 of the Hoey Administration Building.

USE OF UNIVERSITY NAME AND LOGO

No person shall use the name of the University in any way without first obtaining from the Chancellor written permission to do so. Violation of this regulation may result in legal action.

TRAVEL

North Carolina Central University as a state agency must abide by state regulations on travel when dispensing state funds. Since these regulations change frequently, they are not given here. Forms and regulations may be obtained from the travel office in the Division of Financial Affairs.

USE OF UNIVERSITY VEHICLES

Faculty may request the use of University vehicles for travel to attend professional meetings or to conduct University business. Vehicles are allocated as available. Requests should be made through the Division of Financial Affairs.
PARKING

Faculty members who wish to park their automobiles on campus should purchase a parking permit for the zone nearest the building in which they have an office. Reserved parking spaces are available for an additional fee. Copies of parking regulations are distributed with the permit. Faculty should pay for the parking decal at the Bursar's Office and then take the receipt to the University Police Office to obtain the parking decal.

KEYS

Faculty members may obtain keys to their individual offices, laboratories, and the buildings in which their offices are located by completing "Requisition for Keys" forms, which may be obtained from the Director of the Physical Plant. Key requests must be approved and signed by the departmental chairperson (or dean), the building supervisor, and the Director of the Physical Plant. A copy of the signed requisition is taken to the locksmith whose office is located in the Physical Plant building. The locksmith is responsible for dispensing keys.

POLICY ON ILLEGAL DRUGS

The policy on illegal drugs approved by the Chancellor and the Board of Trustees defines drug-related problems and contains explicit penalties for offenses related to possession and trafficking in illegal drugs. This policy applies to all faculty, staff, and students. The text of the policy is included in Appendix XVIII. A list of the specific substances covered by the policy may be obtained in the Office of the Vice Chancellor for Academic Affairs.

ACCEPTANCE OF GIFTS FOR THE UNIVERSITY

In line with the policy on Channels of Communications, faculty members are expected to obtain the approval of their department chairperson or dean prior to accepting any gifts on behalf of the University. This is particularly important in the case of computer and other equipment which may require substantial maintenance.

POLICIES AND PROCEDURES FOR INFORMATION SERVICES AND SYSTEMS

In 1995, the University formally approved “Policies and Procedures for Information Services and Systems.” Copies of this manual are available in the Office of the Associate Vice Chancellor for Academic Affairs for Research, Evaluation, and Planning.

In 1988 NCCU adopted a policy on the use and copying of computer software. This policy is consistent with legal requirements. In addition, faculty, administrators, and staff are expected to follow the legal and ethical guidelines contained in Using Software: A Guide to the Ethical and Legal
Use of Software for Members of the Academic Community published by EDUCOM. Copies of this booklet were distributed to all faculty and administrators in the fall of 1992.

CONFLICTS OF INTEREST AND COMMITMENT

The Policy and Procedures for Resolving Conflicts of Interest and Commitment provides guidelines for "... relationships between universities and members of their faculties and research staffs on the one hand and private industry, the federal and state governments and the nonprofit sector on the other hand..." A full copy of the policy as well as the accompanying form is in Appendix XX.

SPA EMPLOYMENT POLICIES

If a faculty member has occasion to hire someone whose position is a classified position under the State Personnel Act (SPA), he/she must contact the Office of Human Resources to obtain the official policies and procedures governing establishing, filling, and maintaining such a position.

WAIVER OF TUITION

Full-time faculty and staff members at NCCU may take one course per semester, tuition-free, at any institution that is part of the University of North Carolina system. Applications for faculty/staff tuition waivers for classes taken at NCCU may be obtained in the Office of Human Resources, and the offices of all vice chancellors and deans, as well as in the Academic Advising Center, Public Relations, Student Accounting, and in the Undergraduate Admissions office. Faculty members wishing to take courses at other institutions should enquire at the appropriate admission office at that institution.
NORTH CAROLINA CENTRAL UNIVERSITY
COMPREHENSIVE PLANNING SYSTEM

Revised as of August 17, 1989
Further Revision as of November, 1992
Further Revision September, 1994

Preamble

The planning system includes six major planning committees, coordinated by a planning council. The six committees are: (1) the Academic Planning Committee; (2) the Administrative Services Planning Committee; (3) the Student Services Planning Committee; (4) the Institutional Advancement Planning Committee; (5) the Facilities Planning Committee; and (6) the Computer and Telecommunications Planning Committee. The latter two committees will serve as staff committees, receiving and integrating requests from all areas of the University and preparing reports and recommendations for the other committees, the Planning Council, and the Chancellor.

The Components of the System

University Planning Council—The responsibilities of the University Planning Council are as follows.

1. The Council will periodically review and revise University goals and assign priorities to the goals. The goals and priorities, after review and approval by the Board of Trustees, will be transmitted to the six planning committees for use developing plans in their respective areas.

2. The Council will review requests for allocation of new personnel from each of the committees and make recommendations to the Chancellor.

3. The Council will review all requests for the expansion budget which will be prepared in August of each even numbered year, ensuring that the requests included in the expansion budget document are consistent with the mission and high priority goals of the University.

4. The Council will provide guidance to the six planning committees for the development of the University Long Range Plan and the preparation of the biennial update of the Five-Year Plan for The University of North Carolina General Administration.
5. The Council will review plans of all auxiliary services on an annual basis so that student charges and fees will be coordinated at the University level.

6. The Council will participate in the development of internal and external assumptions which will guide the development of goals and the determination of priorities for those goals. If the assumptions indicate the need, the Council will recommend changes in the University mission statement to the Chancellor and the Board of Trustees.

The membership for the University Planning Council is described below.

Chancellor (Chair)
Vice Chancellor for Academic Affairs
Vice Chancellor for Development
Vice Chancellor for Financial Affairs
Vice Chancellor for Student Affairs
Assistant to the Chancellor for Legal Affairs
Executive Assistant to the Chancellor
Special Assistant to the Chancellor
Assoc. Vice Chancellor for Academic Affairs for Research, Evaluation and Planning
Associate Vice Chancellor for Financial Affairs
Assistant Vice Chancellor for Scholarships and Student Aid
Director of Human Resources
Director of Purchasing
Administrative Officer for Financial Affairs
Comptroller
Director of Physical Plant/Facilities
Seven Academic Deans
University Budget Officer
Chair of the Faculty Senate
Two Additional Faculty Members serving two-year rotating terms
President of the Student Government Association
One Student (Selected by the Graduate and Professional Schools (beginning with the Law School in 1988-89)
One Additional Student Selected by the SGA President
Chief of University Police
Academic Planning Committee—The Academic Planning Committee will be responsible for coordinating all planning activities in the academic area, including curriculum planning, curriculum revisions, and academic program reviews. The committee approved a statement of purpose and goals for the committee on November 19, 1987. This document, on file in the Office of the Vice Chancellor for Academic Affairs, lists the areas for which the committee has the responsibility for coordinating planning activities. Because academic activities are the core of the University mission, this committee will prepare its goals, objectives and plans earlier than the Administrative Services and Student Services Committees so that the plans of those areas will support the academic plans of the University. The members of the committee are as follows:

Vice Chancellor for Academic Affairs (Chair)
Dean, College of Arts and Sciences
Dean, School of Business
Dean, School of Education
Dean, School of Graduate Studies
Dean, School of Law
Dean, School of Library and Information Sciences
Dean, University College
Director of Admissions
Director of the Learning Resources Center
Director of the Art Museum
Director of the Honors Program
University Registrar
Assoc. Vice Chancellor for Academic Affairs
for Research, Evaluation and Planning
Assoc. Vice Chancellor for Academic Affairs
for Academic Services
Director of Library Services
Associate Vice Chancellor for Financial Affairs
Chairperson of the Faculty Senate
Three faculty members, including one department chairperson from the
College of Arts and Sciences
One faculty member from each school (4 total)
The Chairperson of the Faculty Senate Academic Policies Committee
Students (2 selected by the SGA)
Student (1 selected by the Graduate Programs
of the College of Arts and Sciences, the Three Schools with
Graduate Programs and the Law School on a rotating basis)

Budget Officer (ex-officio, non-voting member)

Administrative Services Planning Committee—The Administrative Services Planning Committee has responsibility for coordinating planning for financial services, including student
financial services. The Committee is expected to identify problems in the delivery of student financial services, particularly in the handling of student accounts and communications with students, to analyze problems and processes, and to come up with workable solutions. Financial plans which include adjustments in fees and charges to students, University budgets, and all other administrative services should be reviewed and approved by the Committee. Plans for financial services which originate from other Planning Committees must be channeled through the Administrative Services Planning Committee for presentation to the University Planning Council. Plans approved by the University Planning Council will be presented to the Board of Trustees as required. The Vice Chancellor for Financial Affairs chairs the Administrative Services Planning Committee.

The membership of the Committee is:

Vice-Chancellor for Financial Affairs (Chair)
Director of Administrative Data Processing
Comptroller
Assistant Vice Chancellor for Scholarships and Student Aid
Administrative Officer for Financial Affairs
Associate Vice Chancellor for Financial Affairs
Director of Purchasing
Director of Physical Plant/Facilities
The Director of Human Resources
The University Budget Officer
One Director Selected by the Vice-Chancellor for Development
One Director Selected by the Vice-Chancellor for Student Affairs
One Director Selected by the Vice-Chancellor for Academic Affairs
Director of Athletics
Faculty (2 recommended by the Chair of the Faculty Senate serving two year rotating terms at least one of whom will be a member of the Faculty Senate)
Students (2 selected by the SGA)
Student (1 selected by the Graduate Programs of the College of Arts and Sciences, the Three Schools with Graduate Programs and the Law School.

Student Services Planning Committee—The Student Services Planning Committee is responsible for coordinating planning for all student services. The committee is chaired by the Vice Chancellor for Student Affairs. Plans for Health Services and the Student Union which include adjustments in fees and charges to students will be forwarded to the Administrative Services Planning
Committee so that student fees and charges can be coordinated with similar requests from the Administrative Services and Computer and Tele-communications Planning Committees. All fee and student charge requests will then be submitted to the University Planning Council for review prior to submission to the Chancellor and, if required, to the Board of Trustees.

Vice Chancellor for Student Affairs
Assoc. Vice Chancellor for Student Affairs
and Dean of Students
Assoc. Vice Chancellor for Student Affairs
and Director of the Counseling Center
Assistant Dean of Students
Director of Residence Operations
Director of Student Union
Director of Student Health Services
Special Assistant to the Chancellor
Director of Athletics
Three Undergraduate Students from the College of Arts and Sciences (Selected by the SGA)
Two Graduate Students from the Graduate Students' Association
One Student from the School of Business
One Student from the School of Library and Information Sciences
Chairperson of the Administrative Judicial Hearing Board
Director of the Lyceum Series
One Faculty Member Representing the Fine Arts Departments
Two Faculty Members Selected by the Faculty Senate
One Staff Member

Institutional Advancement Planning Committee—The Institutional Advancement Planning Committee will review the University's institutional advancement plans, and recommend appropriate institutional advancement policies. Institutional advancement generally encompasses all institutional activities and programs designed to develop an understanding of and support for the University among all its constituencies. This understanding and support is primarily demonstrated by the University's constituencies through good will, advocacy and contributed dollars. Institutional advancement activities generally fall under the broad categories of: fund raising, public relations, community relations, marketing, media relations, alumni relations and government relations.

Vice-Chancellor for Development, Chairperson
University Grants Officer
Dean of the School of Graduate Studies
Dean, College of Arts and Sciences
Dean, School of Business
Dean, School of Education
Dean, School of Law
Dean, School of Library and Information Sciences
Dean, University College
Director of Alumni Affairs
Director of Public Relations
Title III Coordinator
Director of Athletics
Director of Career Planning and Placement
Director of Admissions
Director of the Campus Radio Station
Special Assistant to the Chancellor
Executive Assistant to the Chancellor
Associate Vice Chancellor for Finance
One Faculty Senate Representative
Representative from the Senior Class
One Student Government Association Representative, appointed by
the SGA President
One Graduate Student Association Representative
One Law School Student Representative
One Durham community representative appointed by
the Chancellor

Computer and Telecommunications Planning Committee—The primary responsibility of the Computer and Tele-Communications Planning Committee will be to develop and monitor a comprehensive computer and tele-communications system plan for the University. The committee will operate with input from the Academic, the Administrative Services and the Student Services planning committees. It will provide staff services to the University Planning Council for the coordination of all plans relating to the purchase of computers as well as to the development of a University computer network. The committee will also coordinate all expansion budget requests as well as develop sections of the NCCU long range plan and the biennial update of The University of North Carolina—Long-Range Planning relating to computers and computer networks. The Provost serves as chairperson of this committee. Plans which include fees or charges to students will be forwarded to the Administrative Services Planning Committee so that those fees and charges can be coordinated with similar requests from the Administrative Services and Computer and Tele-communications Planning Committees. All fee and student charge requests will then be submitted to
the University Planning Council for review prior to submission to the Chancellor and, if required, to the Board of Trustees.

The members of the committee are as follows:

- Provost and Vice-Chancellor for Academic Affairs
- Vice Chancellor for Financial Affairs
- Vice Chancellor for Student Affairs
- Dean, College of Arts and Sciences
- Dean, School of Business
- Dean, School of Education
- Dean, School of Law
- Dean, School of Library and Information Sciences
- Dean, Graduate Studies
- Dean, University College
- Assoc. Vice-Chancellor for Academic Affairs for Research, Evaluation and Planning
- Assoc. Vice-Chancellor for Academic Affairs for Academic Services
- Director of the Administrative Data Processing Center
- Director of the Academic Computing Center
- Director of Library Services
- Director of Campus Radio Station Project
- Director of the Learning Resources Center
- Director of Purchasing
- Systems Accountant
- Assistant Vice Chancellor for Scholarships and Student Aid
- University Registrar
- Two Faculty Representatives recommended by the Faculty Senate
- Two Student Government Association Representatives
- One Graduate Student Association Representative

The Vice Chancellor for Academic Affairs chairs this committee.

**Facilities Planning Committee**—The Facilities Planning Committee is responsible for developing a long-range facilities plan for the campus; for strategic planning for facilities usage, including a development of a system for monitoring room and building usage; and for short term facilities usage, including both classroom assignments and approval of facilities for special events. The committee acts with input from the University Planning Council and the Academic,
Administrative Services, Student Services, and the Computer and Tele-communications Planning Committees. The committee coordinates the development of expansion budget requests relating to construction and major renovations of buildings on campus. Three subcommittees, corresponding to the three basic areas of responsibility, are already in operation. One of the responsibilities of the Facilities Planning Committee is to ensure that the activities of the three groups are coordinated. The Committee will be chaired by the Special Assistant to the Chancellor. The membership includes the following:

Special Assistant to the Chancellor
Vice Chancellor for Development
Vice Chancellor for Student Affairs
Director of OSHA
Director of the Learning Resources Center
Associate Vice Chancellor for Academic Affairs for Research, Evaluation and Planning
University Registrar
Director of Institutional Studies
Director of Physical Plant/Facilities
Administrative Officer for Financial Affairs
Chair, Campus Master Plan Committee
Chair, Strategic Planning Committee for Facilities
Chair, Short Term Facilities Planning Committee
One Additional Representative from Student Affairs
One Faculty Representative Recommended by the Chair of the Faculty Senate.
One Student Government Association Representative
One Graduate Student Association Representative

Summary—The attached chart indicates the relationship and flow of information of the University Planning Council and the six committees. After review and approval of the structure of the Council and the six committees, the responsibilities of each body and the membership in the various units, a detailed outline of the flow of activities, as well as more specification of the responsibilities of each unit should be developed.

This planning system is intended to provide a framework for coordination of the University planning process. It is not intended to replace planning within any division, unit, school or department. Each of these areas should develop their own system within this framework. The only restrictions on these internal planning systems is that all plans should be consistent with the University mission and goals, that plans should be completed in accordance with the schedules and formats provided by the University Planning Council and the six committees and that participation at each level should be as broad as possible.
APPENDIX II — CHARTER OF THE FACULTY ASSEMBLY
CONSTITUTION OF FACULTY SENATE
CHARTER OF THE FACULTY ASSEMBLY

I. Objectives and Functions

1. The Faculty Assembly of The University of North Carolina shall gather and exchange information on behalf of the faculties of the constituent institutions of The University of North Carolina.

2. The Assembly shall, through appropriate channels, advise the Board of Governors of The University of North Carolina, the General Assembly, and other governmental agencies and officers on matters of university-wide import.

3. The Assembly shall advise and communicate with the President of The University of North Carolina with regard to the interests of the faculties and other matters of university-wide import.

II. Organization and Relationships

1. Representation in the Assembly shall be apportioned among the constituent institutions of The University of North Carolina with regard to the number of full-time faculty and professional staff members in the service of each institution. Each institution having not more than 300 full-time faculty and professional staff members shall choose two delegates, each institution having from 301 to 600 full-time faculty and professional staff members shall choose three delegates, each institution having 601 to 900 full-time faculty and professional staff members shall choose four delegates, and each institution having more than 900 full-time faculty and professional staff members shall choose five delegates. At any time that the number of full-time faculty and professional staff members of an institution changes so as to entitle it to a larger or smaller number of delegates under the foregoing formulas, the number of its delegates forthwith shall be changed accordingly. Every delegate to the Assembly shall be a full-time faculty or professional staff member of the institution he seeks to represent. The manner of selection of delegates shall be determined by the faculties of the respective institutions consistent with their institutional practices. Terms and rotation of delegates shall be specified in the Bylaws.

2. The Assembly shall have a Chairman and such other officers, who shall be chosen in such manner and for such terms as the Assembly may provide in its Bylaws.

3. Each institutional delegate to the Assembly shall make available the official minutes or the proceedings of the Assembly, together with the written report of the delegation.

III. Operations

1. The Assembly shall adopt its own Bylaws.
2. The Bylaws of the Assembly shall provide for regular, stated meetings of the Assembly, which shall be held at various locations.

3. Special meetings of the Assembly may be called by the President of The University of North Carolina, by the officers of the Assembly, or by members of the Assembly, in accordance with procedures to be established in the Bylaws of the Assembly.

4. Records of the activities of the Assembly shall be kept and transmitted to the appropriate successor officers of the Assembly.

5. Released time shall be made available to the officers of the Assembly, subject to the approval of the President of The University of North Carolina.

6. The Assembly shall be provided by The University of North Carolina with necessary secretarial assistance and other related services and resources.

7. The members of the Assembly shall be reimbursed by The University of North Carolina for expenses incurred in attending meetings of the Assembly.

IV. Ratification and Amendment of the Charter

1. This Charter shall be transmitted to the constituent institutions of The University of North Carolina for ratification or rejection by the faculty of each institution in accordance with the processes of that institution. The Charter shall become effective upon its ratification by two-thirds of the constituent institutions of The University of North Carolina. The institutions whose faculties ratify the Charter shall become participating institutions and shall send delegations to the Assembly.

2. An amendment to this Charter may be introduced in the Assembly by any member of the Assembly; and if approved by a majority of the authorized membership of the Assembly, it shall be transmitted to the participating institutions of the Assembly for ratification by the faculty of each institution in accordance with the processes of that institution. The amendment to the Charter shall become effective upon its ratification by two-thirds of the participating institutions of the Assembly.
CONSTITUTION OF THE FACULTY SENATE
OF
NORTH CAROLINA CENTRAL UNIVERSITY

PREAMBLE

The faculty of North Carolina Central University, accepting its great responsibility for the growth and the development of the academic program of the University and believing that the governance of the University affects its academic life, hereby establishes through this constitution a mechanism for advising the Chancellor of the University relative to the governance of the University.

ARTICLE I
Name

The name of the North Carolina Central University faculty organization shall be the North Carolina Central University Faculty Senate.

ARTICLE II
Purpose

The purpose of the North Carolina Central University Faculty Senate shall be to participate fully in an advisory capacity in the formulation, the implementation, and the review of the University's policies and regulations that are of faculty concern. The Senate shall work to promote and encourage among faculty, students, administrators, and Board of Trustees an atmosphere of understanding, of trust, and of unity of purpose that will foster an effective and enlightened University.

ARTICLE III
Membership

SECTION 1. The Senate shall consist of two groups of members, elected and ex-officio. Only elected members shall have the right to vote.
The ex-officio members shall be the Chancellor, the Provost, the vice chancellors, and the deans of the various schools and colleges.

Any member of the general faculty — as defined in the Bylaws of the North Carolina Central University Faculty Senate (hereinafter Bylaws) — except ex-officio members, shall after two years on the faculty, be eligible for election to the Senate.

SECTION 2. Each department or school shall choose Senate representatives by vote and forward annually the names of Senators-elect to the Senate Chair no later than the first week of March. In order for the Senate to maintain accurate records, such information should be forwarded even if no changes are to be made in representation for the following year.

SECTION 3. Each department or school shall choose an Alternate for each Senate representative and forward the name to the Senate Chair as described above. Qualifications for Alternates shall be the same as those for Senate representatives.

SECTION 4. A delegate to the Senate shall be elected to a term of three years. Upon the close of the term, the Senator shall be ineligible for re-election until one year has passed, except that a Senator from a department comprised of one member only shall continue to serve on the Senate.

SECTION 5. Tenure for any Alternate shall coincide with that of the Senator for whom the Alternate serves.

SECTION 6. All full-time academic faculty members may attend any meeting of the Senate and shall be free to engage in floor discussions. Voting privileges are reserved to Senators or, in the absence of Senators, to their Alternates.

SECTION 7. The Chancellor and all other ex-officio members or their representatives are expected to attend all meetings of the Senate.

**ARTICLE IV**

*Officers and Election of Officers*
SECTION 1. Officers of the Senate shall be Chair, Vice Chair, Secretary, and Parliamentarian. The Chair, Vice Chair, Secretary, and Parliamentarian shall comprise the Executive Committee.

SECTION 2. The Chair, Vice Chair, Secretary, and Parliamentarian shall be elected annually by the Senate. The Chair, Vice Chair, Secretary, and Parliamentarian shall serve a term of one calendar year and may be reelected for one additional term.

SECTION 3. Election shall be by secret ballot, according to procedures specified in the Bylaws.

SECTION 4. After the Chair has assumed office, the department or school represented by the Chair shall elect a replacement to serve a one-year term as Senator in order to assure full voting representation for that department or school.

ARTICLE V

Duties of Officers

SECTION 1. It shall be the duty of the Chair to preside over meetings of the Senate. The Chair shall preside over meetings of the Executive Committee, also. The Chair, after consultation with the Executive Committee, shall appoint members of standing and special committees. The Chair shall prepare an annual budget request for the funding of Senate operations and shall submit the request to the Chancellor.

SECTION 2. The Vice Chair shall preside over meetings of the Faculty Senate and the Executive Committee in the absence of the Chair and shall assume the duties of the Chair in the event of a vacancy in that position. (A new Vice Chair shall be elected at the next regular meeting following the announcement of such vacancy).

SECTION 3. The Secretary shall prepare and be responsible for all minutes of the Senate; issue an agenda to all faculty members prior to meetings of the Senate; send minutes of meetings to the Chancellor, members of the Board of Trustees, Deans, Senators, and the General Faculty and to Chairs of Faculty Senates/Faculty Councils of the other members of the University of North Carolina System; and provide each Senator and the Chairs of Faculty/Senates/Faculty Councils
of the members of the University of North Carolina System with timely written notice of meetings. The Secretary, in the absence of both the Chair and Vice Chair, shall preside over meetings.

SECTION 4. The Parliamentarian shall guide the proceedings of the Senate in accordance with the latest edition of Robert's *Rules of Order*.

ARTICLE VI

Meetings

SECTION 1. The Senate shall convene regular meetings, as specified in the Bylaws. Special meetings may be called by the Chair, after consultation with the Executive Committee. The Chancellor may call a special meeting, after consultation with the Chair.

SECTION 2. A simple majority of Senators or their Alternates must be present in order for a Senate meeting to proceed.

SECTION 3. Any Senator, Alternate, general faculty member, or administrator may submit agenda items in compliance with the Bylaws.

ARTICLE VII

Voting

SECTION 1. Only Senators, or, in their absence, their Alternates, may vote. All elections shall be by secret ballot. Otherwise, votes shall be indicated by voice, unless a division of the house is called. In that case, votes shall be indicated by a show of hands.

Voting by proxy is not permitted.

SECTION 2. In case of a tie vote, the presiding officer shall vote.

ARTICLE VIII

Representation on the University of North Carolina Faculty Assembly.

SECTION 1. In accordance with the regulations governing election of Senate Officers, the Senate shall conduct annual elections for the purpose of naming representatives and alternates to the University of North Carolina Faculty Assembly at a General Faculty Meeting. (See Bylaws).
Committees

SECTION 1. Standing committees of the Senate shall be the Executive Committee and the following:

- Academic Policies Committee
- Campus Relations and Welfare Committee
- Committee on Committees
- Faculty Personnel Committee
- Faculty Research and Professional Development Committee
- Faculty Tenure and Status Review Committee
- Governance Committee
- Honorary Degrees and Memorials Committee
- Nominations and Elections Committee

SECTION 2. Members of committees shall be Senators or Alternates. Every Senator shall serve on at least one committee. Alternates may, at the discretion of the Executive Committee, serve on committees.

SECTION 3. After consultation with the Executive Committee, the Chair shall appoint members of all standing committees except the Executive Committee. The members of each appointed standing committee shall elect a chair and a secretary.

SECTION 4. Members of the general faculty may attend committee meetings unless the meetings have been designated as closed meetings.

SECTION 5. As the Senate sees fit, it shall establish special committees, whose members shall be named by the Chair. These committees shall not necessarily be limited to Senators or Alternates, but may include general faculty members with special interest or expertise in the work of the committee.

ARTICLE X

Bylaws and Amendments
SECTION 1. The Senate shall approve amendment(s) to the Bylaws by a simple majority vote.

SECTION 2. Any proposed amendment(s) to the Constitution shall be circulated to all Senators and Alternates at least one month prior to Senate debate. Senate approval for amendment(s) shall require a vote of 2/3 of the Senators or Alternates present and voting at the meeting. After Senate approval, the amendment(s) must be submitted to the General Faculty. Approval by the General Faculty requires that 3/4 of the faculty vote, and that 3/4 of those voting favor the amendment(s).

SECTION 3. Each committee shall summarize its deliberations and recommendations in regular reports to the Senate and shall send an annual written report to the Secretary.

At least once per year, the Chair shall make reports and/or recommendations to the faculty and to appropriate University officials.

SECTION 4. Representatives to the Senate from the School of Law shall advise committee members on questions of legality.

Amended May 6, 1994
BYLAWS OF THE FACULTY SENATE
OF
NORTH CAROLINA CENTRAL UNIVERSITY

The bylaws, which append the Constitution of the Faculty Senate of North Carolina Central University (NCCU), include the rules and regulations subject to change by a simple majority of those attending a duly scheduled Faculty Senate meeting which achieves a quorum. These bylaws deal with procedural, technical, and organizational matters that may change from time to time, but do not take up matters of the Senate's purpose, principles, or fundamental structure.

1. Representation to Faculty Senate

A department or school with one to seven (1-7) faculty members holding regular appointments and administrators with teaching status shall have one (1) Senate member; a department and/or school with eight to fourteen (8-14) faculty members holding regular appointments and administrators with teaching status shall have two (2) Senate members; a department and/or school with fifteen (15) or more faculty members holding regular appointments and administrators with teaching status shall have three (3) Senate members.

2. Election of Officers

a. Election of Senate Officers for the forthcoming year shall take place at the April meeting of the Senate, after a quorum has been established. If there is no quorum, a special meeting must be called for the purpose of elections. For each new officer, the names of two (2) nominees shall be presented on a printed ballot by the Nominating Committee, and a third nomination for each office may be made from the floor of the Senate (see ARTICLE IV, SECTION 3). Election of each officer shall be determined by a plurality of those Senate members present and voting at the meeting.

b. Person must be a member of the Senate to serve as chair.

c. For each officer or representative to be elected, the Nominating Committee shall be charged with the nomination of two (2) persons who have agreed to serve in the position. Appointments to the Nominating Committee shall be made by the Senate Chair at the same times as the appointments are made to other standing committees of the Senate.
d. The University will provide release time for the chair and secretary of the Senate.

3. Chancellor's Relationship to the Senate

In accordance with Section 502 D2 of The 1975 Code of the Board of Governors of the University of North Carolina, the designee is a member of the Senate, and may preside over its meetings.

4. Senate Meetings

The Senate shall hold eight (8) regular monthly meetings, averaging one per month between September 1 and April 30 at times to be set by the body. The place of the meetings shall be sent in writing to the Senators by the Secretary at least one week prior to the date of the meeting.

5. Agenda Items

Written copies of agenda items should be submitted to the Senate Chair and Secretary at least two weeks prior to the next meeting. Any agenda items submitted and not included in the next meeting must be described briefly at that meeting by the Senate Chair.

6. Representation on the University of North Carolina

Faculty Assembly

Delegates to the University of North Carolina Faculty Assembly shall be elected at a General Faculty meeting.

Delegates shall be elected to terms of three years, and may serve no more than two consecutive terms. No faculty member may serve as delegate more than six (6) of the preceding nine (9) years, nor may a faculty member be elected to a term that would result in a violation of the above limitation. Time spent while serving as an alternative shall not be counted in the above limitation.

Any faculty member, whether or not a member of the Faculty Senate, holding a permanent or probationary term of appointment (that is, a faculty member in a state designated position) is eligible for election to the Faculty Assembly.

Delegates shall report to the Senate about their meetings with the Faculty Assembly.
7. Resolutions, Recommendations, and Actions

a. An action, resolution, or recommendation shall be considered an official action, resolution, or recommendation of the Faculty Senate upon its adoption or ratification by the Faculty Senate.

b. Immediately upon ratification, the Chair of the Faculty Senate shall forward all official Senate action, resolutions, or recommendations to the Chancellor. Further, the Chair shall report to the Senate any action taken by the administration on all official Senate Action (October 27, 1978).

8. Duties of Committees

SECTION 1. Consistent with its general purpose and the Senate Bylaws, the committees shall work alone or in appropriate formal or informal collaboration with other committees to address matters which affect faculty development. The duties of standing committees include the following:

a. The Executive Committee shall act in behalf of the Senate when the General Senate is not in session. The outgoing Chair of the Senate shall serve as an ex-officio member of the Executive Committee. Members of the Executive Committee will function as official representatives in open and committee meetings of the NCCU Board of Trustees.

b. The Academic Policies Committee shall formulate academic policies to the Senate for approval and shall dispose of all problems involving the academic standards of the College where policies have already been set.

c. The Campus Relations and Welfare Committee shall review and make recommendations which contribute to the professional satisfaction of faculty and students.

d. The Faculty Personnel Committee shall review and make recommendations for reappointments, promotions, and tenure of faculty members submitted to it by the Vice Chancellor of Academic Affairs, and shall advise the Chancellor on these matters.
Faculty Research and Professional Development Committees shall review and establish policies related to professional growth in research, teaching, and service. The committee shall also work on professional development issues, such as funding for research and professional development, release time, library resources, course loads, professional leaves, support staff, on-and-off campus seminars, and promotion/tenure portfolio development.

The Committee on Committees shall determine the need for new committees, for changes in function and/or name of existing committees, and for the dissolution of committees. This committee shall meet at least once a year with the Governance Committee to provide internal consistency between the two committees.

The Governance Committee shall review the Constitution and Bylaws of the Senate at least annually and suggest revisions when necessary. It shall oversee all other matters which pertain to the structure and the function of the Senate. This committee shall meet at least once a year with the Committee on Committees to provide internal consistency between the two committees.

The Honorary Degrees, Memorials, and Special Awards Committee shall nominate individuals as recipients of honorary degrees, memorials, and special awards.

The Nominating Committee shall prepare a slate of Faculty Senate Officers and conduct annual elections in the April meeting of the Senate. The committee of five senators shall be appointed by the Chair of the Faculty Senate. This committee will submit and keep a record of term and tenure of officers and Senators and plan a recognition service for the Senate.

9. Procedures for Amendment Ratification by the Faculty

a. Voting by faculty members to ratify amendments to the Constitution shall be by secret ballot.

b. Voting shall be done by department, or by school where Senate representation is not by department.

c. The Chair of the Faculty Senate shall appoint an ad hoc Ballot Committee

   to determine the period during which balloting is to be done;

   to prepare and distribute to Senators a ballot for each eligible faculty
member in the respective academic unit:

to verify and count the ballots after the voting; and

to prepare and distribute a written report of the results of the vote to all faculty members.

d. The Senators shall be in charge of the balloting and responsible for the time and place of voting in the academic units.

e. At the time of casting of a ballot, each voter shall sign a registration sheet.

f. The registration sheet and the sealed ballot box shall remain in the custody of a Senator until delivery to the Chair of the Faculty Senate.

g. If balloting within an academic unit is not completed by the end of the balloting period, the Chair of the Faculty Senate shall appoint two (2) Senators to conduct each balloting.

h. Balloting for ratification of an amendment to the Constitution shall be completed no later than the end of the semester following the semester during which the Faculty Senate passed a bill of amendment.
APPENDIX III — PROMOTION/TENURE PORTFOLIO REQUIREMENTS
MEMORANDUM

TO: The University Faculties

FROM: M. L. Burnim
Vice-Chancellor for Academic Affairs

RE: Promotion/Tenure Portfolio Requirements

DATE: August 14, 1989

Persons involved in the preparation of portfolios for promotion and/or tenure should follow the minimum content and format requirements indicated below. The following list of items must be included in each portfolio for promotion and tenure.

1. The "Recommendation on Change in Faculty Rank and/or Tenure" form (revised on 11/15/88);
2. A current curriculum vitae indicating all educational and professional experience, publications, etc.:
3. Written recommendations from
   a. the Dean;
   b. the Department Chairperson, if applicable;
   c. the Program Director, if applicable;
4. Confirmation that the assembled full professors have been consulted in accordance with the university's tenure policies and regulations;
5. The one-page "Personnel Recommendation Requiring Action By the Board of Governors" (only for tenure recommendations);
6. The one-page "Personnel Recommendation Requiring Action By the Board of Trustees" (for all tenure and/or promotion recommendations);
7. Supporting documentation
   a. evidence of effective teaching, including a summary of student ratings for at least the previous three years;
   b. copies of research articles and books;
   c. notification or award letters for successful grant proposals;
   d. evidence of service.

You should note that the above list does not actually alter those factors which have always been considered. It does standardize the documentation used to support the applications for promotion and tenure. In as much as these portfolios must be copied and reviewed by several committees and offices, special care should be given to the quality of the original documents.
Effective dates for promotions and tenure will usually be July 1 following the submission of a portfolio by November 30th. The academic deans can provide information about exceptions. In general, the University can provide assurance that promotion and/or tenure portfolios submitted with the proper contents and in the proper format by November 30th will have been through the entire review process so that a final decision can be announced by the July 1 effective date.

Questions pertaining to the portfolio requirements, processing, or processing schedules may be addressed to your dean or to the Office of the Vice-Chancellor for Academic Affairs.

Attachments
Sample Board of Trustees Recommendation Form

Smith, Q. C., Assistant Professor, School of Business, North Carolina Central University

Type of Action and Specific Effective Date

Promotion to Associate Professor, effective August 15, 1988

Current Salary, with Contract Period

$40,145, 9 months

Age: 38

Educational Background

B.Sc. 1971-74 Marketing and Accounting, University of Ghana
M.P.H. 1975-77 Marketing, Ohio State University
Ph.D. 1977-81 Marketing Logistics/Distribution, Ohio State University

Teaching and Other Professional Experiences

1984-Present Assistant Professor of Marketing, School of Business, N. C. Central University
1987 Area Coordinator, Faculty of Marketing, N. C. Central University
1987 (Summer) Visiting Assistant professor of Marketing, University of North Carolina, Chapel Hill, NC
1983-84 Assistant professor of Marketing, Texas Southern University
1981-83 Lecturer in Marketing, School of Administration, University of Ghana
1974-75 Management Intern, Blue Cross/Blue shield of Connecticut
1973 (Summer) Management Intern, Chadwicks (Dublin) Ltd.; Republic of Ireland

Papers and Publications

5 publications - 3 publications in press; 1 presentation; 5 papers under review; 2 research papers in progress in 1987; and 2 research grants; (Actual citations should be given when this space permits.)
Sample Board of Governors Recommendation Form

Smith, Q. C., Assistant Professor, School of Business, North Carolina Central University

Type of Action and Specific Effective Date

Promotion to Associate Professor, effective August 15, 1988

Current Salary, with Contract Period

$40,145, 9 months Age: 38

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5 publications - 3 publications in press; 1 presentation; 5 papers under review; 2 research papers in progress in 1987; and 2 research grants; (Actual citations should be given when this space permits.)
ADVERSE WEATHER PLAN

PURPOSES

The purposes of this plan are the following:

• to outline responsibilities and assign priorities for snow or ice removal from the campus of North Carolina Central University;
• to inform NCCU employees of procedures and personnel policies to be followed in the event of snow/ice emergencies; and
• to provide procedures and a schedule for communicating information to NCCU students, employees, and visitors.

BASIC ASSUMPTIONS

The essential operations of North Carolina Central University continue in all types of weather. It is important, therefore, that roads, streets, walkways, and parking lots be made safe and passable during and after snow and ice conditions. Different levels of effort will be required depending upon the severity of a storm. Under some conditions, light sanding and salting may be all that is necessary. Under the worst conditions, all appropriate resources of the University must be used to assure the safety of students, employees, and visitors. This plan defines the types of conditions to be expected, and the planned reactions to the conditions. Obviously, there will be unexpected contingencies, and supervisors will adjust to these as they arise.

Administrative decisions regarding campus conditions and activities will be communicated to students, employees, and visitors.

CONDITIONS

RESPONSIBILITIES

GROUNDS UNIT

The Grounds Unit of the Physical Plant shall be responsible for the clearing of campus sidewalks, interior streets, and circulation areas contiguous to the critical areas identified below. Clearing will be done in the following order:
A. When classes are in session and

1. Cottage #1 (NCCU Police)
2. Student Health Services
3. W. G. Pearson Cafeteria
4. Dormitories in the following order:
   a) Eagleson Hall
   b) Baynes Hall
   c) Graduate Apartments
   d) McLean Hall
   e) Rush Hall
   f) Annie Day Shepard
   g) Latham Hall
   h) Chidley Hall
5. James E. Shepard Library
6. Classroom Buildings
7. Elder Student Union
8. Hoey Administration Building
9. Old Senior Dormitory
10. Alexander-Dunn Building
11. McLendon-McDougald
    Gymnasium/Admissions
12. Central Heating Plant

B. When classes are canceled:

1. Cottage #1 (NCCU Police)
2. Student Health Services
3. W.G. Pearson Cafeteria
4. Admissions
5. Dormitories in the following order:
   a) Eagleson Hall
   b) Baynes Hall
   c) Graduate Apartments
   d) McLean Hall
   e) Rush Hall
   f) Annie Day Shepard
   g) Latham Hall
   h) Chidley Hall
6. James E. Shepard Library
7. Elder Student Union
8. Old Senior Dormitory
9. Hoey Administration Building
10. Alexander-Dunn Building
11. Central Heating Plant

Parking lots will be cleared after the above priorities have been completed.

PROCEDURE

Grounds personnel will begin street and sidewalk clearing (using the tractor and a single bobcat for those surfaces, respectively) moving east on George Street from Fayetteville Street. They will proceed to the Central Stores building, turning north and clearing the service drive between George Street and Campus Drive, then proceed west on Campus Drive, back to Fayetteville Street. Thereafter, they will use both vehicles to clear Hoey Administration drive and circle.

Simultaneously, a second bobcat operator will begin clearing the access street between the Cafeteria and Health Center, heading south from Lawson Street. Thereafter, he will head west on

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9The City of Durham is responsible for clearing George, Nelson and Lincoln Streets. This plan presumes, however, that the city’s response will be sufficiently delayed as to be unresponsive to the University’s needs.
Cafeteria Drive and south behind the Hoey Administration Building to the Shepard/Rush/Jones terminus. Completing that circuit, the bobcat operator will return to Lawson Street to begin cleaning Campus Drive, heading south. Unless relieved or reassigned, the second bobcat operator will clear Campus Drive to the junction of the O'Kelly-Riddick Stadium access road and turn east to clear the Central Heating Plant.

Drivers of vehicles equipped with buckets for snow removal will utilize previously identified holding areas for collected snow. After having completed the routes prescribed above, all removal equipment will be prepared for follow-on assignments for clearing as identified by the Groundskeeping Supervisor. The remaining street/sidewalk clearing will take place in the following sequence, unless otherwise directed:

1) Connect two routes by clearing the remainder of Campus Drive in front of Physical Plant Building.

2) Clear Nelson Street, moving east from Fayetteville Street and south on Lincoln Street to the Cecil Street Junction.


The preferred application for streets following clearing is salt; the first alternative is sand. Bulk salt shall be stored in three (3) general locations, Turner Law School Building, Women's Gymnasium and Alexander-Dunn building.

GROUND SHOVEL CREW (AS AUGMENTED BY SELECTED MAINTENANCE PERSONNEL)

Groundskeeping personnel will be given the responsibility to clear sidewalks which interconnect the previously identified twelve (12) priorities. Recall rosters and assignments to specific campus locales/areas will be made and upgraded as required by the Groundskeeping Supervisor. Additionally, following completion of initial assignment, all personnel shall stand by for follow-on clearing as assigned by the Grounds Supervisor. Hand tools and de-icing materials will be stored in three (3) general locations for issue upon demand: Turner Law School Building, Women's Gymnasium, and the Alexander Dunn Building. Insuring the storage of equipment and consumable supplies and subsequent regular inventories shall be the responsibility of the Groundskeeping Supervisor. The preferred application for the above areas following clearing is straight potash (0-0-60); the first alternative is sand.
BUILDING MAINTENANCE/PREVENTIVE MAINTENANCE

Building and preventive maintenance personnel will constitute temporary augmentation of the grounds shovel crew. When so mobilized, they will fall under the work direction of the Groundskeeping Supervisor, who will have made a previous assignment by name and campus are a of responsibility. All building maintenance shop supervisors and the Preventive Maintenance Supervisor shall be cognizant of the adverse weather duties and responsibilities of their subordinates and shall draft and maintain a recall roster of telephone numbers and addresses for affected personnel as appropriate. In addition to assignment of specific areas of responsibility campus-wide for the above personnel, Physical Plant Supervisors are responsible for clearing appropriate access routes to and around the Physical Plant.

The Groundskeeping Supervisor is responsible for storing and maintaining all hand tools and preferred de-icing material required by the augmented maintenance personnel.

CENTRAL HEATING PLANT

Heating Plant personnel will be assigned no collateral clearing duties, but will be responsible for maintaining cleared access for areas immediately contiguous to the Heating Plant.

CENTRAL HEATING PLANT

Heating Plant personnel will be assigned no collateral clearing duties, but will be responsible for maintaining cleared access for areas immediately contiguous to the Heating Plant.

HOUSEKEEPING UNIT

Housekeeping personnel shall be responsible for clearing all landings and building access stairs immediately contiguous to the structure. Initial clearing effort will be concentrated on the twelve (12) critical areas previously described and will be executed by all able-bodied housekeepers who have been previously identified (by name and building assignment) as comprising the Adverse Weather Housekeeping work force. A list of individuals so identified and assigned will be maintained by the Housekeeping Administrator (on a recall roster of telephone numbers and addresses) under whose supervision all work will be completed. So far as possible, housekeepers designated as members of the Adverse Weather workforce shall be assigned to the same building or buildings which comprise their normal assignments. It is understood also that all personnel so assigned will execute clearing duties as preemptive of their normal housekeeping duties until further notice. The Housekeeping Administrator is responsible for maintaining liaison with the Groundskeeping Supervisor to identify assigned personnel and to insure an initial allocation of clearing tools and expendable material to be stored within the housekeeping supply spaces of individual buildings. The preferred application for landings and access steps following clearing is potassium chloride; the first alternative is sand.
Prepackaged pails of the former will be stored in identified housekeeping spaces in addition to required clearing tools. The Housekeeping Administrator is responsible for the conduct of a regular inventory of all such adverse weather supplies.

CHANCELLOR'S RESIDENCE

The contracted groundskeeper will be responsible for clearing the steps, driveway and walkways of the Chancellor's residence.

LEASED EQUIPMENT

Leased equipment (specifically, bobcats) will be the vehicles of choice for clearing snow and ice from campus streets and walkways. To assure availability during times of peak demand, these vehicles will be held in a contingency demand inventory through an annual retainer contract with a local equipment leasing company. As an alternative, a contracted clearing service for the critical areas described above will be established, all such work to be completed within forty-eight (48) hours of notification.

SPA AND EPA (NON-FACULTY) PERSONNEL

It is the policy of the State that all government offices remain open during adverse weather conditions. The responsibility to make a good faith effort to come to work during these times is that of the employee.

When adverse weather requires an employee to leave work early or prevents an employee from reporting to work, lost time is not counted as work time. Employees must account for any work time lost due to adverse weather. To account for the lost time, either vacation leave or leave without pay must be charged, or, subject to supervisory approval, the time may be made up.

Departments are strongly encouraged to allow make-up opportunities whenever possible. If lost time is not made up within 12 months of the occurrence, it must be charged as vacation leave or leave without pay, at the employee's option. Prearranged absences for vacation leave or sick leave are charged to the appropriate leave with no provisions for making up the time.

Because make-up time is subject to overtime, the opportunity to make up lost time is limited. Make-up time for employees who are subject to the overtime provisions of the Fair Labor Standards Act should be scheduled in a work week in which less than 40 hours are worked due to absences for vacation, holidays, or other reasons. Holiday premium pay (see holiday premium pay policy) does not apply if the employee volunteers with management's approval to make up time on a holiday.
Some University operations require employees to report for work to provide critical services during periods of adverse weather. Those operations are identified as (Food Services, University Police, Student Health Services, Library Services, Residential Operations, Physical Plant). Heads of academic and administrative units will identify critical employees and provide their names to the University Police who will assist these employees in getting to their offices.

EPA PERSONNEL

Since North Carolina Central University is a residential institution with many of its students living on campus, any policy concerning adverse weather conditions (snow, ice, etc.) must take that fact into consideration. University plans, therefore, must be directed toward the maintenance of all academic programs and administrative support services.

The general expectation for North Carolina Central University is that all programs and services will be maintained and that suspension of any of these activities should occur only under very rare and extreme conditions.

University faculty

Operation of classes is the normal and expected condition. Unless there is an official announcement that classes will not be held, faculty and all concerned should assume that classes will be conducted as usual and on the regular schedule.

In the event of hazardous driving conditions resulting from adverse weather (snow, ice, etc), the decision to suspend classes at the University will be made by the Chancellor. An official announcement will be made by the Provost/Vice Chancellor for Academic Affairs that classes will not be held or that classes will be suspended for a stated period of time.

The official announcements will be made through regular University channels and through the public media.

PROCEDURES

1. The University switchboard (560-6100) may be called at any time for official information.

2. When faculty members are unable to reach the campus because conditions are too hazardous for driving, the general University policy on class absences will apply. Thus, the faculty member must call and inform the departmental chairperson, or dean when appropriate, that he/she will not be able to meet some or all of his/her classes so that suitable arrangements can be made to cover classes and to notify students. Arrangements for missed classes (coverage and make-up work) are the principal responsibility of the faculty member, and, thus, faculty
members should submit these plans to the chairperson or dean for approval. In addition, faculty members should allow students to make up work missed because of adverse weather. Chairpersons and deans, when appropriate, are responsible for monitoring these arrangements and insuring that all class work is made up.

3. All faculty members are expected to make every effort, within the guidelines of prudence and safety, to reach the University when classes are being held.

4. Announcements concerning suspension of evening classes (4:00 p.m. and later) will be made preferably by 12:00 Noon of the specific day.

5. Students enrolled in internships, clinical experiences, and teacher education practicums should follow the instructions of the particular agencies to which they are assigned.

6. Each dean, chairperson, and program director should have an up-to-date list of each class scheduled for the college or school. Chairpersons, deans, and program directors should post a list of classes that will not be held when hazardous conditions prevent certain faculty members from reaching campus.

7. All library employees, including those holding faculty status, will report as directed by the librarian.

8. Each chairperson or immediate supervisor should arrange for an alternate notification procedure in case the chairperson cannot be reached.

UNIVERSITY POLICE

NO employee of the North Carolina Central University Police Department is classified as "non-essential."

All employees must make their own arrangements for transportation to work. It is of utmost importance that university police personnel report to work on time. In cases where personnel are unable to overcome weather conditions, it shall be the responsibility of the on-duty Watch Commander or his/her designee to see that efforts are made to transport these individuals to work on time.

Emergency personnel described above should not assume that they may take a vacation/compensatory day because of adverse weather. A last-minute request for a day off may be approved, but that decision for all emergency personnel is in the hands of the Watch Commander. Again, it is imperative that emergency personnel report to duty on time.
DEFINITIONS

*Emergency Personnel* - Uniformed Patrol Officers, Records Personnel, Residence Hall Security Officers, and Telecommunicators

*Other Essential Personnel* - Employees of NCCU Police Department who are not classified as emergency personnel.

Supplying Essential Services During Adverse Weather

Police vehicles will be made ready (tires, etc.) when the Adverse Weather Plan goes into effect. During inclement weather, when travel becomes extremely hazardous, patrol functions will be limited to responding to emergency calls only. When not responding to calls, patrol vehicles should remain stationary at locations near the center of their patrol areas. The Chief of Police or his designee will notify his staff to transport essential University Personnel and injured or disabled students. Administrative and support services will be provided based on available personnel.

While Physical Plant personnel are clearing Campus Drive, George Street, Nelson Street and Lincoln Street, traffic will be controlled by University Police.

COMMUNICATIONS

A. Procedures for Communicating Class Closing and Delays

After conferring with the Chancellor, the Provost/Vice Chancellor for Academic Affairs will announce adverse weather decisions affecting classes. This will be done by a telephone call from the Provost to the designated employee/s responsible for communicating these announcements to the public media and to the general public.

The designated employee/s will take the following steps immediately upon receipt of instructions from the Provost:

1. An adverse weather message will be recorded (a) for a special direct line (PHONE NUMBER TO BE INSERTED) for adverse weather and emergency announcements, and (b) for the automated attendant program on the campus telephone system, which is reached by dialing 919 560-6100.

2. A telephone call will be made to Radio Station WNCU requesting broadcast at regular intervals of the decision made by the Chancellor and Provost.
3. A telephone call will be made to a designated member of the university's Telecommunications unit, who will immediately take action to announce the adverse weather decision through the closed circuit cable channels used on campus.

4. Telephone calls will be made to television stations in the Durham-Raleigh market area. Priority in making these calls will be given to network affiliate stations.

5. Telephone calls will be made to radio stations in the Durham area. Priority will be determined according to the broadcast signal strength of the stations broadcasting adverse weather announcements.

6. When printing deadlines permit, the announcement of class closing will be reported to daily newspapers circulated in Durham.

The Office of Public Relations will oversee the delivery of these announcements.

B. Content of Adverse Weather Announcements

Announcements related to adverse weather will contain the following information to be communicated to the responsible personnel at the media outlets:

1. An announcement of the decision made by the Chancellor and Provost [e.g., "North Carolina Central University classes are canceled (day) (date)," "All evening classes for (day, date) at North Carolina Central University are canceled," or "North Carolina Central University classes are closed until (time a.m./p.m.), (day), (date)."]

2. The permanent, standing message that "Employees will follow the Adverse Weather Plan."

Approved by the Chancellor's Cabinet

February 12, 1996
APPENDIX V — EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY
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

a. Professional Affiliations and Public Service

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. The University and the constituent institutions therefore encourage these individuals to participate in professional activities and to maintain professional affiliations based on their areas of knowledge and interest. These activities include those undertaken as members of professional associations and learned societies; membership on review or advisory panels; presentation of lectures, papers, concerts, or exhibits; participation in seminars and conferences; preparation, review, or editing of scholarly publications; and membership on accreditation bodies. Such activities performed for normal honoraria or reimbursement of expenses or both are encouraged so long as they do not conflict or interfere with the performance of University duties and responsibilities, and they shall not be subject to the procedures defined in Section 3.

b. External Professional Activities for Pay

Because of their competence in their areas of special knowledge and interest, faculty and other professional staff are also invited by various public and private organizations to provide, for pay, consultation and other professional services. By engaging in these external professional activities for pay, these individuals have an opportunity through the practical application of their professional knowledge to enhance their own capabilities in teaching, research, and other University service. Participation of faculty and other professional staff in external professional activities for pay is therefore an important characteristic of academic employment that often leads to significant societal benefits. However, these external professional activities for pay are to be undertaken only if they do not
(1) interfere with the primary obligations of the individual to carry out all University duties and responsibilities in a timely and effective manner; or

(2) create a conflict of interest with the individual's University duties and responsibilities; or

(3) involve any inappropriate use or exploitation of University facilities, equipment, personnel, or other resources; or

(4) make any use of the name of The University of North Carolina or of any of its constituent institutions for any purpose other than professional identification; or

(5) claim any University or institutional responsibility for the conduct or outcome of such activities.

The following definitions and procedures are established to insure equity and consistency in carrying out this policy.

SECTION 2. DEFINITIONS

a. "External professional activities for pay" means any activity that (1) is performed for an entity other than a constituent institution or other agency or unit of The University of North Carolina, (2) is based upon the professional knowledge, experience, and abilities of the faculty or other professional staff member, and (3) is undertaken for compensation to the individual (beyond the payment of a nominal honorarium or reimbursement for expenses or both).

b. "Faculty or other professional staff member" means any person who is employed full-time by a constituent institution or other agency or unit of The University of North Carolina and who is not subject to the State Personnel Act.

c. "Department" means an academic department, a professional school without formally established departments, or any other administrative unit so designated by the Chancellor of a constituent institution, or by the President for the General Administration, for the purposes of implementing this policy.
SECTION 3. PROCEDURES

a. A faculty or other professional staff member who wishes 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"), which shall be filed with the head of the department in which the individual is employed. 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 is granted for each activity for no more than one calendar year at a time, unless an exception is approved by the Chancellor (or, in the General Administration, by the President).

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 inconsistent 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) calendar days of the day 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 5, question 6a, or question 6b on the "Notice of Intent" is answered in the affirmative, the process set out in paragraph "c" above shall be modified as follows: The decision of the department head shall be subject to approval by the administrative officer to whom the department head reports, and appeal of that decision shall be to that officer's superior and then 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 twelve months 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, beginning September 1, 1984.
SECTION 4. SPECIAL PROVISIONS

a. External professional activities for pay performed for another institution or agency of the State of North Carolina shall be in conformity 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.

SECTION 5. EFFECTIVE DATE

This policy statement became effective on July 1, 1984.
NOTICE OF INTENT TO ENGAGE IN EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY

Date

(Insert name) intends to engage in external professional activity for pay under the following conditions:

1. Name and address of contracting organization:

2. Beginning and ending date of activity:

   a. On average, how many hours per week will be devoted to this activity?
   b. The number of hours to be devoted to activity:

3. What classes, meetings, or other University duties will be missed?

4. What arrangements have been made to cover any such duties missed?

5. Nature of Professional Activity:

6. To your knowledge, does the contracting organization above provide funding which directly supports any of your University duties or activities?  ____ Yes  ____ No

   a. Do you or any member of your immediate family own an equity interest in the contracting organization?  ____ Yes  ____ No

   b. Do you hold an office in the contracting organization?  ____ Yes  ____ No

Performance of the above described activity is consistent with the Board of Governors' Policy on External Professional Activities.

Signature

Department

Academic Rank or Job Title

Administrative Title (if any)

ADMINISTRATIVE ACTION ON NOTICE OF INTENT

Reviewed: Activity determined to be consistent with University policy

Date

Department Head

Date

Dean or Other Administrative Officer

Other action (as required):

Date

Department Head

Date

Dean or other Administrative Officer

Approval by Dean or other administrative officer to whom Department Head reports is required if question 5 or 6 is answered in the affirmative.
APPENDIX VI — NCCU FACULTY EVALUATION SYSTEM
FACULTY EVALUATION SYSTEM

NORTH CAROLINA CENTRAL UNIVERSITY

August 14, 1989
Revised July, 1994

The purpose of the faculty evaluation system is to improve faculty performance in teaching, research, and service. The annual review process identifies strengths and weaknesses of the faculty member and addresses ways of improving instruction, promoting scholarly and creative activities, and encouraging service. Information obtained from the assessment of faculty performance is the basis for making all reappointment, promotion, tenure, and merit salary increase decisions for faculty members at NCCU.

The evaluation process is an ongoing activity, culminating in an annual review of the performance of each faculty member over the preceding calendar year. All faculty—part-time and full-time, temporary and permanent—are evaluated by the first-line academic administrator. In the College of Arts and Sciences, the department chair has this responsibility, whereas in the Schools of Business, Education, Law, and Library and Information Sciences, the deans are responsible for faculty evaluation.

Excellence is the goal in all three areas of faculty responsibility—teaching, research, and service. Each department or school establishes the levels of achievement expected of faculty in these areas. Minimum performance standards for teaching, research, and service for each department are being reviewed by the Dean of the College of Arts and Sciences. The college and school standards are reviewed and approved by the Vice Chancellor for Academic Affairs.

The three areas of responsibility—teaching, research, and service—are weighted for each individual faculty member, as agreed upon by the department chair or dean and the faculty member. The weights are expected to be consistent with the faculty member's workload report. Temporary or part-time faculty with only teaching responsibilities will therefore have 100% of the weight given to teaching and related duties such as student conferences. Because of the mission of the University, full-time and permanent faculty who carry a full teaching load should have a minimum of 50% weight given to teaching.

Each year the calendar for completion of various steps in the evaluation process is revised so that salary increment decisions can be made early in the summer and so that the information can be used in reappointment, tenure, and promotion decisions. For the
convenience of faculty and administrators, the Office of Research, Evaluation, and Planning (REP) coordinates the evaluation process by updating the calendar annually and developing assessment tools and forms to assist in the process.

For each general step in the annual cycle, the activity, the person responsible for carrying out the activity, and the date for completion are listed on the Faculty Evaluation Calendar. The steps are described below.

DEFINITION OF JOB EXPECTATIONS AND ESTABLISHMENT OF GOALS AND OBJECTIVES

As a part of departmental and school planning, the department chair or dean meets with each faculty member to define job expectations and responsibilities and to establish goals and objectives. Individual faculty establish general goals, which may cover more than one year, and specific objectives for the calendar year, which will lead to progress toward their stated goals. Faculty goals and objectives should take into account departmental, school and college, and University goals, as well as the personal interests of the individual.

The annual objectives are organized under the three general areas of faculty responsibility—teaching, research and scholarly/creative activities, and service. More specific areas may be defined by schools or departments and approved by the dean and Vice Chancellor for Academic Affairs.

The faculty member and department chair or dean agree to the relative weight to be given to each area of job responsibility. The evidence to be collected to support the accomplishment of objectives is agreed upon. The courses and sections which will be evaluated using student ratings are identified for the fall and spring semesters.

Following the meeting with the department chair or dean, each faculty member prepares a memorandum which describes the general goals and specific objectives for the evaluation period. (The Office of Research, Evaluation, and Planning will provide a format for this memorandum, which replaces Form 1.) The weights for the defined areas of responsibility are specified, with the total equaling 100%. The memorandum, signed and dated by the faculty member, is sent to the department chair or dean for his/her approval. Once approved, the department chair or dean signs and dates the memorandum, files the original in the departmental or school office, and sends a copy to the faculty member. If not approved, the department chair or dean writes suggestions and asks for a revision to be submitted for final approval.

Descriptions of the three areas of faculty responsibility are provided below. Departments and schools may provide more specific and detailed descriptions.
TEACHING RESPONSIBILITIES

Measurable evidence should be sought for high quality teaching. For full-time instructional faculty with normal teaching loads, teaching should constitute at least 50% of the overall evaluation. Departments and schools may give more than 50% weight to teaching. Minimum expectations for teaching performance are listed below.

A. Clarity and Appropriateness of Objectives

The objectives of each course should be established and each course should be well organized, clearly specified, and adequately explained. The standards for achievement should be reasonable and defensible, i.e., at levels which will optimally challenge the students in the class.

B. Presentation of Subject Matter

The subject matter and curriculum content of each course should be presented in a manner appropriately reflecting contemporary information, concepts, principles, and/or techniques within the field. The subject matter should be relevant to the course objectives. The level of detail in presentation should be appropriate to the subject matter and to the background of the students.

C. Communication and Motivation

Language and speech should be clear, comprehensible, and appropriate to the students. Speaking and writing techniques should be exemplary. Explanations and motivational techniques should be used to arouse interest and stimulate independent and original thinking.

D. Instructional Materials, Media, and Assignments

An appropriate variety of instructional media and materials should be used to enhance learning. Appropriate in-class and out-of-class assignments and exercises should be given to help the students develop interests, understanding, knowledge, and skills. The purposes, objectives, and requirements of the assignments should be clear, and the instructions, examples, and resource materials should be of high quality.

E. Evaluation Techniques

Evaluation and grading standards should be clearly related to the objectives of the course. All major assignments, examinations, quizzes, etc., should be evaluated promptly and
should provide helpful feedback to students. Examinations and grading practices should help students appraise their progress throughout the course and should conform to standards of fairness, accuracy, and quality.

F. Other Characteristics of Teaching Effectiveness

Other teaching techniques, skills, qualities, and characteristics may be identified by departments, schools, and individual faculty members. These should include accessibility to students through student conferences and regular office hours.

RESEARCH AND SCHOLARLY/CREATIVE ACTIVITIES

Faculty members are encouraged to be professionally vital and active by participating in local, regional, or national professional organizations. Faculty are expected to be knowledgeable of current scholarly or creative developments in their fields and to participate in seminars, workshops, training programs, and other professional development activities. Faculty members are encouraged to present their contributions to appropriate audiences in the form of publications, lectures, demonstrations, shows, and other appropriate means.

SERVICE

A. Advising, Counseling, and Other Student-Oriented Contributions

Faculty members are expected to offer sound and appropriate academic advising and counseling to students assigned to them as advisees. Faculty members are also encouraged to extend their advising and counseling to a reasonable extent to former, present, and prospective students who show need or interest.

B. Department and University Service and Responsibility

Faculty members are expected to participate constructively in general faculty meetings, departmental meetings, assemblies, and exercises of the University. Faculty members are also encouraged to contribute to their department and/or to the University with constructive suggestions, development of program improvements, preparation of grant proposals, service on committees, etc. Faculty members will also be evaluated on the basis of their performance of basic job responsibilities, such as submitting required reports properly and on time, meeting appointments, holding office hours, reporting instances in which scheduled class hours cannot be kept (e.g., due to illness), etc.
C. Public Service

Consultation and other outside work (on either a gratis or non-gratis basis) are acceptable and encouraged insofar as they do not interfere with other basic responsibilities to the University and they comply with the University's policies on external consulting activities. Faculty members are encouraged to render service to the nation, state, region, and/or local community. Formal evaluation of such service will include only those activities which relate to a person's field of expertise or to the mission of the University. Likewise, only services rendered gratis will be considered as a basis for merit pay increments at NCCU.

MID-YEAR REVIEW

This step is optional. A mid-year review may be conducted at the request of either the faculty member or the department chair/dean. The purpose of this review is to discuss progress toward goals and objectives, with feedback given from the administrator. The original goals and objectives may be amended if agreed to by both parties. An amendment to the original memorandum, with signatures of the faculty member and department chair/dean and dates, should be filed in the departmental/deans's office.

ASSESSMENT OF PERFORMANCE

Information is collected to assess the job performance of each faculty member. Methods used to assess performance must relate to departmental/school standards and be known to all faculty members. A self-appraisal, a faculty workload report, evaluations of instruction by at least one class each semester and peer review of course materials for at least one class per year are required. The student ratings of instruction must contribute at least 20% to the overall evaluation of teaching effectiveness. Some of the methods of assessing faculty performance are described below.

A. Self-Appraisal and Summary

Each faculty member summarizes his/her progress toward goals and objectives and identifies areas in which administrative support is needed.

B. Faculty Workload Report

Each faculty member summarizes his/her job responsibilities for the year through completing the faculty workload report. (Forms are available from the Office of Research, Evaluation, and Planning.) This report accompanies the self-appraisal. Included on this
report are the courses taught, with credit hours and final enrollment; academic advising and other student-oriented activities; department and University service; professional, creative, and scholarly activities; public service activities; and other job responsibilities.

C. Student Ratings of Instruction

According to the *Faculty Handbook* (1989), "Each teaching faculty member is required to have students evaluate at least one of his/her classes each fall and spring semester" (p. 42). Departments and schools have the option of using the form provided by the Office of Research, Evaluation, and Planning or developing their own evaluation instruments.

The standard questionnaire contains items relating to these teaching areas: clarity and appropriateness of objectives; presentation of subject matter; communication and motivation; instructional materials, media, and assignments; evaluation techniques; helpfulness; and overall evaluation. Based on an analysis of the student rating form, averages for the total score and items are presented in the summary report. It is recommended that the average total score be used in the assignment of points for teaching effectiveness because of the high reliability of the total score. The average item scores should be used for improvement purposes in identifying strengths and weaknesses.

Every department and school has the option of adding up to ten items to the form or of developing its own instrument. However, if the ratings are to be processed by the Office of Research, Evaluation, and Planning, the additional items or new instrument must be cleared with the REP Office prior to use.

**Recommended Procedure:** The student ratings of instruction form should be administered each semester to all students in one class taught by the instructor. The course or section should be jointly selected by the chair and the faculty member. The instrument should be administered near the end of the academic semester so that students can evaluate overall performance. However, it should be administered during a regular class period, not on a test or exam day.

The instructor should give the directions for properly completing the form and should emphasize the importance of the evaluations. The instructor should leave the classroom while students complete the evaluation forms, and a colleague should collect the forms and return the materials to the departmental or school office.

Offices should maintain copies of the student rating form for use by their faculty. The department chair or dean should request op scan forms from the Office of Research,
Evaluation, and Planning by mid-semester and should return the completed and edited OP scan forms to the REP Office by the last day of final examinations.

D. Observation of Teaching Performance

In compliance with a directive from The UNC - General Administration and to improve the teaching performance of our faculty, classroom observation of teaching performance is required of all faculty members for a minimum of one class period per year. Observation of classroom performance is required for at least one class period per semester for all new and non-tenured faculty members and for all graduate teaching assistants. A form for this purpose—Form 2D, Observation of Teaching Performance—is available from the Office of Research, Evaluation, and Planning as a suggested guide and recording form for observation of teaching performance. In general, each instructor should be observed for an entire class period. If time permits, observation should occur on several occasions. This is especially important for new, non-tenured faculty members and imperative for graduate assistants. After sufficient observations have been completed, all ratings should be averaged to yield a composite assessment. In order to maximize the effectiveness of the procedure, the person conducting the observation should share a copy of the completed form with the instructor immediately following the class period, allowing time for a discussion of the strengths and weaknesses observed during the class period. The original of the form should then be sent to the department chairperson or dean of the school for inclusion in the yearly faculty evaluation ratings.

Procedures for selecting observers must be included in the specific evaluation standards for each academic unit. The observers may be selected from within the department or from another department in a related discipline. The observers should be generally familiar with the subject area, and they should be recognized as competent instructors and/or evaluators. The observer should not be a close personal friend of the instructor being observed.

E. Peer Review of Course Materials

Peer reviews are more appropriate than student ratings in the assessment of currency and adequacy of course materials in meeting the course objectives. Peers should review course objectives, course syllabus, reading assignments, evaluation tools, instructional methods, and other teaching materials. A sample checklist is available from the Office of REP. One course per year should be reviewed for each faculty member with a different course reviewed each year until all preparations have been reviewed.
F. **Administrator's Observations**

The department chair should maintain an evaluation file on each faculty member throughout his/her tenure at NCCU. This file should be updated with information, memos, and other communications which give evidence to the quality of the faculty member's performance. At the time for annual evaluations, the department chair or dean should review each file and summarize the pertinent information in relation to the goals and objectives and job expectations agreed upon for that particular year. A form for summarizing the information is available from the Office of REP (Form 2B).

G. **Other Information or Instruments**

Departments may choose other methods for collecting data on faculty performance. Whatever the method, it should be systematic, should be made known to faculty, and should be applied to all faculty within the unit.

**EVALUATION OF PERFORMANCE**

The department chair, dean, and/or the department evaluation committee review the information collected in the previous step. A written narrative is prepared, one which describes in detail progress toward the faculty member's goals and objectives as related to teaching, research and scholarly/creative activities, and service. Strengths and weaknesses in performance should be identified.

The department chair or dean uses the narrative to assign ratings in each of the major areas of responsibility (at minimum, teaching, research and scholarly/creative activities, and service). All ratings should be based on the information compiled. The summary evaluation form is completed, taking into account the weights agreed upon by the faculty member in the first step of the evaluation process.

As a general guideline, it is expected that some members of a department will be rated as "good," some as "very good", and relatively few as "poor," fair," or "outstanding." If everyone in a department is rated the same, the utility of the evaluation system is lessened.
## FACULTY EVALUATION SYSTEM
### NORTH CAROLINA CENTRAL UNIVERSITY

<table>
<thead>
<tr>
<th>STEPS</th>
<th>PROCESS</th>
<th>PERSON RESPONSIBLE</th>
<th>COMPLETION DATE</th>
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<tbody>
<tr>
<td>Step 1</td>
<td>Meet with every faculty member to clarify job expectations and to agree upon professional goals and objectives. Objectives for the calendar year are specified and are organized around the general areas of teaching, research/scholarly and creative activity, and service (or the more specific areas defined by school/departmental standards). Agree to relative weight for each area of evaluation. Also agree upon evidence to support progress toward the plan, and select courses and sections for student ratings of instruction. Write a memorandum to dean/department chairperson describing general goals and specific objectives for the calendar year for permanent faculty or the duration of the contract for temporary faculty. Weights for areas of responsibility are specified, with the total equaling 100%. Sign and date. [Format is attached.] To approve the document, sign and date. File original in departmental school office, and send a copy to faculty members. If not approved, return with suggested revisions.</td>
<td>Dean/Department Chairperson</td>
<td>Last day of March (continuing faculty)  Third week of September (new or temporary faculty)  Second Week of April (continuing faculty)  Second Week of October (new or temporary faculty)  Last Day of April (continuing faculty)  Last Day of October (new or temporary faculty)</td>
</tr>
<tr>
<td>Faculty</td>
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<td>Dean/Department Chairperson</td>
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# FACULTY EVALUATION SYSTEM
NORTH CAROLINA CENTRAL UNIVERSITY

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<tr>
<td>Step II</td>
<td>Mid-Year Review</td>
<td>Meet to discuss progress toward goals and objectives if a mid-year review is requested by either the faculty member or dean/department chairperson. Feedback, with suggestions for accomplishing the plan, is given by dean/department chairperson. Amend original agreement if necessary, with signatures and dates for both the faculty member and dean/department chairperson. File original in departmental/dean's office with a copy to faculty member.</td>
<td>Faculty member and Dean/Department Chairperson</td>
</tr>
<tr>
<td>Step III</td>
<td>Assessment Methods</td>
<td>Information on faculty performance is gathered to support progress toward objectives agreed upon. Methods used to assess performance must relate to departmental/school standards and be known to all faculty members. Methods may include, but are not limited to, the following: Self-Appraisal* Faculty Workload Report* [Gold form] Student Ratings of Instruction for spring and fall semesters* Peer Reviews of Course Materials* Observations of Teaching Administrator's Observations Other Methods</td>
<td>Faculty Member Faculty Member Faculty Member &amp; REP Faculty Evaluation Committee or Peers Dean/Department Chairperson or designated others Dean/Department Chairperson or other Administrators</td>
</tr>
</tbody>
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*Required of all faculty
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<tr>
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<tr>
<td>Step IV Evaluation Narrative</td>
<td>Write a narrative describing how well the faculty member has met his/her goals and objectives, based upon a careful review of the evidence submitted in Step III. Strengths and weaknesses in performance should be identified in the narrative.</td>
<td>Dean/Department Chairperson</td>
<td>Mid-March</td>
</tr>
<tr>
<td>Step V Summary Evaluation</td>
<td>Complete summary evaluation form [Green form]</td>
<td>Dean/Department Chairperson</td>
<td>Mid-March</td>
</tr>
<tr>
<td>Step VI Review of evaluation and revision of goals and objectives for the next calendar year</td>
<td>Meet with each faculty member to discuss the narrative evaluation report and summary evaluation form. Goals and objectives for the next year are discussed, with the identification of activities that will assist in attaining these goals and objectives. Summary evaluation form is signed by department chairperson/dean and faculty member, and original is placed in departmental files. Copies are forwarded to respective dean and Provost. Revise goals and objectives for calendar year, following Step 1, and submit to department chairperson/dean. Approve work plan by signing and dating. File original in department/school.</td>
<td>Dean/Department Chairperson</td>
<td>Last day of March</td>
</tr>
<tr>
<td>Step VII Review by Deans</td>
<td>Review summary evaluations.</td>
<td>Dean of College of Arts and Sciences</td>
<td>Mid-April</td>
</tr>
<tr>
<td>STEPS</td>
<td>PROCESS</td>
<td>PERSON RESPONSIBLE</td>
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<td>Step VIII</td>
<td>Appeal the evaluation narrative and/or summary to department/school/college.</td>
<td>Faculty Member</td>
<td>Within 5 days of signature (date on summary evaluation)</td>
</tr>
<tr>
<td>Appeals Process</td>
<td>Departmental/school and college appeals are heard and recommendations made.</td>
<td>Dean/Department Chairperson</td>
<td>15th working day in April</td>
</tr>
<tr>
<td></td>
<td>Petition the Faculty Grievance Committee.</td>
<td>Faculty Member</td>
<td>Within 10 days of receipt of dean's response</td>
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<td></td>
<td>Hears appeals from faculty and recommends action. In cases where the Faculty Grievance Committee judges that adjustments in the evaluation are appropriate, it makes recommendations to the department chairperson in the College of Arts and Sciences or to the dean in the Schools of Law, Education, Business, or Library and Information Sciences. Recommendations not acted upon may then be sent to the dean in cases in the College of Arts and Sciences, then the VC for AA, and finally to the Chancellor.</td>
<td>Faculty Grievance Committee</td>
<td>According to Faculty Grievance Procedures</td>
</tr>
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APPENDIX VII — NCCU FACULTY GRIEVANCE PROCEDURE
SECTION 607. FACULTY GRIEVANCE COMMITTEE FOR CONSTITUENT INSTITUTION

10

(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 chairpersons 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 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. It 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.

(5) If, before this section is established, the faculty of an institution has adopted a faculty grievance procedure that in its judgement is adequate to its needs, it may retain that procedure in place of the one specified above.

\[10\] This section became effective July 1, 1975.
NORTH CAROLINA CENTRAL UNIVERSITY

FACULTY GRIEVANCE PROCEDURES

I. AUTHORITY

A. Pursuant to Section 607 of The Code of the University of North Carolina, the Chancellor of North Carolina Central University must provide for the establishment of a Faculty Grievance Committee. The Faculty Grievance Committee of North Carolina Central University shall be authorized to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty. The Faculty Grievance Committee is not authorized to hear, mediate, or advise with respect to the adjustment of grievances of non-faculty employees of the University. A Grievance Committee and procedures are provided elsewhere for non-faculty employees.

B. The power of the Faculty Grievance Committee of North Carolina Central University (hereinafter 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 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. For purposes of these procedures, a reasonable time is deemed to be thirty days after the Committee's decision unless the Committee, in its decision, specifically states a time within which specified action must be taken to resolve the grievance.

C. "Grievances" within the province of the Faculty Grievance Committee shall include matters directly related to a faculty member's employment status and institutional relationships within the institution. No grievance that grows out of or involves matters related to a formal proceeding for non-reappointment, suspension, discharge, or termination of a faculty member, or that is within the jurisdiction of another
standing committee of the faculty, may be considered by the Faculty Grievance Committee.

II. MEMBERSHIP

A. Commencing with the 1989-90 Academic Year the Committee shall be composed of nine (9) faculty members with at least one member from each of the professorial ranks. For purposes of these procedures, professorial ranks shall be defined as instructor, assistant professor, associate professor, and professor.

B. The College of Arts and Sciences shall be represented by five (5) members with no more than one member from each department and with at least one member from each professorial rank. The School of Business, the School of Education, the School of Law, and the School of Library and Information Sciences shall each be represented by one (1) member without regard to professorial rank.

C. Any member of the Committee who becomes an Officer of Administration shall thereafter be ineligible to serve as a member of the Committee and a vacancy shall be created which shall be filled in accordance with the provisions of Section IV D herein. An "Officer of Administration" shall be deemed to include deans, department chairpersons, assistant deans, associate deans, and academic program directors.

D. Any member desiring to resign from the Faculty Grievance Committee shall submit a resignation in writing to the chairperson of the Committee. The chairperson shall notify the faculty of the resignation through the Faculty Senate. The vacancy created by the resignation of a member of the Committee shall be filled in accordance with the provisions of Section IV D herein.

E. A member of the Committee may request a leave of absence for a specific period of time from serving as a member of the Committee at any time when the member has or will have a temporary incapacity to serve. The request must be submitted
to the chairperson of the Committee in writing and must state the reason for the request and the term for which the leave of absence is requested. If the temporary vacancy makes it impossible for the committee to convene a quorum of the Committee, the chairperson must notify the faculty of the temporary vacancy through the Faculty Senate and the faculty must elect a member to fill the vacancy in accordance with the provisions of Section IV D herein.

F. The Committee may decide that a member of the Committee has a temporary incapacity to participate in the deliberations of the Committee for a specific grievance if the Committee determines that the member has a conflict of interest with respect to the grievance before the Committee. The Committee's determination that a member has a conflict of interest must be made in writing and must be supported by specific findings of fact and conclusions. The Committee's written determination shall become part of the record in the grievance with respect to which the conflict of interest was found. A temporary incapacity to serve based on the Committee's determination that a conflict of interest exists shall not create a vacancy on the Committee unless the absence of the member found to have a conflict of interest makes it impossible to convene a quorum of the Committee. In such event, the chairperson of the Committee shall notify the faculty through the Faculty Senate that a temporary vacancy exists, and the faculty shall elect a member to fill the temporary vacancy in accordance with the provisions of Section IV D herein.

III. TERMS OF OFFICE

A. Initial Terms

Terms of office for members of the Faculty Grievance Committee shall be staggered. Five (5) members shall be elected to serve a term of two (2) years and four (4) members shall be elected to serve a term of one (1) year as follows:

1. Four (4) members to serve a term of one (1) year—two (2) members shall be elected from
the College of Arts and Sciences, and one member each from the School of Business and the School of Education.

2. Five (5) members to serve a term of two (2) years each—three (3) members shall be elected from the College of Arts and Sciences, and one (1) each from the School of Law and the School of Library and Information Sciences.

3. The members elected to fill the terms of one (1) year shall not be excluded from eligibility to serve two (2) additional consecutive terms of two (2) years each.

B. Subsequent Terms

At the expiration of the initial terms, members shall be elected to serve terms of two (2) years as members of the Committee. No member may serve more than two (2) consecutive terms of two (2) years each.

C. Commencement and Expiration of Terms

Terms of office shall commence upon election by the faculty of a faculty member eligible to serve as a member of the Committee. Terms of office shall expire upon the election of a successor to fill the office held by the member or automatically when the member becomes ineligible to serve, upon the effective date of resignation from membership on the Committee, or upon the effective date of termination of a temporary appointment, whichever occurs first. If a vacancy is created before the term for which a member was elected expires, the vacancy shall be filled for the unexpired term of the member. Members elected to serve the remainder of an unexpired term shall not be excluded from eligibility to serve two (2) additional consecutive terms of two (2) years each.
IV. ELECTION OF MEMBERS

A. The faculty shall elect members of the Committee at its first annual meeting of the general faculty to be held at the commencement of each academic year.

B. In every odd-numbered year, the faculty shall elect five (5) members to serve on the Committee. In every even-numbered year, the faculty shall elect four (4) members to serve on the Committee.

C. Upon the election of new members, the Provost/Vice Chancellor for Academic Affairs shall certify to the Chancellor that each faculty member elected is eligible to serve. In the event a faculty member is elected and is ineligible to serve, the faculty shall elect another faculty member to fill the vacancy.

D. The faculty shall elect a member to fill a vacancy which may occur on the Committee as soon as practicable after notice that such a vacancy exists. If the vacancy is for an unexpired term, the member so elected shall serve on the Committee for the remainder of the unexpired term. If a temporary vacancy is created pursuant to the provisions of Sections II E or F herein, the member so elected shall serve during the pendency of the temporary vacancy.

V. OFFICERS

A. The Committee shall elect a chairperson, a vice-chairperson, and a secretary at its first meeting held during the fall semester of each year, and this meeting shall be held no more than two (2) weeks after the election of new members. Each officer shall serve a term of one (1) year. The term of each officer shall expire upon the expiration of the officer's term as a member of the Committee or upon the election of a successor to serve in the office held by the member.

B. The chairperson shall serve as the official convener of the Committee and shall perform all functions necessary for the Committee to conduct its business.
C. The vice-chairperson shall serve as chairperson in the absence of the chairperson.

D. The secretary shall be the official record keeper of the Committee and shall be the official custodian of the records of the Committee. The secretary shall serve as the chairperson in the absence of both the chairperson and the vice-chairperson.

VI. SUB-COMMITTEES

The Committee may appoint sub-committees of at least three (3) members each to hear grievances and to make recommendations to the full Committee regarding the resolution of the grievance. The sub-committee may be authorized by the Committee to execute the authority of the full Committee in seeking to resolve grievances. Such authorization shall be in writing and shall specifically state the scope of authority granted to the sub-committee and the specific grievance matter it concerns.

VII. REQUEST FOR REDRESS

A. Any faculty member who has a grievance may petition the Committee for redress by forwarding the petition to the chairperson of the Committee. The petition shall be in writing and shall set forth in detail the nature of the grievance and the name and title of the person against whom the grievance is directed.

B. The Committee will hear grievances only after the faculty member has attempted to resolve these grievances through established channels in the program, school, or department in which the faculty member works, and those attempts to resolve the grievances have failed. Supportive written documentation of these attempts should be presented to the Committee in the petition. Upon receiving the petition, the Committee will acknowledge its receipt and notify the grievant and the person against whom the complaint is directed (hereinafter the respondent) that the grievance has been filed with the Committee.
C. Upon receipt of a petition, the Committee shall determine whether the petition warrants further consideration by the Committee. If the Committee determines that no further consideration or investigation is warranted, a decision may be made based solely on the petition and supporting documentation. If the Committee determines that further consideration or investigation is warranted, it shall notify the grievant and the respondent of the Committee's decision to hold a hearing. Additionally, the Committee shall notify the parties to the grievance whether the full Committee or a sub-committee will hear the grievance. If a sub-committee is assigned by the committee to hear the grievance, the sub-committee will present its findings and recommendations to the full Committee for final decision by the Committee, unless the sub-committee is authorized to execute the full authority of the Committee pursuant to Section VI herein. If the hearing is to be held by a sub-committee, the Committee will appoint a chairperson of the sub-committee at the time the sub-committee is assigned the grievance for hearing.

VIII. HEARING

A. The chairperson of the full Committee or sub-committee shall schedule the hearing within a reasonable time mutually agreeable to the parties. The hearing must be scheduled within thirty days of the decision to hold a hearing unless the parties mutually agree to a specific date.

B. The grievant must present evidence to the Committee or sub-committee by grievant's own testimony or through presentation of witnesses. The Committee or sub-committee may consider only such evidence as is presented at the hearing and may consider only the evidence that it considers credible. The burden of proof rests with the grievant; that is, the grievant must convince the Committee or sub-committee that he or she has been aggrieved and that he or she is entitled to an adjustment.

C. The respondent shall be given the opportunity to present evidence by the respondent's own testimony or through
presentation of witnesses. The Committee shall determine whether the evidence is credible.

D. At the conclusion of the hearing, the Committee or sub-committee shall consider all of the credible evidence presented. If the hearing was held before a sub-committee, the sub-committee shall present its findings and recommendations to the full Committee. The full Committee will render its decision based on the evidence presented and the recommendations of the sub-committee. If the sub-committee has been authorized to render its decision on behalf of the full Committee pursuant to Section VI herein, the sub-committee shall base its decision on the credible evidence presented. All deliberations of the Committee or sub-committees shall be in executive session.

IX. REPORT OF FINDINGS AND RECOMMENDATIONS

A. The Committee shall report its findings of facts, conclusions, and recommendations to the department head or other administrative official most directly empowered to adjust the grievance. A copy of this report shall be concurrently forwarded to the grievant. If an adjustment is recommended by the Committee, the department head or other administrative official most directly empowered to adjust the grievance shall notify the Committee of the decision to make the adjustment recommended by the Committee to resolve the grievance, or any portion thereof. If the department head or other administrative official does not act upon the grievance as recommended by the Committee within thirty (30) days after the Committee's decision was rendered, the Committee will notify the Chancellor of its report to the department head or other administrative official and of the failure of the department head or other administrative official to make the adjustment recommended by the Committee. The Committee shall send a copy of this notice to the Chancellor and to the grievant.

B. The Chancellor shall review the record of the hearing and the report of the Committee. The Chancellor may request additional information if necessary from the Committee, the
grievant, and the respondent to clarify any information in the
record and to ascertain the exact status of the adjustment
recommended by the Committee. The Chancellor, in writing,
shall notify the grievant, the chairperson of the Committee, the
respondent, and the department head or other administrative
official to whom the Committee's report was directed of the
Chancellor's decision on the grievance.

X. CONFIDENTIALITY OF PROCEEDINGS

All written and oral communications to or from the Chancellor, the Committee, the
grievant, the respondent, or any other person with respect to the grievance
proceedings, including the testimony of witnesses at the hearing, shall be held in strict
certainty by members of the Committee and by the Chancellor.

XI. APPEAL OF THE CHANCELLOR'S DECISION

The decision of the Committee or of the Chancellor may be appealed in the manner
prescribed by Section 501 C (4) of The Code of the University of North Carolina.

XII. QUORUM

A. A quorum of the full Committee shall be five (5) members.

B. A quorum of a sub-committee of the Committee shall be a
majority of the sub-committee.

XIII. AMENDMENT OF PROCEDURES

Faculty members may request amendments to these procedures by submitting
such requests in writing to the chairperson of the Committee. The Committee
will evaluate the request and make its recommendation to the faculty. The
faculty will consider the amendment as soon as practicable at a meeting of the
general faculty.

XIV. EFFECTIVE DATE OF PROCEDURES

These Faculty Grievance Procedures are effective upon approval by the
Chancellor. These procedures replace any Faculty Grievance Procedures for
the faculty of North Carolina Central University in effect prior to the effective date of these procedures.

Approved by Chancellor Tyronza Richmond on June 1, 1989.
APPENDIX VIII — SEXUAL HARASSMENT
NORTH CAROLINA CENTRAL UNIVERSITY
SEXUAL HARASSMENT PREVENTION POLICY

I. Policy for Employees

A. Sexual harassment is a form of sex discrimination prohibited by N.C.G.S. § 126-16.

B. No employee of North Carolina Central University may engage in conduct that constitutes sexual harassment as hereinafter defined. No personnel decisions shall be made on the basis of a granting or denial of sexual favors. The University shall make every reasonable effort to provide an environment free from sexual harassment.

C. Sexual harassment is defined as deliberate, unsolicited, and unwelcomed verbal and/or physical conduct of a sexual nature or with sexual implications by a supervisor or co-worker that has or may have direct employment consequences resulting from the acceptance or rejection of such conduct.

D. The guidelines of the Equal Employment Opportunity Commission, which are incorporated into this policy, define sexual harassment as follows: Harassment on the basis of sex is a violation of § 703 of Title VII of the Civil Rights Act of 1964, as amended. Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;

EXAMPLE: A probationary status employee, "A", is approached by her supervisor who asks her out for a drink. When she refuses, the supervisor reminds her that it would be to her advantage to be nice to him since she is a probationary status employee and that she can be terminated for any reason.

EXAMPLE: An adjunct instructor, "B", is invited by the chairperson of his department to meet with her at a hotel one evening. When "B" states that he is not interested, the chairperson informs "B" that she has
changed her mind about hiring him to teach the next semester.

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;  
EXAMPLE: A SPA employee, "C", is approached by his supervisor who informs him that there are ways he can improve his performance. He suggests that they meet at his apartment later that week. When "C" arrives, his supervisor begins to tell him that he is attracted to "C". "C" resists the supervisor's advances and later receives a negative evaluation even though he had not received any previous criticisms about his work.

EXAMPLE: A junior faculty member, "D", requests a letter of recommendation for a fellowship from her department chairperson. He asks "D" to come to his house so that they can work on the letter. When "D" arrives, he has arranged a romantic dinner by candlelight. "D" states that she is uncomfortable and leaves. The chairperson thereafter refuses to write the letter of recommendation.

3. Or when such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.  
EXAMPLE: "E" is an employee in the physical plant. The walls of the office are adorned with sexually suggestive posters. In addition, the male employees frequently sit around the office and tell sexual jokes loud enough that "E" cannot help but hear them. She does not appreciate this behavior and complains to the supervisor. His response is that men have behaved like that for years and they are just being men.

EXAMPLE: A senior professor, "F", regularly approaches a junior professor, "G", in the faculty lounge and pats her buttocks. This behavior makes "G" uncomfortable, and she tries to avoid him as much
as possible. She finds herself going to a different department lounge.

E. Sexual harassment does not include normally welcomed personal compliments, social interaction, or relationships freely entered into by University employees, prospective employees, students or student applicants. However, it is misconduct, subject to disciplinary action, for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student of the institution with whom he or she has an amorous relationship or to whom he or she is related by blood, law or marriage. Further, it is misconduct, subject to disciplinary action, for a University employee to engage in sexual activity with any enrolled student of the institution not in a supervisory relationship may be viewed as exploitative and in violation of professional ethics. Therefore, it is important that University employees give careful consideration before entering into amorous relationships with students.

F. To file knowingly a false or malicious complaint of harassment or of retaliation is a violation of the Sexual Harassment Prevention Policy. Such conduct may be addressed using the steps followed for a complaint of harassment. A complaint under this provision shall not constitute retaliation.

II. Policy for Students

A. Sexual Harassment is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972.

B. No University employee may engage in conduct that constitutes sexual harassment of students or student applicants. No student-status decisions shall be made on the basis of a granting or denial of sexual favors. The University shall make every reasonable effort to provide an academic environment free from sexual harassment.

C. Sexual harassment is defined as deliberate, unsolicited, and unwelcomed verbal and/or physical conduct of a sexual nature, or with sexual implications, by a University employee that has or may have direct academic or student-status consequences resulting from the acceptance or rejection of such conduct. Sexual harassment is also defined as student-student or student-initiated deliberate, unsolicited, and unwelcomed verbal
and/or physical conduct of a sexual nature, or with sexual implication. Unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature shall constitute sexual harassment when:

1. submission to such contact is made explicitly or implicitly a term or condition of admission, academic advancement, retention, or dismissal;
   EXAMPLE: Student "A" is an undergraduate who has received notice from the dean that she has been suspended and cannot re-enroll in the university the following fall semester unless she improves her grade point average by attending summer school. She meets with her advisor to discuss her situation. Her advisor encourages her to attend summer school and enroll in the two courses that he will teach. He tells her, as he strokes her leg, that if she is fully cooperative she will make good grades, thus assuring her reinstatement for the fall term.

   EXAMPLE: Student "B" is a graduate student who is doing research and working on her thesis under the supervision of her advisor. Her advisor often talks about how he can use his influence to help her get into a Ph.D. program if only she will go out with him.

2. submission to or rejection of such conduct by an individual is used as the basis for making decisions affecting grades, participation in university activities, financial assistance, job placements, or other privileges granted by the University.
   EXAMPLE: Student "C" has applied for a graduate assistantship and interviews with the department chairperson. During the private interview, the chairperson asks her to go out with him that evening to have an intimate dinner, a necessary step if she is to get the job. She declines and later receives a letter stating that someone else was given the job.

   EXAMPLE: Student "D" meets with her English professor to discuss her first essay. The professor tells her that she can probably pass the course only if he tutors
her privately once a week, and he fondles her breast. She refuses and subsequently makes an F on her next essay. She has a close friend in the class who is making A's and B's. She asks her friend to exchange essays the next time before turning them in for grading. Student "D" receives an F on her friend's essay, and her friend receives a B on the essay written by Student "D". Student "D" concludes that her grades are based on her rejection of the sexual overtures of the professor.

3. such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creating an intimidating, hostile or offensive academic environment:

EXAMPLE: Student "E" is a nursing student who is supervised in the hospital by a male clinical professor. He repeatedly whispers in her ear comments about her body as she is working with patients; for example, "I can see the outline of your well-formed breasts through your white uniform". She tries to ignore the comments but finds that her work with her patients is adversely affected as she tries to escape his attention.

EXAMPLE: Student "F" is the only female on the student newspaper staff which is supervised by an employee of the Division of Student Affairs. The male students have posters of nude women on the office wall, and jokes of a sexual nature are routinely exchanged among the students and with the supervisor. Student "F" feels very uncomfortable and spends less and less time in the office. As a result, she is given fewer good assignments and doesn't get the job as newspaper editor.

EXAMPLE: Student "G" is a female student in a mixed physical education class. The male professor periodically refers to her large hips and makes comments in class about women with large hips. She and other full-figured female students feel uncomfortable in class.
She often dresses out late to avoid the crowded dressing room.

D. Sexual harassment does not include normally welcomed personal compliments, social interaction, or relationships freely entered into by University employees, prospective employees, students or student applicants. However, it is misconduct, subject to disciplinary action, for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student of the institution with whom he or she has an amorous relationship or to whom he or she is related by blood, law or marriage. Further, it is misconduct, subject to disciplinary action, for a University employee to engage in sexual activity with any enrolled student of the institution not in a supervisory relationship may be viewed as exploitative and in violation of professional ethics. Therefore, it is important that University employees give careful consideration before entering into amorous relationships with students.

Any student or student applicant of the University who feels that he/she has been sexually harassed in violation of this policy may 1) file a grievance through the grievance procedure described in Section V below; or 2) if the grievance constitutes a violation of Title IX of the Education Amendments of 1972 (20 USC Section 1681 et seq.), the student has the option of filing a grievance either through the grievance procedure described in Section V or pursuant to Title IX.

E. For procedures applicable to student-student sexual or student initiated harassment, see University Student Code of Conduct. This document is located in the Office of the Vice Chancellor for Student Affairs.

F. To file knowingly a false or malicious complaint of harassment or of retaliation is a violation of the Sexual Harassment Prevention Policy. Such conduct may be addressed using the procedures followed for a complaint of harassment. A complaint under this provision shall not constitute retaliation.

III. Disciplinary Categories

A. "Class A". It is a "Class A" violation when, after investigation, it is determined that an intentional breach of confidentiality has occurred or that
harassment occurred and included one of the following actions or equivalent actions:
1. Verbal harassment of a sexual nature;
2. Unnecessary physical contact;
3. Promise of special consideration in return for sexual favors; or
4. Conduct that has the purpose or effect of unreasonably interfering with either an employee's job performance or creating an intimidating or offensive work environment, or a student's academic performance by creating an intimidating or offensive learning environment. Off-campus activities sponsored by the University are covered by this policy as well.

B. "Class B". It is a "Class B" violation when, after investigation, it is determined (a) that a claimant filed knowingly a false or malicious complaint of harassment or (b) that harassment occurred and included one of the following actions or equivalent actions:
1. The Accused demanded favors through overt or implied intimidation or coercion as a term or condition of employment-related decisions for employees;
2. The Accused gave special employment-related consideration or benefits in return for sexual favors;
3. The submission to or rejection of the conduct described in (1) or (2) above is used as a basis for any employment-related decisions affecting the individual employee;
4. In the case of students, the submission to or rejection of the conduct described in (1) or (2) above is used as the basis for making decisions affecting grades, financial assistance, participation in University activities, job placement, or other privileges granted by the University; or
5. Actions which are so blatantly sexual in nature that they tend to cause an immediate disruption of the work or academic environment.

IV. Disciplinary Actions

A. A "Class A" violation can result in the following disciplinary action: a written reprimand or dismissal with cause.

B. A "Class B" violation is grounds for dismissal with cause.

V. Grievances
A. Initiation of Complaint

The claimant initiates the process verbally or in writing by informing a field representative (see attached list of field representatives) of the accused's conduct. The complaint must be brought within 30 calendar days of the most recent alleged conduct. In the instance of student complaints, vacation days are excluded from the 30-day time frame. However, if a claimant prefers, for whatever reason, not to utilize the informal procedure, she/he can select the formal procedure as outlined in Section VII of this Policy.

B. Determination of Probable Cause

The field representative, having interviewed the claimant and having considered all information presented by the claimant, will make a determination concerning probable cause within seven calendar days of hearing the complaint.

1. If the field representative determines that there is probable cause to pursue the complaint, the field representative will notify the Equal Opportunity Officer who will appoint a mediator for the case.

2. If the field representative determines that probable cause does not exist, she/he will notify the claimant of that finding in writing within seven days of the complaint. The claimant, at that point, has the option of appealing to the Equal Opportunity Officer.

3. The Equal Opportunity Officer will hear the claimant's appeal and make a decision on probable cause within seven days of hearing the complaint. If the Equal Opportunity Officer determines that there is probable cause to pursue the complaint, the Equal Opportunity Officer will initiate the informal resolution phase and serve as the mediator for that phase. If the Equal Opportunity Officer determines there is no probable cause, she/he will notify the claimant in writing within seven days of hearing the complaint. The claimant may then appeal to the Chancellor for a determination of probable cause.

4. If the Chancellor determines there is probable cause to pursue the complaint, she/he will initiate the informal resolution phase and select a mediator from the pool of field representatives, not including the original contact field representative. The decision of the Chancellor as to whether probable cause exists is final.

VI. Informal Resolution Process
Upon determination of probable cause, a mediator brings the claimant and the accused together in a mediation session in an effort to resolve the matter. In order to mediate, the mediator must verbally inform the accused of the claimant's accusation and arrange a mediation session with the parties within seven calendar days after probable cause has been determined. The mediator must also submit a written report of the complaint to the Equal Opportunity Officer for the purpose of statistical recordkeeping only. If the matter is not satisfactorily resolved using the informal procedure, the claimant will then have the option of filing a formal complaint against the accused.

VII. Formal Resolution Process

A. Any person who believes that he or she has been a victim of discrimination or other proscribed activities under these rules and regulations may initiate a grievance by filing a letter with the Equal Opportunity Officer.

1. The letter of grievance must be delivered to the Equal Opportunity Officer in not more than (a) 10 working days from the date of the failure of the informal resolution phase or (b) 30 calendar days of the most recent alleged conduct. In the case of student complaints, official vacation days are excluded from both the 10-day and 30-day time frames.

2. The Equal Opportunity Officer or his/her agent shall provide a written acknowledgment to the claimant stating the time and date that the letter of grievance was received by the Equal Opportunity Officer or his/her agent.

3. The letter of grievance shall state the specific conduct that has given rise to the grievance or violation under these rules; the specific date or dates on which the alleged conduct occurred; the name or other identification of the accused who allegedly violated the rights of the claimant; the location(s) where the alleged offense(s) occurred; and the names and addresses, if known, of any witnesses who might have heard or seen the alleged conduct of the accused that has given rise to the grievance.

B. The formal hearing shall be held before a panel of five persons selected from the Sexual Harassment Grievance Board by the Equal Opportunity Officer. Each party may exercise two peremptory challenges to remove proposed members of the panel for cause, such as conflict of interest or familiarity with the parties or the facts.

1. Once the panel of five has been established, the Equal Opportunity Officer will select a chairperson.
2. The chairperson of the panel shall make all final rulings concerning the admissibility of evidence at the hearings.

3. The claimant and the accused may be represented at the formal hearing by legal counsel.

4. The North Carolina Rules of Evidence will not be applied in determining the admissibility of evidence. The rules of privilege and doctor/patient privilege shall apply.

5. The claimant shall have the burden of establishing by the preponderance of the evidence that the accused committed the alleged act.

6. At the formal hearing, the claimant will proceed initially to call witnesses and present evidence. If the claimant establishes a *prima facie* case, the accused may call witnesses and introduce evidence rebutting the evidence of the claimant.

7. Each party may cross-examine the witnesses of the other party.

8. The formal hearing will be recorded by a stenographer who will provide a transcript of the formal hearing proceedings.

9. At the close of the presentation of the evidence, the members of the hearing panel will deliberate and render a formal written recommendation to the Chancellor within 15 working days after the conclusion of the formal hearing. The written recommendation will include findings of fact, conclusions, and recommendations to the Chancellor concerning the disposition of the grievance. Copies of the written recommendation and the transcript will be provided to the claimant, the accused, and the Equal Opportunity Officer.

10. The Chancellor will render final decision for the University by either upholding, modifying, or rejecting the findings, conclusions, and recommendations of the hearing panel within seven working days of receipt of the recommendation and transcripts. Copies of the Chancellor's final decision will be forwarded to the claimant, the accused, and to the Equal Opportunity Officer.

VIII. Final Decision Subject to Appeal

Upon receiving the recommendation of the panel, the Chancellor shall take immediate action to impose appropriate disciplinary action and shall notify the parties in writing of his/her decision within seven calendar days after receipt of the recommendations of the panel and the accompanying transcript. Copies shall be provided to the Equal Opportunity Officer. Appeal of the Chancellor's decision shall be in accordance with the procedures set forth in Section 501 C (4) of The

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APPENDIX VIII
Code of the University of North Carolina and the laws of the State of North Carolina.

IX. Training and Maintaining Confidential Records

The EEO/AA Office or the University shall develop training and other methods to prevent sexual harassment from occurring. Such training methods shall include informing employees and students of their rights to raise and how to raise the issue of harassment under Title VII and Title IX, respectively. Training activities to increase sensitivity among University employees and students will also take place. The Equal Opportunity Officer shall also maintain a confidential record of all complaints, both formal and informal, hearings, outcomes, and disciplinary actions taken pursuant to the Sexual Harassment Prevention Policy.

X. Implementation

A. Responsibilities

It is the responsibility of University administrators and supervisors to provide a workplace free of sexual harassment. Administrators and supervisors who have knowledge of conduct involving sexual harassment must take immediate and appropriate corrective action to ensure that these offensive activities cease. The University administration is also responsible for taking positive steps to sensitize employees with respect to this issue.

B. Responsible Parties

1. Equal Opportunity Officer: The Equal Opportunity Officer has the responsibility of overseeing all sexual harassment cases in his/her role of ensuring that Title VII and Title IX regulations are enforced. Additionally, the Equal Opportunity Officer will be provided with the authority, financial resources and staff to carry out his/her role effectively. The Equal Opportunity Officer is responsible for monitoring and documenting all charges of sexual harassment and for informing supervisors and other appropriate administrators of the status of the complaint or its resolution. In addition, the Equal Opportunity Officer is responsible for educating the University community and for providing training to field representatives, supervisors, administrators, and the hearing panel members on matters of sexual harassment. The Equal Opportunity Officer is responsible for disseminating current policies, guidelines, and other
materials on an on-going basis to the various unit heads for distribution.

2. Field Representatives: The field representatives are University employees appointed by the Chancellor to mediate informal complaints of sexual harassment and to advise persons of the formal complaint process. All field representatives shall serve two-year terms. The role of the field representative is to listen to any complaint of sexual harassment, document the complaint and to resolve, if possible, the complaint through informal methods. The field representative is also responsible for familiarizing her/himself with the complaint procedures so that she/he can advise claimants of the procedure. Field representatives report directly to the Equal Opportunity Officer. Each field representative is appointed to serve a unit outside her/his own area of teaching or administration in order to ensure that future decisions relating to the field representative's promotion, tenure, merit increases, etc. will not be adversely affected. At least one field representative will be selected from each of the following nine areas:

a. College of Arts & Sciences
b. School of Business
c. School of Law
d. School of Education
e. School of Library and Information Sciences
f. Non-Academic Units reporting to the Chancellor or Vice Chancellor for Academic Affairs (Library, Admissions, Registrar, University Testing, Research/ Evaluation/Planning, Art Museum, Learning Resources Center, etc.)
g. Financial Affairs
h. Student Affairs (including students)
i. University Development

3. Sexual Harassment Grievance Board: The Sexual Harassment Grievance Board shall hear all formal complaints of sexual harassment. The Board shall consist of 30 hearing officers appointed by the Equal Opportunity Officer. Hearing Officers will be selected in accordance with the procedure outlined in Section X.C.4. of this Policy. At least one hearing officer shall be selected from each of the nine University areas identified in Section X.B.2.
A hearing officer shall hear only cases involving parties not in her/his department. Hearing officers will serve two-year terms. Vacancies on the Board shall be filled in the same manner as hearing officers are selected. A hearing officer appointed to fill a vacancy shall serve the remaining term of the hearing officer being replaced.

4. Administrators and Supervisors: Administrators and supervisors are responsible for disseminating up-to-date policies and other materials pertaining to sexual harassment matters to persons within their respective units. These individuals are also responsible for attending training workshops and seminars to familiarize themselves with sexual harassment policies and procedures. In addition, they are responsible for reporting to the Equal Opportunity Officer any sexual harassment grievances brought to their attention and for advising the claimant of the procedures to be followed.

C. Education and Training

The Chancellor shall establish a mechanism for educating the entire University community (administrators, faculty, staff and students) about the Sexual Harassment Prevention Policy. The Chancellor may assign the overall responsibility of education, training of field representatives, and the implementation of the Policy to a full-time Equal Opportunity Officer. Each official of the University shall be responsible for carrying out the intent and provision of the Policy in all segments of her/his area of responsibility and to assist in providing opportunities to every Chairperson and supervisor under her/his direction to become familiar with the Policy.

The Policy should not be viewed as a finished product, but rather a written indication of an on-going process, which shall be continuously monitored to ensure that the University provides a safe and sexual harassment-free environment.

1. Internal Dissemination Schedule of the Sexual Harassment Policy (Equal Opportunity Officer)
b. Publicize Policy in Campus Clips, The Campus Echo, The Chancellor's Annual Report to the Board of Trustees and the President of the UNC system. Annually.

c. Prepare brochures and posters and place in highly visible locations on campus. On a continuous basis.

d. Conduct meetings with Vice Chancellors and Directors to explain the intent of implementing the Policy, reiterate the Chancellor's commitment. On a continuous basis.

e. Arrange focus lunch sessions for faculty, staff and students. On a continuous basis.

f. Mail copies of the Policy to newly enrolled and returning students and to all applicants for admission. On a continuous basis.

g. File with the Equal Employment Opportunity Plan. On a continuous basis.

2. General Campus Training/Education

The Equal Opportunity Officer will offer workshops for administrators, faculty, staff, and students. In addition to facilitating thorough discussions of the Policy among these groups, administrative workshops will be designed to focus on the University's guidelines for administrative conduct in the handling of a complaint involving sexual harassment. It is important that the Chancellor require that all administrators attend at least one of the several administrative workshops per academic year. It shall be the responsibility of all immediate supervisors to require that their personnel attend workshops.

The Faculty Institute can serve as an educational vehicle for all administrators, faculty, and staff by having a session each year on the Sexual Harassment Prevention Policy. As part of the new employees' orientation, the Policy shall be explained and discussed. Students shall be informed of the Policy during early orientation. The Personal and Social Development classes can be used as focus sessions to discuss the policy.

3. Field Representatives

Field representatives shall be appointed by the Chancellor. The appointment letter shall stipulate that, before serving, each person shall undergo an intensive training process. The training process will provide in-depth information on how to handle the informal
complaint process and how to advise others of the formal complaint process. The Equal Opportunity Officer will make available to field representatives filmstrips, videos, reference materials and other relevant publications on sexual harassment.

4. Hearing Officers
Hearing Officers are appointed by the Equal Opportunity Officer. The appointment letter shall stipulate that before serving, each person shall undergo an intensive training process. The training will focus on, but is not limited to, the following areas: the definition of sexual harassment; what constitutes sexual harassment under the law; how to resolve matters on credibility of witnesses; a definition of the standard of proof; admissibility of evidence; and the need for objectivity.

XI. Miscellaneous

A. Dissemination of Policy Statement: Immediately following each revision of the policy, the University shall publish and disseminate the latest edition of the Sexual Harassment Prevention Policy to University employees, applicants for admission, and to enrolled students.

B. Prohibition against reprisals: Any person engaging in retaliation against any individual complaining of alleged sexual harassment shall be subject to disciplinary action under appropriate University policies, rules, and regulations.

1. Reprisals against the claimant: It is a violation of this policy to retaliate against a claimant for filing a charge of harassment. When necessary, the appropriate dean or other University officer will monitor activities regarding student grading, faculty/staff reappointments, tenure, promotion, merit review, or other decisions to ensure a process free of retribution.

2. Reprisals against the accused: Lodging a complaint of harassment is not proof of prohibited conduct. A complaint shall not be considered while deliberations on reappointment, tenure, promotion, merit, or other evaluation or review are underway, unless a final determination has been reached that the University's Sexual Harassment Prevention Policy has been violated.
C. Intentional Breaches of Confidentiality: All participants in the harassment complaint resolution process, including the claimant and the accused, witnesses, field representatives, hearing officers and others, shall respect the confidentiality of the proceedings. Breaches of confidentiality jeopardize the conditions necessary to the workings of internal procedures for resolution of claims of harassment. A complaint alleging an intentional breach of confidentiality may be pursued using the steps followed for a harassment complaint. Such a breach may possibly constitute an act of retaliation. A breach of confidentiality may also void the outcome of any previously agreed upon resolution to a complaint.

XII. Effective Date of Original Policy: October 1, 1994
XIII. Effective Date of Revised Policy: August 1, 1996
XIV. Signature and Date:
APPENDIX IX — PROCEDURE FOR REPORTING MISUSE OF STATE PROPERTY
NORTH CAROLINA CENTRAL UNIVERSITY
Office of the Provost

MEMORANDUM

TO: All Unit Heads
Division of Academic Affairs

FROM: M. L. Burnim
Provost and Vice-Chancellor for Academic Affairs

RE: Procedure for reporting misuse of State property

DATE: June 14, 1991

Events of the past academic year indicate a need for reminding university personnel about the importance of assuring that state property is used appropriately and for reporting its misuse. General Statute 114-15.1 covers this area and its essence reads as follows:

Any person employed by the State of North Carolina, its agencies or institutions, who receives any information or evidence of an attempted arson, or arson, damage of, theft from, or theft of, or embezzlement from, or embezzlement of, or misuse of, any state-owned personal property, buildings or other real property, shall as soon as possible, but not later than three days from receipt of the information or evidence, report such information or evidence to his immediate supervisor, who shall in turn report such information or evidence to the head of the respective department, agency, or institution.

For NCCU, the Chancellor is, of course, the institution head. Informational copies of such reports to the Chancellor should be sent to all up-line persons in our established channels of communications.

As seen from the excerpt, the statute is intended to be all inclusive. Hence, we must be careful in our use of office supplies and equipment, including telephones, computers, typewriters, photocopy machines, telefaximile machines, automobiles, etc. Please see that all personnel in your unit are aware of this requirement and that you govern yourselves accordingly.

Thank you.

cc: Chancellor T. R. Richmond Dr. Herbert N. Watkins
APPENDIX X — PROCEDURES FOR ACADEMIC POLICY DEVELOPMENT
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APPENDIX XI — CAMPAIGNING AND HOLDING POLITICAL OFFICE
Copy of text of a memorandum from Richard Robinson, Assistant to the President of The University of North Carolina General Administration, to President C.D. Spangler, dated December 10, 1990

Section 3.b. of the attached excerpt from the Board of Governors policy 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, schools 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 office holding.

One recurring problem is that the level of compensation paid for particular office holding 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 office holding, even if the compensation is deemed to be "more than nominal."

POLITICAL ACTIVITIES OF UNIVERSITY EMPLOYEES

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 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 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 and/or requests for leave by University employees other than senior administrative officers (with the exception of 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.
APPENDIX XII — EMPLOYMENT OF RELATED PERSONS
Copy of a memorandum from Dallas Simmons to Deans, Department Chairpersons, and Directors on May 9, 1973

The Board of Governors of the University of North Carolina at its April 13 meeting adopted a "Resolution Concerning the Employment of Related Persons" (copy attached) which is applicable to personnel practices at all campuses of the University.

Please note that this policy adopted 13 April applies to all personnel not subject to the State Personnel Act and does not apply to related persons employed prior to this date. However, the new Board policy does require the following:

1. Related employees may not hereafter be promoted to a position in which he or she would have responsibility for direct supervision of his or her relative; or, conversely, the promotion of one to such a supervisory position would require the transfer or resignation of the other.

2. One relative who is a supervisor of the other must disqualify himself or herself from and not participate in the evaluation of the other.

3. One relative may not sit as a member of any evaluation body charged with the evaluation of a relative.
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 principle 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 consideration of race, sex, religion, national origin, or any other factors not involving personnel 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 within 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
7. Step-brothers and step-sisters
8. Husband and wife
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.
COPY OF POLICY STATEMENT ON UNIVERSITY RESEARCH RELATIONS WITH PRIVATE ENTERPRISE AND ON PUBLICATION OF RESEARCH FINDINGS AS ADOPTED BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, MAY 8, 1987

AND AS AMENDED FEBRUARY 12, 1988

A. Appropriateness of University Research

All activities of The University of North Carolina, including any research collaborations with private firms, as well as with foundations and government agencies, must support its teaching, research, and public service missions. The University environment must allow faculty and students to pursue freely learning and research. The University must also maintain its independence and integrity to assure impartiality, and it may not agree to any inappropriate limits on the freedom to publish research findings. Most importantly, The University must retain the public's trust by engaging in research activities that are consistent in nature, quality, scope, and importance with its educational purpose and integrity. The chancellors are the responsible officers for the administration of this policy and they are to take such steps as are necessary to maintain it.

B. Proprietary Information

Faculty and students of The University must have the right to disseminate freely and openly their research findings, and research sponsors may not abridge this basic right; however, in certain exceptional cases, the sponsor may be in possession of proprietary and confidential information that the institution and the research sponsor must share to conduct the research project. A constituent institution, with the approval of its chancellor, may enter into agreements to guard the confidentiality of such proprietary information. Information in the public domain, or information that a constituent institution legally obtains from a third party, or information independently developed or possessed by a constituent institution is expressly excluded from the definition of proprietary information. Any agreement that involves the joint use of university facilities for proprietary purposes, or that purports to restrict faculty or students from publishing freely the results of their own work, shall be reported in writing to the President prior to its execution. No agreement, however, may interfere with the publication or oral defense of research theses and dissertations of graduate students.
The University Patent and Copyright Policies provide that, under specified circumstances, publication may be delayed for not to exceed one year while patent protection is being secured.

C. Classified or Other Confidential Research Projects

Research conducted by faculty or students under any form of sponsorship must maintain The University's open teaching and research philosophy and must adhere to a policy that prohibits secrecy in research. However, in cases involving United States government classification, or in any other case clearly involving exceptional circumstances, the chancellor is authorized to waive this requirement, if it is in the national or institutional interest to do so. All such agreements must be reported in writing to the President prior to their execution.
APPENDIX XIV — CHANNELS OF COMMUNICATION
Memorandum

October 7, 1986

TO: Dean John Ruffin
    Dean Louis Westerfield
    Dean George Reid
    Dean Raphael Thompson
    Dean Mary Townes
    Dean Benjamin Speller

Ms. Nancy Rowland
Dr. Floyd Hardy
Dr. Linda Pratt
Dr. Marvin Duncan
Mr. Duncan Floyd
Mr. James Pierce

FROM: M. L. Burnim
      Vice Chancellor for
      Academic Affairs

RE: Appropriate Channels of Communications

Under Chancellor Richmond’s leadership, decision-making, and therefore communications, will generally be handled in a decentralized manner. It is felt that those persons closest to a problem or issue are in the best position to address that problem or issue and therefore should be given an opportunity to do so. Therefore, requests, recommendations, and other kinds of communications which cannot be addressed at the level where they are initiated should be sent with the appropriate recommendation to the next administrative level. For an academic department, the next appropriate level will be the Office of the Dean. Likewise, a problem originating at the dean’s level which cannot be solved at that level would be sent to the Office of the Vice Chancellor for Academic Affairs. This procedure will not only avoid run-arounds but will also give administrators the opportunity to solve problems before they are sent to higher administrative levels.

Similarly, communications from the Office of the Vice Chancellor for Academic Affairs will be forwarded through the administrative offices at the next level. This means that communications ultimately intended for the academic departments will be sent to the offices of the academic deans for further distribution. Likewise, communications from the Registrar’s office or other academic support units must flow through the Office of the Vice Chancellor for Academic Affairs before being disbursed to academic departments or other units.
Finally, communications with persons in agencies external to North Carolina Central University should be handled in a very special way also. The Chancellor of course is the Chief Executive Officer for the University and, as such, is the official spokesperson for the University. Inquiries from members of the press or other organizations, including The Board of Trustees, should be directed to the Office of the Chancellor. In instances of this sort, such inquiries can be directed to my office for determination as to whether they should be sent forward to the Chancellor.

Adherence to the procedures outlined above will clarify the lines of communication both internally and externally, and will help to assure consistency and accuracy in our communications.

Thank you for your cooperation.

/mj

cc: Chancellor Richmond
NCCU POLICY ON ETHICS IN RESEARCH

I. INTRODUCTION AND POLICY

As a significant part of its mission, North Carolina Central University strongly encourages research and the search and discovery of knowledge by the faculty, the student body, and others who are formally attached to the institution. Research activities among these groups must be performed without hindrance, and in an ethical and legal manner. Allegations regarding hindrance to research, or unethical or illegal research practices will be investigated and adjudicated swiftly. All affected parties will be informed about every matter leading to the resolution of these allegations so as to protect the rights of the person involved.

It is the responsibility of each person in the University to comply with and help to enforce this policy. A university policy of this type cannot be enforced without the help of persons covered by the policy, including administrators. Allegations of failure to comply with this policy will be handled as cited below.

II. DEFINITION OF RESEARCH MISCONDUCT

Research misconduct means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted among scholars.

III. INQUIRY

Allegations of research misconduct involving faculty members, graduate students, or staff should be directed to the dean’s office of the School of Education, Law, or Business and to the Dean and the department chairman in the College of Arts and Sciences, as appropriate. In the case of an allegation against a dean, the complaint should be made directly to the Vice Chancellor for Academic Affairs. These administrators determine the propriety of the allegations concerning compliance with this policy; these matters should be treated with confidentiality. A written formal complaint is received by the dean or chairperson from the person who has made the allegations. When merited by the facts, the dean or chairperson may also forward allegations to the Vice Chancellor for Academic Affairs without a formal complaint or a complainant.

In order to determine the validity of formal allegations, the Vice Chancellor for Academic Affairs will appoint an ad hoc Inquiry Committee (IC) which will consist of three tenured faculty members: two from the school or college in question and one from another school or college of the University. Neither can be an administrator (i.e., a dean, a departmental chairperson, or any person who supervises faculties or deans). Members of the committee must have appropriate research expertise to assure a sound knowledge base from
which to reach a resolution of these matters. Both the respondent and complainant must be notified of the allegations and the investigation process to be used. The IC should convene and complete the inquiry within thirty (30) days from the first day of the allegations, at which time the IC will submit a written report with recommendations and explanations for all conclusions and verdicts to the Vice Chancellor for Academic Affairs, the complainant, and the respondents. Confidentiality must be maintained to protect the rights of all parties involved.

When the subject of the inquiry is a graduate student, the case will be reviewed by the Dean of the School of Graduate Studies. This dean will receive the recommendation from the student’s respective academic dean, and forward this, as well as his/her own recommendations, to the Vice Chancellor for Academic Affairs.

If an allegation is found to be unsupported, no further formal action, other than informing all involved parties, should be taken. The University should seek to protect the complainant against retaliation. Individuals engaging in acts of retaliation will be disciplined when allegations are found to have been brought in bad faith; the person bringing those allegations may be subject to disciplinary action.

IV. INVESTIGATION

An investigation should be initiated when an inquiry substantiates there is sufficient cause to warrant it in order to determine whether misconduct has been committed. The Vice Chancellor for Academic Affairs may expand the IC to include additional tenured faculty members and representative(s) from outside North Carolina Central University. The Vice Chancellor for Academic Affairs must be responsible for initiating and completing the investigation within sixty (60) days from the first day of the allegation.

V. FINDINGS

The IC must submit findings and recommendations regarding sanctions in writing to the VCAA. The respondent should receive the full report of the investigation, with copies to the appropriate academic supervisor of the accused. The Vice Chancellor for Academic Affairs must administer the sanction pending the action of and only after the period for an appeal has lapsed.
VI. APPEAL

Respondents may appeal the findings of the IC and Vice Chancellor for Academic Affairs to the Chancellor. Respondents have a maximum of fifteen (15) work days after receiving notice of the findings to file a written appeal. Appeals beyond the Chancellor must conform to the guidelines published in the most recent Code of the University of North Carolina system.

Approved and Signed by Chancellor T. R. Richmond on January 18, 1990
APPENDIX XVI — PAYROLL PROCESS
Welcome to NCCU! We hope that your employment experience at the University will be both enjoyable and productive. The information below is provided to help you understand the NCCU payroll system and to facilitate your transition. Please read it carefully and adhere to its recommendations.

The regular pay date is the last working day of the month, except for Graduate, Teaching, and Research Assistants, who are paid on or around the fifteenth of each month. Paychecks may be picked up in the Bursar's Office between 8:00 a.m. and 5:00 p.m. on pay dates.

Before any person can be placed on the payroll, the complete package of employment paperwork must be completed. This package includes the employment contract, an EPA Application/Data Form for non-students, a federal W-4 form, an Employment Eligibility Verification (Form I-9), and an official transcript. (Your dean or department chairman can give you more complete and specific information.) Failure to complete any of these materials in a timely fashion will result in a delay in processing for payroll and, consequently, receipt of the first paycheck.

North Carolina Central University's payroll is actually maintained and processed by the North Carolina Office of State Payroll in Raleigh. This means that certain forms and documents must be sent to Raleigh from the NCCU Human Resources Office well in advance of when a person is to receive the first paycheck—typically as much as forty-five (45) calendar days. This time is required for entering pertinent employee data into the computerized payroll system and sending verification of its completion back to the NCCU Human Resources Office. Once this verification is received, usually within ten (10) days, the new employee is placed on the NCCU payroll.

For a new employee to receive his first paycheck on September 30th, for example, the contract and other paperwork would have to be completed and signed by about the fifteenth of August. This is why we endeavor to have a new employee to sign an employment contract and complete the other necessary forms, e.g., W-4 and I-9, well in advance of the actual date for beginning employment. When the employment paperwork is not completed within this timeframe, it means that the new employee will not be included on the regular payroll until the following pay date.

Please help us to make your transition onto the NCCU payroll as smooth as possible by completing and returning forms and documents as quickly as possible. Questions about the payroll system or the process should be addressed to the office of your dean or supervisor. Thank you.
APPENDIX XVII — PATENT AND COPYRIGHT POLICY
PATENT AND COPYRIGHT POLICIES

I. Policy

North Carolina Central University (NCCU) is dedicated to instruction, research, and extending knowledge to the public (public service). It is the policy of NCCU to carry out its scholarly work in an open and free atmosphere and to publish results obtained therefrom freely. Research done primarily in anticipation of profit is incompatible with the aims of NCCU. NCCU recognizes, however, that patentable inventions sometimes arise in the course of research conducted by its employees and students using university facilities. The Board of Governors of The University of North Carolina has determined that patenting and licensing of inventions resulting from the work of University personnel, including students, is consistent with the purposes and mission of The University of North Carolina.

The aim of the patent policies of NCCU is to promote the progress of science and the useful arts by utilizing the benefits of the patent system consistent with the purposes for which it was established by Article I, Section 8, of the Constitution of the United States:

The Congress shall have power . . . To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

Patents provide a means to encourage the development and utilization of discoveries and inventions. These policies have been established to ensure that those inventions in which NCCU has an interest will be utilized in a manner consistent with the public good through patents, licenses, or otherwise. NCCU is also aware of the value of patents in directing attention to individual accomplishment in science and engineering. Where possible, NCCU should make inventions resulting from its research available to industry and the public on a reasonable and effective basis and at the same time provide adequate recognition to inventors. Patents and their exploitation, however, represent only a small part of the benefits accruing to the public from the research program of the university.

A portion of the research conducted by NCCU is supported by government and a portion by private industry. Service to the public, including private industry, is an integral part of NCCU's mission. In agreements with private industry or other private organizations, NCCU must keep the interests of the general public in view. The rights and privileges set forth in cooperative agreements or contracts, with respect to patents developed as a result of

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11Copies of the Patent and Copyright Procedures may be obtained in the Office of the Legal Affairs or from Atty. Charles Smith of the School of Law.
research partly or wholly financed by private parties, must be fair and just to the inventor(s), the sponsor, and the public. Research should be undertaken by NCCU under support from private parties only if it is consistent with and complementary to the University's goals and responsibilities to the public.

II. Objectives

The principal objectives of the NCCU Patent and Copyright Policies set forth herein are:

1) to provide appropriate incentive to creative intellectual effort by faculty, staff, students, and others associated with the institution;
2) to establish principles for determining the interests of NCCU, inventors, and sponsors in regards to inventions and/or discoveries;
3) to develop procedures by which the significance of inventions and/or discoveries may be determined and brought to the point of commercial utilization;
4) to provide the means for placing in the public realm the results of research, while safeguarding the interests of NCCU, the inventor, and sponsor; and
5) to recognize the right of the inventor to financial benefits from the invention or discovery.

III. Coverage

The NCCU Patent and Copyright Policies apply to all university employees, both full and part time, including faculty, other professionals exempt from the Personnel Act, staff subject to the Personnel Act, and students. Upon prior written agreement between persons and NCCU, these Policies may be applied to persons not associated with NCCU who make their inventions available to the institution under circumstances where the further development and refinement of the inventions are compatible with the research programs of NCCU.

IV. Patent Ownership

Conditions of Employment and Enrollment

The Patent and Copyright Policies of NCCU, as amended from time to time, shall be deemed to be a part of the conditions of employment of every employee, including student employees, and of the conditions of enrollment and attendance of every student at NCCU.

Ownership

With the exception of "Inventions Made on Own Time," hereinafter defined, every invention or discovery or part thereof that results from research or other activities carried out
at NCCU, or that is developed with the aid of the institution's facilities or staff, or through funds administered by the institution, shall be the property of NCCU and, as a condition of employment or enrollment and attendance, shall be assigned by the NCCU inventor to the institution in a manner determined by the university in accordance with these Policies.

Patent Application

Patents on inventions made by NCCU employees or students may be applied for in any country by NCCU or through an authorized agent(s) or assignee(s). NCCU shall exercise its rights of ownership of such patent(s), with or without financial gain, with due regard for the public interest, as well as the interests of inventors and sponsors concerned.

Inventions Made on Own Time

Inventions or discoveries made by NCCU personnel or students entirely on their personal time and not involving the use of NCCU facilities or materials are the property of the inventors except in case of conflict with any applicable agreement between NCCU and the federal or state government or agency thereof. For purposes of this provision, an individual's "personal time" shall mean time other than that devoted to normal or assigned functions in teaching, extension, university service, coursework, or direction or conduct of research on NCCU premises or utilizing NCCU facilities. The term "NCCU facilities" shall mean any facility, including equipment and material, available to the inventor as a direct result of the inventor's affiliation with NCCU, and which would not be available to a non-university individual on the same basis.

Personnel or students who claim that inventions are made on personal time have the responsibility to demonstrate that inventions so claimed are invented on personal time. All such inventions shall be disclosed in accordance with NCCU's disclosure procedures applicable to inventions made on university time or with the use of university facilities, materials or equipment, and shall demonstrate the basis of the inventor's claim that only personal time was utilized. In each instance so demonstrated to conform to the definitions of personal time, the institution shall acknowledge in writing that the invention is the sole property of the inventor in accordance with the "waiver" provision, below.

If the inventor so desires, inventions or discoveries made on personal time and utilizing the inventor's own facilities and materials may be assigned to NCCU. Under this arrangement, the procedures will be the same as for inventions or discoveries made by university personnel on university time and/or with the use of university facilities and materials.

Waiver and Release of University Rights

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APPENDIX XVII
Pursuant to these Policies and to its patent procedures, NCCU, after consultation with the inventor, shall cause its rights to subsequent patents, if any, to be waived to the inventor if the institution is convinced that no NCCU facilities, time, or materials were used in the development of the discovery or invention, that it was made on personal time, and that such waiver would not conflict with any pertinent agreement between the institution and a sponsoring agency or agencies.

Pursuant to these Policies and to its patent procedures, NCCU, after consultation with the inventor, may in its discretion and upon such terms as it deems appropriate, cause its rights to the discovery or invention, if any, to be released and waived to the inventor if the institution is convinced that the discovery or invention is clearly one that is non-patentable, that it does not warrant further evaluation as to patentability, or if the discovery or invention has been returned to the institution after negative evaluation by NCCU’s agent(s).

V. Income from Patents

The Inventor

The inventor shall receive not less than fifteen percent (15%) of the gross royalties derived from licensing or income from assignment or sale of each patent resulting from his invention and owned by NCCU pursuant to these Policies. With this limitation, the exact proportion shall be determined in accordance with NCCU’s existing patent procedures as approved by the NCCU Board of Trustees and the President of The University of North Carolina.

The Institution

Income earned by NCCU from its patent and licensing activity shall be held in a separate trust fund by NCCU to support research. Allocations from such trust funds shall be made by the Chancellor upon recommendations from the NCCU Patent Committee.

VI. Specific Conditions Governing Sponsored Research

Government Sponsored Research

Patents on inventions arising from research financed by the United States Government may be controlled by the terms of the grants and contracts specified by the government agency pursuant to Federal law. In some cases, the government claims right to patents resulting from research financed under contracts supported by government agencies. Except as provided by Federal law or by government-supported grants or contracts, or when no patent rights are claimed by the United States Government, or when such rights are waived by the government, patents arising from government-sponsored research are controlled by
these Patent and Copyright Policies. When a patent arising out of research supported under government grants or contracts is owned by NCCU, the University will, if requested, agree to a nonexclusive royalty-free license for use by the government of such patent. If such a patent is owned by the government, the University shall be free to use the invention so covered for its own scientific and educational purposes without payment of royalty or other charge, consistent with Federal law.

University Research Sponsored by Non-Governmental Entities

North Carolina Central University must ensure that its facilities and the results of the work of its employees are applied in a manner which best serves the interests of the public. Likewise, the legitimate interests of a private sponsor who provides financial or other support to research carried out through NCCU must be considered. NCCU normally reserves the right to ownership of patents on inventions arising out of research supported in whole or in part by grants or contracts with nongovernmental organizations or firms. Contracts or agreements which are entered into between the University and such organizations or agencies should contain clauses setting forth such a reservation unless deviations therefrom are requested by the sponsor and approved by NCCU consistent with the public interest. In the interest of fair treatment to the sponsor in consideration for the sponsor’s investment; and in the interest of discharging the university’s obligation to the public in the application of its facilities and its employees’ time and talent, special provisions may be negotiated by NCCU in such non-government sponsored contracts, upon request; provided that NCCU retains the right to use the invention for its own research, educational, and service purposes without payments of royalty fees; that NCCU requires the sponsor to use due diligence in the commercial use of the invention; and that the institution retains the right freely to publish the results of the research after a reasonable period necessary to protect the rights of the parties and to allow for the filing of a patent application.

VII. Publication

A major function of North Carolina Central University is the advancement and dissemination of knowledge. Any practice that unnecessarily restricts the publication of results of scientific work is to be avoided. However, it is recognized that the full development of useful inventions or discoveries may be dependent upon the securing of patent protection that will enable the commercial utilization of the discoveries or invention. Accordingly, under certain circumstances it may be necessary to delay for a minimum period the publication of results of research. If a sponsor proposes to support a research effort that will involve a limited exclusive license to use of patents resulting therefrom, the agreement with respect to publication shall include the following provisions: (1) The sponsor must agree that the results of the research may be published if desired by the investigators or research workers. (2) In order that patent applications not be jeopardized, NCCU, the investigators, and the research...
workers may agree that any proposed publication will be submitted to the sponsor with a notice of intent to submit for publication. If, within a period of no more than 90 days from the date of such notice, the sponsor fails to request a delay, the investigators, research workers, and NCCU shall be free to proceed immediately with the publication. However, if the sponsor notifies NCCU that a delay is desired, the submission of the manuscript to the publisher shall be withheld for the period requested, but in no event shall the total period of delay be longer than one year from the date of the notice of intent to submit for publication mentioned above. Such a period will permit the sponsor to have the necessary patent applications prepared and filed but will not unduly restrict the dissemination of scientific knowledge.

VIII. Avoidance of Conflicts

Conflicts involving patentable inventions and discoveries may arise when university personnel or students enter into personal consulting agreements with outside firms and organizations. The agreements that business firms wish to have executed by those who are to serve as their consultants frequently contain provisions as to the licensing or assignment of the consultant's inventions and patents. Unless such provisions are narrowly worded, they usually will apply to areas in which the individual's university work lies and thus come into conflict with the obligations owed by the individual to the University under these policies, either with respect to the rights of NCCU itself in an invention or with respect to the rights of a sponsor of research in the same field or subject matter. Prior to signing any consulting agreement that deals with patent rights, trade secrets, or the like, where any NCCU time, facilities, materials, or other resources are involved, NCCU personnel and students must bring the proposed agreement to the attention of the Vice Chancellor for Academic Affairs in accordance with institutional procedures and either obtain a waiver of NCCU rights or otherwise modify the consulting agreement to conform with these Policies, as is determined by NCCU in its discretion. The foregoing requirements are in addition to, and do not eliminate the necessity for, any approval which may be required by The University of North Carolina Policy on External Professional Activity of Faculty and Other Professional Staff.

IX. Duty to Disclose Discoveries and Inventions

All individuals whose discoveries and inventions are covered by these Policies have a duty to disclose their discoveries and inventions promptly in accordance with the patent procedures adopted by NCCU pursuant to these Policies. The duty to disclose arises as soon as the individual has reason to believe, based on his or her own knowledge or upon information supplied by others, that the discovery or invention may be patentable. Certainty about patentability is not required before a disclosure is made. Individuals shall execute such declarations, assignments, or other documents as may be necessary in the course of invention evaluation, patent prosecution, or protection of patent rights, to insure that title in such
inventions shall be held by NCCU, where these Policies indicate the University shall hold title, or by such other parties as may be appropriate under the circumstances.

X. Patent Committees

The Chancellor of NCCU shall appoint a Patent Committee, consisting of no fewer than three members, one of whom shall be designated by the Chancellor to serve as chairman. The Committee for the institution shall review and recommend to the Chancellor or his delegate the procedures for the implementation of these Policies; shall resolve questions of invention ownership that may arise between NCCU and its faculty, staff, or students, or among individuals; shall recommend to the Chancellor the expenditure of the patent royalty fund; and shall make such recommendations as are deemed appropriate to encourage disclosure and assure prompt and expeditious handling, evaluation, and prosecution of patent opportunities. The Chairman of the NCCU Patent Committee, or his/her delegate, shall be the representative of NCCU to the All-University Patent Committee.

XI. Patent Management

The Chancellor of NCCU, or any person designated by him or her, is authorized to negotiate with reputable agencies or firms to secure for the University arrangements for patent management, including competent evaluation of invention disclosures, expeditious filing of applications on patents, and licensing and administration of patents. NCCU may administer its own patent management and licensing program without the use of a patent management agent, if it determines that such arrangement may better serve institutional and public interests. Nothing in this section shall be construed to permit the reduction of the minimum share due an inventor as specified in Section V of these Policies.

XII. Copyrights

As a general rule, all rights to copyrightable material are the property of the author. The distribution of royalties, if any, is a matter of arrangement between the author and his other publishers or licensees. Exception to this rule may be made in case of specific contracts providing for an exception in cases where NCCU or sponsor may employ personnel for the purpose of producing a specific work or where an exception is deemed necessary to reflect the contribution of the University to the work or where a sponsored agreement requires otherwise.

XIII. Service Marks, Trademarks, and Trade Secrets
Service marks and trademarks are the property of NCCU, and without express authorization from the Chancellor or his or her designee, no steps shall be taken for securing trademarks or service marks by usage or registration with respect to products or services resulting from or arising out of research or other activities carried out at NCCU or developed with the aid of its facilities or staff, or produced through funds administered by the institution. NCCU may authorize the registration of such marks as it deems to be appropriate and to license the use of such marks, provided that the income from such licensing shall be used to support the research and educational programs of the University and do not accrue to the personal benefit of NCCU personnel.

The use of trade secret agreements to protect discoveries and inventions developed at NCCU may not be consistent with the aims and purposes of the University. To protect the interests of the student, no student may be permitted to work under any agreement that contains any restrictions on free dissemination of university research results other than such restrictions as are expressly authorized by this policy.

XIV. Procedure

These Policies and procedures are consistent with and implement The University of North Carolina Patent and Copyright Policies, taking into account the nature and scope of North Carolina Central University programs. These NCCU policies and procedures shall become effective upon review and approval by the President of The University of North Carolina and adoption by the North Carolina Central University Board of Trustees.

XV. Exceptions

Any exceptions to the above policies must be approved by the President of The University of North Carolina, following a review and recommendation from the NCCU Patent Committee or the All-University Patent Committee. Before making a recommendation for such an exception, the NCCU Patent Committee will determine that, on the basis of the evidence available, such exception is in the public interest and is consistent with NCCU's responsibilities to the public.
APPENDIX XVIII — POLICY ON ILLEGAL DRUGS
North Carolina Central University

POLICY ON ILLEGAL DRUGS

North Carolina Central University makes every effort to ensure that the path to learning and moral growth is open to all who, by their ability, their motivation, and their achievements, hold promise to succeed. All members of the University community—students, faculty, administrators, and staff—share the responsibility for protecting this pathway to learning, and they are expected to exemplify high standards of professional and personal conduct. Whereas the illegal or abusive use of drugs by members of the academic community adversely affects the educational environment, the University accepts responsibility for protecting its educational mission by setting standards of conduct and exercising appropriate disciplinary actions for violation of policies herein stated relating to drug abuse.

The University interprets its role in providing a drug-free academic community as both preventive and remedial.

a) To help in the prevention of drug abuse, the University is committed to a comprehensive drug education program that is available to all members of the campus community. The program includes information through workshops, presentations, open forums, courses, and media activities on (1) the health hazards associated with drug abuse; (2) the incompatibility of drug abuse and personal/professional productivity; (3) the availability of campus and community rehabilitation resources; and (4) the external legal and internal disciplinary consequences of drug use.

b) To help in the remediation of drug abuse, the University is committed to a comprehensive drug counseling and rehabilitation program that is available to all members of the campus community. The program serves the dual function of rehabilitation and discipline, and includes (1) referral to the University Counseling Center, the infirmary, or off-campus rehabilitation facilities, as appropriate; (2) disciplinary action which insures "due process" for violations as stipulated in the Student Code of Conduct (Students), the Faculty Handbook (Faculty), and the State Employees' Handbook (Staff); and (3) compliance with state and federal laws governing the criminal prosecution of drug abusers.

Persons who voluntarily avail themselves of University counseling and rehabilitation services shall be assured that applicable professional standards of confidentiality will be observed.

It is the policy of North Carolina Central University that any member of its academic community—student, faculty member, administrator, or other employee—who, in violation of pertinent state or federal law, possesses, uses, sells, delivers, manufactures, or creates a controlled substance as defined in Article 5 of Chapter 90 of the General Statutes of North Carolina, in a manner that adversely affects the academic community, is subject to disciplinary action by the University, in addition to any criminal penalties to which he/she may be liable.

The coordinator of Drug Education, appointed by the Chancellor, will be responsible for overseeing all actions and programs relating to this policy.
TRAFFICKING IN ILLEGAL DRUGS

Students:

Any student who engages in the illegal manufacture, sale, or delivery, or who possesses with intent to manufacture, sell, or deliver any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide (LSD), opium, cocaine, amphetamine, methaqualone) shall be expelled from the University.

For a first offense involving the illegal manufacture, sale, or delivery, or the possession with intent to manufacture, sell, or deliver any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94 (including, but not limited to, marijuana, phenobarbital, codeine), the minimum penalty shall be suspension from enrollment for a period of at least one semester. For a second offense, the student shall be expelled from the University.

Faculty/Administrators/Non-SPA Personnel:

Any faculty member, administrator, or other non-SPA personnel of the University who engages in the illegal manufacture, sale, or delivery, or who possesses with intent to manufacture, sell, or deliver any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone) shall be discharged from the University.

For a first offense involving the illegal manufacture, sale, or delivery, or the possession with intent to manufacture, sell, or deliver any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94, (including, but not limited to, marijuana, pentobarbital, codeine) the minimum penalty shall be suspension from employment for a period equivalent to one semester. For a second offense, the faculty member, administrator, or other non-SPA employee shall be discharged from the University.

SPA Employees:

Any SPA employee who engages in the illegal manufacture, sale, or delivery, or who possesses with intent to manufacture, sell, or deliver any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90, or Schedules III through VI, N.C. General Statutes 90-91 through 90-94 shall be discharged

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from the University employment, consistent with applicable policies of the State Personnel Commission.

ILLEGAL USE OR POSSESSION OF DRUGS

First Offense:

For a first offense involving the illegal use or possession of any controlled substance identified in Schedule I, N.C. General Statutes 90-89, or Schedule II, N.C. General Statutes 90-90, the minimum penalty for students shall be suspension from enrollment; for faculty and administrators, suspension from employment for a period of at least one semester or its equivalent; and for SPA employees, action consistent with applicable policies of the State Personnel Commission.

For a first offense involving the illegal use or possession of any controlled substance identified in Schedules III through VI, N.C. General Statutes 90-91 through 90-94, the minimum penalty shall be probation for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the Chancellor or the Chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or from employment for any unexpired balance of the prescribed period of probation.

Subsequent Offenses:

For second or other subsequent offenses involving the illegal use or possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators or other employees.

SUSPENSION PENDING DISPOSITION

When a student, faculty member, administrator, or other employee has been charged by the University with a violation of policies concerning illegal drugs, he or she may be suspended from enrollment or employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the Chancellor or, in the Chancellor's absence, the Chancellor's designee concludes that the person's continued
presence within the University community would constitute a clear and immediate danger to
the health or welfare of other members of the University community; provided, that if such
a suspension is imposed, an appropriate hearing of the charges against the suspended person
shall be held as promptly as possible thereafter.

All disciplinary proceedings for students, faculty, administrators, or staff shall be in
accordance with the requirements of due process of law and consistent with existing written
procedural requirements of the University applicable to the constituency (Student Code of
Conduct, Faculty Handbook, State Employees' Handbook).

Nothing in the policy insulates any student or employee of the University who breaks
the law from criminal prosecution and punishment. Conduct that violates both state and
federal law and this University policy may be subject to prosecution at both levels without
hazard to the constitutional concept of "double jeopardy."

It is the intent of this policy to prevent and remediate as possible through counseling,
guidance, education, and admonition; however, when these more preferred means are
inappropriate, the harsher disciplinary measures herein specified will be enforced by the
University.

The Chancellor shall report annually on all campus activities related to illegal drugs
to the Board of Trustees and the President of the University of North Carolina.

NCCU TASK FORCE ON DRUG POLICY

The NCCU Task Force on Drug Policy shall be made up of representatives from the
offices of Financial Aid, Law, Health Education, Health Services, Student Life, Athletics,
Criminal Justice, Personnel, and Student Affairs and two student representatives.

Revised and approved by the Board of Trustees - North Carolina Central University.
APPENDIX XIX — USE AND COPYING OF COMPUTER SOFTWARE
APPROVED BY THE COMPUTER AND COMMUNICATIONS PLANNING COMMITTEE

NORTH CAROLINA CENTRAL UNIVERSITY
POLICY ON THE USE AND COPYING OF COMPUTER SOFTWARE

The unauthorized copying and use of computer software is a violation of federal law and may also be a breach of University licensing agreements.

University policy requires that all students, faculty, and staff abide by the law and honor the University's contractual obligations.

Some agreements restrict the use of software to certain equipment. Unauthorized use of this software will be viewed the same as unauthorized copying. Multiple-loading from one disk to multiple machines is also unauthorized unless allowed by a license.

Since the University does not require, request, or condone unauthorized copying or use of computer software, such action is not considered to be taken in the course of employment. As a result, 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. If the University is sued or fined because of unauthorized copying or use by students, faculty, or staff, it may seek payment from the individuals as well as subject them to disciplinary action that may include dismissal. Administrators are expected to bring this information to the attention of those persons within their administrative jurisdiction.

Recognizing that the need for software often exceeds the resources available for purchase, the University is obtaining license agreements which will allow the purchase of some software at greatly reduced costs. The Academic Computing Center also has catalogs of "share-ware" which may be copied for trial use but which must be registered for regular, continued use and public domain software which may be freely copied.

The best position for students, faculty, and staff to take is to assume that copying of software for use on an additional machine is prohibited unless documentation clearly states otherwise.

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12This policy was adapted from material contained in the following documents: Unauthorized Copying or Use of Computer Software. North Carolina State University; Unauthorized Copying or Use of Computer Software, University of North Carolina at Chapel Hill; Using Software: A Guide to the Ethical and Legal Use of Software for Members of the Academic Community, EDUCOM and ADAPSO, 1987.
APPENDIX XX — CONFLICTS OF INTEREST AND COMMITMENT
POLICY AND PROCEDURES FOR RESOLVING
CONFLICTS OF INTEREST AND COMMITMENT

PREAMBLE

Pursuant to The University of North Carolina Board of Governors' "Policy Concerning Conflicts of Interest and Commitment" as promulgated via "Administrative Memorandum Number 334," faculty and EPA non-faculty employees are cautioned to avoid conflicts of interest and commitment. These policies also follow HIHS/NSF guidelines for objectivity in research. Following are definitions and procedures which North Carolina Central University will use in complying with the Board of Governors' policy. Questions regarding North Carolina Central University's policy and procedures may be directed to the Assistant to the Chancellor for Legal Affairs or the Provost.

Introduction

The number and complexity of relationships between universities and members of their faculties and research staffs on the one hand and private industry, the federal and state governments, and the nonprofit sector on the other hand have grown substantially in recent years. The purpose of this Policy on Conflicts of Interest and Commitment is to provide guidelines for those relationships that will help to assure the primacy of academic integrity.

Faculty and EPA non faculty employees are encouraged to engage in appropriate outside relationships with commercial companies, the nonprofit sector, and the federal and state governments if the activities are consonant with the objectives of the University. Such partnership in support of the University's threefold mission of teaching, research, and service is encouraged when it produces mutual benefits to participants as well as benefits to society. Facilitating the transfer of technology or knowledge to improve the health and productivity of society is an important goal of cooperative university-industry and faculty-industry relationships.

An essential part of the University's commitment to encourage the dissemination of its scholarly research activity and worthwhile technology transfer is protection of the University's integrity and its fundamental goals of education and open inquiry. To this end, faculty and EPA non faculty employees are required by this Policy on Conflicts of Interest and Commitment (hereinafter, the Policy) to avoid conflicts of interest and conflicts of commitment in their relationships with outside organizations. This Policy covers full-time
faculty and EPA non faculty employees, part-time faculty and EPA non faculty employees insofar as their University responsibilities are concerned, and faculty and EPA non faculty employees who are on leave if the leave is funded at least partially from University sources. Definitions of key terms used in the Policy are provided later in this document.

The Policy provides an annual conflict evaluation and approval process for certain outside relationships that supplements other University policies. The Policy recognizes the desirability of flexibility and the difficulty of anticipating all situations that may arise. Therefore, it is left to the discretion of the supervisor of the faculty member or EPA non faculty employee (usually the Department Chair) to interpret and implement the Policy and to evaluate the activity proposed in the context of the academic unit in question. The supervisor has the initial responsibility to decide questions of conflict of interest or commitment, according to the guidelines of this Policy. Prior to submission of a proposed activity or financial or business relationship for review and approval by the supervisor, informal discussion between the individual and the supervisor is strongly encouraged to promote mutual understanding and to prevent avoidable conflicts from developing.

The rigorous application of this Policy will be particularly important in the case of persons exercising significant University authority. Individuals in administrative positions have substantial influence over others by virtue of their role in professional appointments, promotions, tenure decisions, allocations of space, determinations of salary, and the like. While this Policy is applicable to all faculty and EPA non faculty, those with administrative responsibilities must take particular care to avoid relationships that have the potential to advantage the individual but affect adversely the University's interests. Among the relationships that may adversely affect the University's interests are relationships that would lead inappropriately to the individual's personal financial gain, relationships that might adversely affect the professional academic advancement of colleagues, or relationships that might otherwise inject inappropriate considerations into administrative decisions.

Of particular concern is the impact on students and other trainees of activities that could potentially create conflicts of interest or commitment. Because of this concern, it is essential that all faculty and EPA non faculty employees demonstrate at all times their commitment to the highest intellectual and ethical standards in all aspects of research, teaching, and service, particularly where opportunities for conflict may exist. As a corollary, the training experiences of students are expected to incorporate the value of objectivity and the importance of public trust.

Because of the necessity to avoid conflicts of interest and commitment and the appearance thereof, the Policy requires each faculty member and EPA non faculty employee who is engaged in specified activities or relationships annually to submit for evaluation, on the Form provided as Attachment 1 to this Policy, certain financial and other information.
Individual circumstances may require additional or more frequent submissions, particularly if there is any significant change in personal financial or fiduciary status. The information provided must be accurate and may have a direct bearing on the individual's employment status with the University. Possible sanctions for violation of this Policy, including furnishing false, misleading, or incomplete information on the disclosure form, can range from administrative intervention to termination of employment, all in accordance with applicable University policies.

As a means of managing potential conflict of interest situations, conditions and restrictions may be imposed upon the affected employee. These restrictions include public disclosure of significant financial interests, monitoring of research by independent reviewers, modification of the research plan, disqualification from participation in a funded project and divestiture or severance from significant financial interest.

The University is required to certify to federal funding authorities that no conflict has been found or that if a conflict has been found, what steps will be implemented to manage, reduce or eliminate the conflict. The certification form is attached as the Appendix to this policy.

Definitions of Conflicts of Interest and Commitment

A conflict of interest may arise in situations where financial or other personal factors may compromise, may involve the potential for compromising, or may have the appearance of compromising a faculty or staff member's objectivity in meeting university duties or responsibilities, including research and professional activities. This may include 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 or staff 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.

A conflict of commitment may arise with respect to a faculty or staff member's distribution of efforts between obligations to the conditions of university employment and an individual'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 may occur when the pursuit of such outside activities involves an inordinate investment of time that interferes with the faculty or staff member's obligations to students, to colleagues, and to the missions of the university.
Other Definitions

1. "Immediate family" means your spouse, and dependent children living in the home.

2. "Participant" means any person who receives direct compensation or any other financial support for themselves or their teaching, research, outreach, or extension activities.

3. "Business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust or any other legal entity organized for profit of charitable purposes.

4. "Significant financial interest" means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights). The term does not include:

   a. Salary, royalties, or other remuneration from the applicant institution;
   
   b. Any ownership interests in the institution, if the institution is an applicant under the SBIR program;
   
   c. Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
   
   d. Income from service on advisory committees or review panels for public or nonprofit entities;
   
   e. An equity interest that when aggregated for the Investigator and the Investigator's spouse and dependent children, meets both of the following tests: Does not exceed $10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than a five percent ownership interest in any single entity; or
   
   f. Salary, royalties or other payments that when aggregated for the investigator and the investigator's spouse and dependent children over the next twelve months, are not reasonably expected to exceed $10,000.
Procedures

1. During the annual University Conferences which are held each fall to begin the academic year, all faculty, EPA non faculty, and staff members will be required to complete the attached "Annual Notification and Disclosure Form for Non-University Activities." This form is intended to elicit pertinent information about proposed or existing arrangements and activities that constitute, or potentially constitute, conflicts of interest or commitment. A separate form should be submitted, with any supporting documentation, to the employee's immediate supervisor, who will review the documents and rule on the permissibility or impermissibility of each proposed activity.

For completed activities which had not been previously reported, the immediate supervisor will rule on whether the completed activity constituted a conflict and forward a copy of the written determination to the Assistant to the Chancellor for Legal Affairs. If the completed activity is deemed to have constituted a conflict, the Assistant to the Chancellor for Legal Affairs will notify the Chancellor and take other actions as appropriate.

2. If the immediate supervisor rules that the proposed activity does not constitute a conflict of interest or commitment, the employee is clear to pursue the activity.

3. If the immediate supervisor rules that the proposed activity constitutes a conflict and the employee disagrees, then the employee may appeal his/her supervisor's ruling to the supervisor's supervisor, and so on through the administrative channels to the Chancellor.

4. The Chancellor's decision shall be final except for appeals on the basis of procedural violations to the Board of Trustees.

5. A description of the policies and procedures will be included in the NCCU Faculty Handbook.

6. The policy and procedures will be part of the annual University Conference held prior to the beginning of the fall semester.

7. Copies of each completed Disclosure Form and accompanying documentation should be maintained in the files of each administrative office which processes them with copies being sent to the Office of the Provost. Copies will also be maintained in the employee's personnel file. These copies should be transmitted immediately after each case has been decided.
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:

1. **Activities allowable, with no reporting required**

   The cited examples 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 situation could prompt questions about conflicts of commitment.

   a. A university employee receiving royalties from the publication of books or for the licensure of patented inventions subject to the University of North Carolina (UNC) Patent and Copyright Policies.

   For example, no reporting or notification is required, unless the licensure of the faculty or staff member's patented invention conflicts with the UNC Patent and Copyright Policies.

   b. A university employee having an equity interest in a corporation, the exclusive function of which is to accommodate the employee's external consulting activities.

   For example, a faculty or staff member need not report nor notify the university, unless the corporation's function or external consulting activities violate other provisions of this policy.

   c. A university employee receiving nominal compensation, in the form of honoraria or expense reimbursement, in connection with service to professional associations, service on review boards, presentation of scholarly works, and participation in accreditation reviews.

   For example, no reporting or notification is required, unless the stated compensation is paid for service which significantly interferes with or inhibits the employee's performance of his or her university duties, such as excessive
tardiness or absence, failure to complete assigned tasks, or inability to
discharge official duties.

2. 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. A university employee requiring students to purchase his or her 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.

For example, an English Professor may not require students to purchase his
or her textbook or other instructional materials, unless the faculty member
secures the approval of the department chair or the appropriate textbook
selections committee.

b. 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.

For example, no faculty or staff member may accept an all-expense paid
vacation to a resort from a vendor who does business with the university.

c. 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.

d. 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.

For example, a chemistry professor who has a financial interest in a business,
or a right to receive, control or benefit from a business, under circumstances
that significantly link the success of the business to the faculty member's
research.
c. 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.

For example, a faculty or staff member who has direct or indirect ownership or control of a financial interest in a business in which the university has dealings.

g. A university employee having a financial interest in a business that competes with services provided by the university.

For example, a research area for a business in which a faculty or staff member has an equity or financial interest or is employed as a consultant. Any involvement by students in the outside professional activities of the faculty member directing the student's research must be disclosed for administrative review.

3. **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 would not be damaged.

a. 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.

For example, the partner/owner of a Certified Public Accounting (CPA) firm is also a university faculty member. This CPA firm cannot provide audit or other accounting related services for pay to the university.
b. 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.

c. 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.

For example, a student may not be assigned to work on research projects, such as a sociological research study, for his or her faculty member's consultant firm, nor may a faculty member submit papers for publication from work basically done by students without giving the appropriate credit.

d. 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).

e. 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.

For example, a management professor cannot refer university management activities to his or her management consultant firm.

f. A university employee selling goods and services to the university in areas unrelated to the employee's official duties and responsibilities.

For example, a university employee who sells paper or motor oil to the university or a university employee who owns a janitorial service that contracts with the university.

g. A university employee associating his or her name with the university in such a way as to profit financially by trading on the reputation or goodwill of the university.

For example, a psychology professor cannot generate outside research funds, in which he or she would personally profit, based upon the university's name or the faculty member's employment by the university.
h. A university employee making unauthorized use of privileged information acquired in connection with his or her university responsibilities.

For example, faculty or staff should not inform vendors about bid prices from other bidders, which would give them an unfair advantage in future bidding.
NORTH CAROLINA CENTRAL UNIVERSITY

ANNUAL NOTIFICATION AND DISCLOSURE FORM
TO REPORT NON-UNIVERSITY ACTIVITIES
FACULTY AND EPA NON FACULTY EMPLOYEES

(Annual Notification and Disclosure Form for Compliance with the CONFLICT OF INTEREST POLICY adopted by the UNC Board of Governors on April 16, 1993)

The following activities are allowable and do not need to be reported, except as indicated:

a. Employee receiving royalties from publication of books or licensure of patented invention subject to UNC and NCCU Patent and Copyright Policies. **Exception: Licensure of patented invention conflicts with UNC and NCCU Patent and Copyright Policies.

b. Employee having equity interest in a corporation, the exclusive function of which is to accommodate employee’s external consulting activities. **Exception: Said corporation’s function or external consulting activities violate other provisions of this policy.

c. Employee receiving nominal compensation in form of an honorarium or expense reimbursement in connection with service to professional associations, service on review boards, presentation of scholarly works, participation in accreditation reviews. **Exception: Stated compensation is paid for service which significantly interferes with or inhibits employee’s performance of his or her institutional duties, e.g., excessive tardiness or absence, failure to complete assigned tasks, or inability to discharge official duties.

You must complete one form for each activity. Complete or check appropriate responses which apply:

I. _____________________________________________________________(Full Name)

1. __________ Intend to engage in an external activity with

__________ Have already engaged in an external activity with

Name of Organization ____________________________________________
Address of Organization _________________________________________

From this organization. I
One or more of the following:

- Gift/Gratuity, i.e., trip, meal, furniture, equipment
- Compensation for service on Boards of Directors/Advisors
- Salary/Pay for services rendered
- Stock, Stock option, partnership share, other ownership interest
- Other (explain):

Do not plan to and have not engaged in any external activities.

If you check this response, do not complete items 2 through 8. However, you must complete Item #9.

2. Describe the nature of the non-university activity:

3. List the dates of the Activity:
   Beginning Date
   Ending Date

4. On the average, how many hours per week will be/have been devoted to this activity during the fiscal year (beginning July 1 of the current year and ending June 30 of the following year)?

   a. Twelve (12) Month Employees:
      Employees less than Twelve (12) Months:
      Second Summer Session
      Fall Semester
      Spring Semester
      First Summer Session

   b. Total Hours that will be, or have been, devoted to the activity:

      Explain when the activity will be, or has been, performed:
5. List any classes, duties, meetings or other University responsibilities that will be missed because of involvement in this activity. Nine (9) month employees should respond separately for each applicable component part of the academic calendar. State arrangements made to cover these missed duties:

ARRANGEMENTS TO COVER DUTIES

6. USE OF UNIVERSITY RESOURCES IN CONNECTION WITH PROPOSED ACTIVITY:
Will the activity involve the use of any University resources, such as services, facilities, equipment, supplies or personnel? _____ Yes _____ No
If yes, explain:

7. a. Does the above organization provide funding which directly supports your University duties or activities? _____ Yes _____ No
If yes, (i) How does it support University duty or activity?

(ii) Amount of support:

b. Is the organization a governmental agency? _____ Federal _____ State
Note: Payment for services from another state government agency must be reported under Dual Employment through NCCU's Office of the Comptroller.

8. a. Do you or any member of your immediate family own an equity interest in the organization? _____ Yes _____ No
If yes, (i) value of interest
(ii) Is interest less than 5% ownership ___ yes ___ no

b. Do you or any member of your family hold an office in the organization? _____ Yes _____ No
If yes, explain:

9. I have reviewed the NCCU Policy on External Professional Activities and Conflict of Interest. _____ Yes _____ No
a. Based on this review, I believe that my participation in the above activity does not:
   * Create a Conflict of Interest
   * Create a Conflict of Commitment
   * Involve Inappropriate Use or Exploitation of NCCU's Resources
   * Use name of the University of North Carolina or any of its constituent institutions for any purpose other than professional identification.
   * Claim any University or institutional responsibility for the conduct or outcome of such activities.

b. Based on this review, I am concerned about a possible conflict of interest/commitment with the activity described above.

Employee's Signature

Department

Academic Rank or Job Title

Administrative Title, if any

Date Signed

ADMINISTRATIVE ACTION ON NOTICE
Reviewed: activity determined to be consistent with University policy

Date

Department Head

Date

Dean or Other Administrative Officer

Other action (as required):

Date

Department Head

Date

Dean or Other Administrative Officer
APPENDIX XXI — CERTIFICATION OF OBJECTIVITY IN RESEARCH
North Carolina Central University has in effect a written and enforced administrative process to identify and manage, reduce or eliminate Significant Financial Interests as outlined in 42 CFR Part 50 (amended), Article 50.605.

Title of Proposal

Principal Investigator

North Carolina Central University:

_____ has not found a Significant Financial Interest in this research

_____ has found a Significant Financial Interest in this research. Actions will be taken prior to the award of funding to manage, reduce or eliminate that interest in accordance with 42 CFR Part 50; and will notify PHS of such action prior to issuance of the Notice of Grant Award.

Further, North Carolina Central University agrees to make information available, upon request, to Health and Human Services regarding all Significant Financial Interests identified by the institution, and how those interests have been managed, reduced or eliminated to protect the research from bias.

Director, Sponsored Research

Date

Note: This certification will be attached as an appendix to all PHS proposals per UNC-GA's request.
AFFIRMATIVE ACTION PROGRAM

for

INDIVIDUALS WITH DISABILITIES,
VIETNAM ERA VETERANS
and
SPECIAL DISABLED VETERANS
October 1, 1995 - September 30, 1996

OUTLINE

I. Policy Statement

Employment of Individuals with Disabilities 60-741.4(a)
Employment of Veterans 60-250.4(a)

II. Provisions for Affirmative Action

A. Dissemination of Policy (Internal and External) 60-741.6(f),(g)
60-250.6(f),(g)

B. Responsibility for Implementation 60-250.6(h)
60-741.6(h)

C. Implementation of Policy, Practices, and Procedures

1. Affirmative Action Clause 60-250.4
60-741.4

2. Invitation to Individuals 60-250.5(d)
60-741.5(c)(1)

3. Consideration of Qualifications 60-250.6(b)
60-741.6(b)

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APPENDIX XXII
STATEMENT OF POLICY
EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION
FOR INDIVIDUALS WITH DISABILITIES, VIETNAM ERA
VETERANS, AND SPECIAL DISABLED VETERANS

It is the policy of North Carolina Central University not to discriminate against any employee or applicant for employment because he or she is an individual with a disability, a special disabled veteran, or a Vietnam era veteran. It is also the policy of North Carolina Central University to take affirmative action to employ, and to treat equally in employment, all persons regardless of their status as individuals with disabilities, special disabled veterans, or veterans of the Vietnam era. This policy shall apply to all employment actions, including, but not limited to, recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
As Chancellor of North Carolina Central University, I am committed to the principles of Affirmative Action and Equal Employment Opportunity. In order to ensure its dissemination and implementation throughout all levels of the University, I have selected Audrey Crawford-Turner as the Affirmative Action Officer for North Carolina Central University.

In furtherance of its policy of Affirmative Action and Equal Employment Opportunity, North Carolina Central University has developed a written Affirmative Action Program which sets forth the policies, practices, and procedures which North Carolina Central University is committed to applying in order to ensure that its policy of non-discrimination against, and affirmative action for, individuals with disabilities, special disabled veterans, and Vietnam era veterans, is accomplished. This Affirmative Action Program is available for inspection by any employee or applicant for employment, during normal business hours, in the EEO/AA Office. Interested persons should contact Audrey Crawford-Turner, EEO/AA Officer, at (919)560-5438 for assistance.

Julius Chambers, Chancellor
North Carolina Central University

II. PROVISIONS FOR AFFIRMATIVE ACTION

A. Dissemination of Policy

Internal

1. A copy of our affirmative action program will be made available for inspection to any employee or applicant, upon request, to promote understanding, acceptance and support. It is re-emphasized to administrators and supervisors annually.

2. North Carolina Central University's Affirmative Action Policy and the "EEO is the Law" poster are posted on bulletin boards located throughout the campus.

3. All applicants and employees who believe they are physically or mentally disabled as defined in Section 503 of the Rehabilitation Act of 1973 or who are veterans as defined at 38 USC 2012 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 have been invited to identify themselves if they wish to benefit under this
affirmative action program. Such invitation has been posted on bulletin boards throughout the campus.

4. All employees will be advised annually of the University's policy and encouraged to aid in affirmative action necessary to a fair and effective program.

5. Briefing sessions will be conducted annually for administrators and supervisors to review the applicable regulations and to discuss affirmative action measures such as training and reasonable accommodation.

6. When making internal equal opportunity audits, implementation of this affirmative action plan will be reviewed.

7. Articles and pictures regarding affirmative action for individuals with disabilities, progress reports and promotions of employees with disabilities shall be included in University publications.

8. In addition to vice chancellors, deans, department heads, managers and supervisors having copies, reference copies of the full text of the Plan are located in the main Library, Human Resources office, and the office of the Affirmative Action Officer.

External

1. All subcontractors, vendors and suppliers have been sent written notification of University policy on Equal Opportunity and Affirmative Action for employment of individuals with disabilities, special disabled veterans, and veterans of the Vietnam era.

2. All recruiting sources, including state employment agencies, educational institutions and social service agencies have been informed of University policy concerning employment of individuals with disabilities, special disabled veterans, and veterans of the Vietnam era, and have been advised to actively recruit and refer qualified persons for positions listed.

3. North Carolina Central University lists all suitable employment openings with the appropriate local office of the North Carolina State Employment Security Commission, and maintains regular contact with

4. The affirmative action clause for individuals with disabilities, special disabled veterans, and veterans of the Vietnam era is included in all nonexempt subcontracts and purchase orders.

B. Responsibility for Implementation

Responsibilities of Affirmative Action Officer

In furtherance of its commitment to Affirmative Action for individuals with disabilities, special disabled veterans, and veterans of the Vietnam era, Julius L. Chambers, Chancellor of North Carolina Central University, has appointed Audrey L. Crawford-Turner as Affirmative Action Officer. She has been provided with the staff necessary to meet her responsibilities, which include, but are not limited to, the following:

1. The development of this Affirmative Action Program, Affirmative Action policy statement, personnel policies and procedures, internal and external communication of the policy and monitoring of the effectiveness of these actions.

2. Review of all personnel actions, policies, and procedures, to ensure compliance with North Carolina Central University's Affirmative Action obligations.

3. Review of the qualifications of each applicant for employment, to ensure careful consideration of all applicants, and to ensure that all hiring is done without regard to disability or veteran status.


5. Monitor the effectiveness of the program on a continuing basis, through the development and implementation of audit and reporting systems which measure the effectiveness of the program, indicate the
need for remedial action and determine the degree to which the University's objectives have been attained.

6. Keep administrators and supervisors informed of the latest developments in the affirmative action/equal employment opportunity area, through annual reports.

7. Keep the Chancellor informed of equal opportunity progress and problems within the University through periodic reports.


9. Review the University's Affirmative Action Policy for Individuals with Disabilities, Special Disabled Veterans, and Veterans of the Vietnam Era with all administrators and supervisors at all levels, to ensure that the policy is understood and is followed in all personnel activities.

10. Audit the contents of University bulletin boards annually to ensure compliance information is posted and is up-to-date.

11. Serve as liaison between the University and enforcement agencies.

12. Serve as liaison between the University and organizations for individuals with disabilities, special disabled veterans, and veterans of the Vietnam era.

13. Review the Affirmative Action program with administrators and supervisors on an annual basis, to ensure knowledge of their responsibilities for implementation of the program.

Responsibilities of Administrators and Supervisors

Administrators and supervisors are advised of their responsibilities under the University's Affirmative Action Program and policy for individuals with disabilities, special disabled veterans, and veterans of the Vietnam era, and of their obligations to:
Cooperate with the Affirmative Action Officer and assist the University administration at all levels in the identification of problem areas and implementing corrective action steps.

2. Review the University's Affirmative Action Policy for Individuals with Disabilities, Special Disabled Veterans, and Veterans of the Vietnam Era with subordinate supervisors to ensure that they are aware of the policy and understand their obligation to comply with it in all personnel actions.

3. Make all supervisors aware that their work performance is being evaluated on the basis of their affirmative action efforts and results, as well as other criteria.

4. Review all employees' performances, to ensure that non-discrimination and affirmative action is adhered to in all personnel activities.

5. Encourage all employees to participate in University sponsored recreational activities, training, and education, regardless of race, color, sex, religion, national origin, disability or veteran status.

6. Take all necessary action to ensure that there is no harassment of employees placed through the University's Affirmative Action efforts.

C. Implementation of Policy, Practices and Procedures

1. Affirmative Action Clause

Each contract or purchase order of $2,500 or more contains or incorporates by reference the Affirmative Action clause required by regulations at 41 CFR 60-741.4 for individuals with disabilities and each contract or purchase order of $10,000 or more contains or incorporates by reference the Affirmative Action clause required by regulations at 41 CFR 60-250.4 for special disabled veterans and veterans of the Vietnam era.

2. Invitation to Individuals

All applicants and employees who believe they have physical or mental disabilities as defined in Section 503 of the Rehabilitation Act of 1973, as amended, or who are veterans as defined under the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended (38 USC 2012) have been invited to identify themselves if they
wish to benefit under this affirmative action program. Such invitation has been posted on bulletin boards located throughout the University.

If an employee identifies himself or herself as a disabled individual, a special disabled veteran or a veteran of the Vietnam era, the Affirmative Action Officer and Director of Human Resources shall meet with the employee to determine whether he or she needs reasonable accommodation or has questions about job placement. If adjustments in working conditions or placement are needed, the Human Resources Director will recommend these accommodations to the appropriate supervisor.

3. Consideration of Qualifications

North Carolina Central University reviews its personnel processes to determine whether its present procedures assure careful, thorough and systematic consideration of the qualifications of known individuals with disabilities, special disabled veterans and veterans of the Vietnam era. This review covers all procedures related to the filling of job vacancies either by hire or promotion, as well as all training opportunities offered or available.

In determining the qualifications of veterans, the University limits its consideration of a covered veteran's military record, including discharge papers, to only the portion of that record which is relevant to the specific job qualifications for which the veteran is being considered.

Based upon its review of personnel processes, North Carolina Central University will modify those processes, when necessary, and will include the development of new procedures in this Affirmative Action Program. To date there have been no modifications necessary.

The procedures used in conducting this review have been designed to facilitate review of their implementation by North Carolina Central University and by the Government.

4. Physical and Mental Qualifications

The physical and mental job qualifications of all jobs are reviewed periodically to ensure that, to the extent that such qualification requirements tend to screen out qualified individuals with disabilities and special disabled veterans, they are consistent with business necessity and the safe performance of the job.
No qualification requirements have been identified which have such a screening effect. All job qualification requirements are found to be job related, and consistent with business necessity and safety.

North Carolina Central University will continue to review physical and mental job qualification requirements whenever a job is vacated and the University intends to fill it through either hiring or promotion, and will also conduct a qualifications review whenever changes occur in the way in which work is accomplished, such that job duties are changed.

Pre-employment physical and mental examinations are used only by University Police. North Carolina Central University affirms that information obtained as a result of these examinations are kept confidential, except as otherwise provided for in the regulations.

5. Reasonable Accommodations

North Carolina Central University commits to making a reasonable accommodation to the physical and mental limitations of individuals with disabilities and special disabled veterans, unless such accommodation would impose an undue hardship on the conduct of its business. In determining the extent of its obligation, the University will consider business necessity and financial costs and expenses, among other factors.

6. Compensation

North Carolina Central University does not reduce the compensation offered or paid to individuals with disabilities or special disabled veterans because of any disability income, pension or other benefit an applicant or employee may receive from another source.

7. Outreach and Recruitment

North Carolina Central University has reviewed its employment practices in order to ensure that its personnel programs provide required affirmative action in the employment and advancement in employment of qualified individuals with disabilities, special disabled veterans and veterans of the Vietnam era.

Based on the findings of its review, North Carolina Central University has taken appropriate outreach and positive recruitment activities. These include the following specific actions:
North Carolina Central University has developed internal communication of its obligations to engage in affirmative action efforts to employ qualified individuals with disabilities, special disabled veterans and veterans of the Vietnam era, in order to foster understanding, acceptance and support among the its employees and to encourage those persons to take the necessary action to assist North Carolina Central University in meeting its obligations.

North Carolina Central University informs all employees, actual or prospective, of its commitment to take affirmative action to increase employment opportunities for individuals with disabilities, special disabled veterans and veterans of the Vietnam era.

North Carolina Central University lists all suitable employment openings with the appropriate local office of the North Carolina State Employment Security Commission and maintains regular contact with the Veterans Employment Representatives. A copy of North Carolina Central University Affirmative Action Policy for individuals with disabilities, special disabled veterans and veterans of the Vietnam era, is provided to the North Carolina State Employment Security Commission annually.

North Carolina Central University has established meaningful contacts with state and local veterans groups.

The affirmative action clause for individuals with disabilities, special disabled veterans and veterans of the Vietnam era is included in all non-exempt subcontracts and purchase orders.

For each known disabled employee, special disabled veteran and veteran of the Vietnam era, the Director of Human Resources keeps a file or report identifying: (1) the employee's present position and accommodations offered, (2) other positions for which the employee applied, the reasons for rejection (if applicable), a summary of the qualifications of other candidates for the positions, and a description of the accommodations considered, and (3) training programs for which the employee was considered, the reasons for rejection (if applicable) and the accommodations considered.

8. Customer and Supplier Contracts and Vendor Purchase Orders

Each contract or purchase order of $2,500 or more contains or incorporates by reference the Affirmative Action clause required by regulations at 41 CFR 60-741.4 for individuals with disabilities, and each contract or purchase order of $10,000 or
more contains or incorporates by reference the Affirmative Action clause required by regulations at 41 CFR 60-250.4 for the special disabled veterans and veterans of the Vietnam era.

III. DEVELOPMENT AND EXECUTION OF ACTION PROGRAM

1. Job qualification requirements and position descriptions are made available to all persons involved in recruitment, screening and selection of employees in hiring and promotion.

2. The total selection process, including that for promotion and training, is reviewed to ensure freedom from stereotyping individuals with disabilities, special disabled veterans and veterans of the Vietnam era in any manner, including that which may limit their access to any job for which they are qualified.

3. Training is provided to all personnel involved in the recruitment, screening, hiring, promotion, disciplinary, and related employment processes, to ensure that the commitments made in the University's Affirmative Action Program are implemented.

4. North Carolina Central University participates in local job fairs sponsored by support groups for individuals with disabilities, special disabled veterans, and veterans of the Vietnam era.
APPENDIX XXIII — WORKPLACE SMOKING POLICY
WORKPLACE SMOKING POLICY

North Carolina Central University is required to comply with Federal, State and local regulations on smoking in the workplace. Based on reports surrounding the harmful effects of smoking and legislation of the North Carolina General Assembly, the University has adopted the following smoking policy. The policy will:

- Substantially reduce the involuntary exposure of non-smokers to environmental tobacco smoke
- Provide reasonable accommodations for smokers
- Provide maximum protection for University human resources and property

The contents of this policy is governed by NCGS 143-595 and outlines the designated smoking and non-smoking areas/buildings on the campus and is effective August 1, 1996.

SMOKING IS PROHIBITED:

- In all University buildings except as noted under Designated Smoking Areas
- In all classrooms, conference rooms, laboratories, restrooms, elevators and corridors
- Outside of building entrances/exits, near building ventilation systems or in indoor common areas where non-smokers may have to pass through smoke emitted by smokers
- Smoking is prohibited in the following buildings:

  Hubbard Chemistry Building
  Robinson Science Building
  Turner Law Building
  Shepard Library
  Lee Biology Building
  Old Health Building (Infirmary)
  B. N. Duke Auditorium
  Dent Human Sciences Building
  Dent Human Sciences Annex

  McDougal-McLendon Gymnasium
  Farrison-Newton Communications
  Art Museum
  Walker Complex
  Music Building
  Central Stores
  Fine Arts Building
  W. G. Pearson Cafeteria
  W. G. Pearson Cafeteria Annex
DESIGNATED SMOKING AREAS

- In academic and non-academic buildings not listed above, a private office may be designated "Smoking Permitted" or "No Smoking" by the occupant(s). However, the occupants should refrain from smoking when a non-smoker is present. Smoke from a "Smoking Permitted" office must be directly vented to the outside by an exhaust fan or open window. Smoke must not be recirculated to other parts of the building.

- Areas outside of the building may be designated as smoking areas.

- In residence halls, individual dormitory rooms may be designated "Smoking Permitted" or "No Smoking" by agreement between occupants or by the Office of Residential Life. Students may request to live in a "No Smoking or "Smoke Permitted" room. Smoke from a "Smoke Permitted" room must be directly vented to the outside by an exhaust fan or open window. Smoke must not be allowed to recirculate to other parts of the building.

Enforcement

All faculty, staff and students are responsible for adhering to and enforcing this policy. Any conflicts should be brought to the attention of the immediate supervisor or appropriate staff. In all cases, the right of a non-smoker to protect his or her health and comfort will take precedence over another person's desire to smoke.

Appropriate signage will be posted in designated and no smoking areas.

Smoking Cessation

Smoking cessation classes will be provided for anyone wishing to stop smoking. Employees should contact the Human Resources Department. Students should contact the Student Health Services.
POLICY STATEMENT:

It is the policy of North Carolina Central University to provide an environment for employees and students that is violence-free. Violence, or the threat of violence, by or against any employee or student or other person is prohibited on this campus. Violence, or the threat of violence, is contrary to North Carolina Central University policy and will subject the perpetrator to serious disciplinary action and possible criminal charges.

DEFINITIONS:

- **Violence** includes, but is not limited to, threats, physical attack, property damage, or intimidation.

- **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 the present 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.

PURPOSE:

The purpose of this plan is to provide a safe working and academic environment by identifying and responding to violence and threats of violence effectively. In addition, the plan outlines the duties and responsibilities of University personnel and students in the event of violence or the threat of violence on this campus.

GENERAL:

Violence, or the threat of violence, has no place on the campus. The goal of the University is to rid all work and academic sites of violent behavior or the
threat of such behavior. The shared obligation of all employees, students, and law enforcement agencies is to act individually and jointly to prevent or defuse actual or implied violent behavior on the campus.

UNIVERSITY RESPONSIBILITY:

It is the responsibility of the University to:

- Create and maintain a workplace designed to prevent workplace violence.
- Maintain records and report periodically on the operation of this plan and provide data on the incidence of workplace violence in a manner prescribed by the Office of State Personnel;
- Designate, assign or establish a crisis management team and a coordinator to develop a workplace violence prevention plan and to serve as a resource to management;
- Develop and implement a written workplace violence prevention plan; and
- Provide for training for supervisors relative to:
  - signs of potential workplace violence;
  - the duty to report and procedure for reporting violations; and
  - disciplinary procedures.

COVERAGE:

This plan applies to all employees and enrolled students of the University.

DISSEMINATION:

It is the responsibility of all University administrators, department chairpersons, supervisors, faculty, staff and students to be aware of and to follow the procedures established in this plan. Administrators and supervisors are required to disseminate a copy of this plan to every employee under his/her jurisdiction and share it with all new employees in the future. As a part of every new employee's orientation, the plan shall be explained and discussed. All employees will be required to certify that they received and understand the
University's Violence Prevention Plan (See Attachment A). The Plan will be included in the Faculty Handbook, the General Catalog, the Academic Administrator's Handbook and the Student Handbook.

PROHIBITED ACTIONS AND SANCTIONS:

It is a violation of this plan to:

- engage in threats of violence or violence as defined herein; or to
- use or possess an unauthorized weapon during a time covered by this policy.

The following behaviors or acts, but not all inclusive, are considered threats of violence or violence. Employees or students who exhibit these behaviors shall be in violation of University policy, the penalty for which can result in disciplinary action up to and including termination of their employment:

- physical harm or beatings resulting in injury or death;
- psychological trauma due to verbalized threats, stalking, etc.;
- property damage due to violence;
- homicide;
- rape, sexual assault, sexual harassment or sexual abuse;
- strangulation;
- gun shot wounds;
- stabbing;
- verbal abuse;
- harassment that results in creating an intimidating, hostile or offensive working or academic environment.

EXCEPTIONS TO THIS PLAN:

An employee may possess a weapon on campus if possession:

- is in compliance with North Carolina law; and
- is authorized by the 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 his/her job with the State of North Carolina.

REPORTING THREATS OF POTENTIAL VIOLENCE:

EMPLOYEES:

All threats of violence must be taken seriously and reported immediately. Any employee who has experienced or is aware of a job-related threat must report the incident on the Personal Safety Incident Report (Attachment B) to his/her supervisor in writing within one business day. (Employees shall also have the right to report any threat in violation of this policy directly to the Crisis Management Coordinator.)

It is imperative that the level of the situation be assessed initially by the supervisor. All supervisors must respond immediately to any employee's expression of concern for his/her job safety by:

- meeting with the individual staff person to hear his/her concerns,
- assessing the situation,
- discussing options which will provide support, and
- considering any employee's request for supervisor or University police presence at potentially dangerous interactions.

All supervisors are to advise immediately, or within one business day, the Crisis Management Coordinator of any threat reported to them (Attachment B). The Crisis Management Coordinator will take information on the threat, determine if investigation is necessary, conduct the initial investigation and assemble accordingly the Crisis Management Team (Attachment C).

If the initial investigation of a complaint reveals that the perpetrator does represent a threat to others, the Crisis Management Coordinator will convene the Crisis Management Team. At the initial meeting of the Crisis Management Team, all available information will be reviewed and an action plan developed. As determined by the Crisis Management Coordinator, the immediate supervisor may be included in the initial risk assessment meeting. The team will interview the reporting party and obtain information regarding the threat which will include:
who made the threat;
against whom was the threat made;
the specific language of the threat;
any physical conduct by the threatening party that substantiates that
the individual intends to follow through with the threat;
the names of any witnesses to the threat or violent conduct;
the time and place of the threat or violent conduct;
threats or violent conduct by the alleged perpetrator before this
incident; and
other information which will help ensure that the threat will not be
carried out or that violent conduct will not occur on the campus.

The Crisis Management Team will recommend to the Chancellor how the
University can monitor and control the employee. Options available are:

take no action;
take usual and customary disciplinary procedures;
give individual opportunity to resign without prejudice;
recommend voluntary counseling;
refer for formal fitness-for-duty evaluation;
place individual on medical leave and reevaluate situation after
treatment;
issue temporary or permanent restraining order;
notify law enforcement agencies and/or charge subject with
misdemeanor or felony;
notify targets of threat(s) to protect themselves;
provide security for specific individuals on campus or during
interviews.

Permanent options will not be implemented without first determining
compliance with the Americans with Disabilities Act, Affirmative Action Plan,
Family and Medical Leave Act and any other regulatory standards. However,
this does not preclude North Carolina Central University from implementing
temporary, immediate emergency options, such as employee removal from the
campus or emergency suspension, etc.

RIGHTS OF ACCUSED EMPLOYEES:

If adverse disciplinary action is taken against a permanent employee for
exhibiting violent activities, the employee will be given an opportunity to
defend himself/herself in accordance with appropriate University disciplinary
and grievance policies, rules and regulations. The accused employee has the right to know the nature of the complaint and confront his or her accuser, particularly when there are no witnesses to verify the allegations of the complaining party.

In protecting the rights of the accused employee, the Crisis Management Coordinator must limit disclosure of the threat and identity of perpetrators to involved supervisory personnel and the parties to whom the threats were specifically directed. However, if the threat of harassment is generalized or directed at the entire workplace, the goal of protecting the reputation and confidentiality rights of the perpetrator will be forfeited. Depending upon the magnitude of the threat and probability of its occurrence, the University may be required to compromise the confidentiality interests of the accused and reveal the nature of the threat and identity of the accused to the entire workplace.

In addition, the University and employees as a whole have a legal duty to warn potential victims of violence. The discharge of the duty to warn will vary with the facts of each case, but public interest outweighs the breach of trust involved in revelation of confidential communications, such as with an Employee Assistance Program (EAP) representative. Release of information must be cleared by the Chancellor and be made in a good-faith effort to warn potential victims regarding violent activities.

**STUDENTS:**

All threats of violence must be taken seriously and reported. Threats of violence by students to anyone on this campus are in violation of this plan and Section 3.02 (Prohibited Misconduct) of the Student Code of Conduct. (This document is located in the Office of the Vice Chancellor for Student Affairs). Reports of threats of violence will be disposed of in accordance with the disciplinary hearing procedures promulgated in the Student Code of Conduct.

Any member of the University (student, faculty, administrator or staff member) who has experienced or is aware of a threat of violence by a student in violation of this policy must report the incident within one school day to the Vice Chancellor for Student Affairs. The Vice Chancellor for Student Affairs will conduct a preliminary investigation and hearing with the student, if possible, to determine whether the student's continued presence in the University community is harmful to either the student or others.
If it is determined that the student's alleged act of misconduct is of such a serious nature that his or her continued presence at the University is potentially dangerous to the health and safety of the University community, its property, or its educational mission, the Vice Chancellor for Student Affairs may suspend the student for an interim period prior to the outcome of a full disciplinary hearing based on the merits of the charge. A judicial board hearing or administrative decision as provided under the Student Code of Conduct shall be initiated within seven days after the date of the interim suspension.

The Vice Chancellor for Student Affairs shall notify the Crisis Management Coordinator of all reports of threats of violence or violence by students.

PROHIBITION AGAINST RETALIATION:

Any person engaging in retaliation against any individual who acts in good faith by reporting real or implied violent behavior or violations of this plan shall be subject to disciplinary action under appropriate University policies, rules, and regulations.
REPORTING CRITICAL, EMERGENCY INCIDENTS:

EXAMPLES:

Critical, Emergency Incidents include, but are not limited to, any disturbance intentionally caused by any person who:

- engages in fighting or other violent conduct or in conduct creating the threat of imminent fighting or other violence;
- makes or uses any utterance, gesture, display or abusive language which is intended and plainly likely to provoke retaliation and thereby causes a breach of the peace;
- takes possession of, exercises control over, or seizes any University building or facility without the specific authority of the Chancellor or his authorized representative;
- disrupts, disturbs or interferes with the teaching of students;
- shoots, stabs, or physically assaults another person;
- makes a bomb threat; and
- makes a personal threat and has the present ability to carry it out.

PROCEDURE:

EMPLOYEES AND STUDENTS:

CALL THE UNIVERSITY POLICE DEPARTMENT AT 560-6106 AS SOON AS POSSIBLE.

When a situation on campus occurs that presents a clear and present danger to the lives of the employees or students or threatens to damage University property, the University will respond in accordance with the University's Emergency Plan.

The University Police Department (560-6106) is the primary contact for any type of on-campus emergency. The University Police Officers are available 24 hours a day, seven (7) days per week, and are professionally prepared to respond to any type of campus emergency. The University Police Chief will act as the Emergency Response Team Coordinator (ERTC). He/she will implement the Emergency Plan.
If you are the victim, or are a witness to any on-campus violent conduct, it is recommended that you do the following:

- Do not take any unnecessary chances.

- Avoid provoking or obstructing anyone who is exhibiting violent behavior.

- Be alert: Try to be aware of your surroundings at all times. The more alert you are, the less likely it would be for you to panic. Keep in mind that such a confrontation can happen at any time with little or no warning.

- Remain calm: In the event of a confrontation, do not panic. This could provoke undesirable behavior on the part of the violent individual(s). Do not take any action that could lead to harm for you or anyone else.

- Be observant, but not too obvious: A good description of the individuals in question can be very valuable later. Look for any distinguishing features, such as marks, scars, a limp, an accent, etc.

Post incident Reporting Procedures:

- Call the University Police Department at 560-6106.

- When calling, stay calm and carefully explain the problem and location to the dispatcher.

- Give a description of person(s) or property involved.

- If possible, quickly notify your supervisor and alert all persons in the area of the emergency.

- If necessary, and if you can, close down the operation and evacuate the building.

- Assist the University Police when they arrive by providing them with any additional information relative to the situation.
The University Police will assess the situation upon their arrival and, in accordance with the University’s Emergency Plan, begin to take the appropriate action warranted by the situation.

POST INCIDENT PROCEDURES:

TRAUMA DEBRIEFING:

University Police, as soon as the situation permits, will notify the Crisis Management Coordinator that a violent event has occurred on campus. The Crisis Management Coordinator will assemble the Crisis Management Team immediately. The Crisis Management Team will be responsible for:

- accounting for all personnel;
- assisting the Emergency Response Management Committee upon request;
- developing a plan for post-trauma care for affected parties;
- identifying any “at risk” persons;
- assessing the need for professional traumatic stress intervention services;
- facilitating management-led de-escalation meetings (these meetings are brief sessions providing employees and students with information and traumatic stress mitigation prior to their leaving the campus); and
- determining if group debriefing sessions are necessary.

EMPLOYEE COUNSELING:

Violence or the threat of violence in the workplace can be damaging to the employee physically and mentally. Counseling for victims of violence or threats shall be made available for employees through the State Employees’ Assistance Program (EAP). The EAP is an assessment and referral counseling program provided by the State of North Carolina to its employees and their families. Your visit with the EAP counselor will be confidential. No information about your contact will be given to anyone, including your supervisor, without your consent, and nothing about your problem will be put in your personnel record.
To obtain counseling services, employees can dial (919) 929-2362 or 1-(800) 543-7327 to arrange for a telephone consultation or an in-person appointment.

**STUDENT COUNSELING:**

Students may be deeply affected by the traumatic stress of a violent incident. The Counseling Center, with a staff of trained psychological counselors and a counseling psychologist, can provide a wide range of services to assist students in stress reduction and other reactions to the exposure to a traumatic event.

**TRAINING:**

**EMPLOYEES:**

The purpose of training and education is to ensure that employees are sufficiently informed about the safety and security hazards to which they may be exposed. All University employees shall be trained initially about the elements of this plan. The employee training program will also include the following elements:

- Employees shall be informed about increasing violence in the workplace and the fact that homicide has become one of the leading causes of occupational fatalities.

- Employees shall be trained in the identification of aggressive and violent predicting factors (Attachment D).

- Employees shall be trained to recognize signs generally exhibited by employees who turn violent (Attachment E).

- Employees shall be trained in effective methods and techniques to diffuse a potentially hostile situation that if ignored or instigated could escalate into violence against the affected employees.

- Employees shall be trained to report violent or potentially violent incidents as described in this policy.
Employees shall be made aware of all available exits in the event a situation warrants immediate evacuation of a building.

Employees shall be trained in the rudiments of documenting and reporting crimes.

Employees shall be made aware of the Human Resources Department's procedural guidelines for conducting mandatory employment verification investigations for prospective applicants who have received a conditional offer of employment.

Employees shall be informed of the counseling services provided for them through the Employee Assistance Program. All employees and eligible family members are encouraged to use these services to obtain professional assistance in coping with personal problems at home and at work.

Employees shall be trained on how to resolve conflicts through negotiation, effective communication and team building.

Employees shall be made aware of disciplinary procedures for violations of the policy.

Designated personnel shall be trained in post-incident management.

All employees must attend the training developed to implement this policy and plan. Thereafter, the training will be included as part of new employee orientation.

**STUDENTS:**

Students shall be informed of the Violence Prevention Plan during early orientation. The Personal and Social Development classes will be used as focus sessions to discuss with new students the Violence Prevention Plan and its relationship to the Student Code of Conduct. In-residence training, the Graduate Council and the Student Government Association will also be used to inform students of the Policy and Plan.

The student training program will consist of the following elements:
Students shall be informed about increasing violence in the workplace and the fact that homicide is one of the leading causes of occupational fatalities.

Students shall be trained in the identification of aggressive and violence predicting factors.

Students shall be trained to recognize signs generally exhibited by people who become violent.

Students shall be trained in effective methods and techniques to diffuse a potentially hostile situation that if ignored or instigated could escalate into violence against others.

Students shall be trained to report violent or potentially violent incidents as described in this policy.

Students shall be made aware of all available exits in the event a situation warrants immediate evacuation of a building.

Students shall be trained in the rudiments of documenting and reporting crimes.

Students shall be informed of the counseling services provided for them through the Counseling Center. All students are encouraged to use these services to obtain professional assistance in coping with personal problems related to violence.

Students shall be trained on how to resolve conflicts through negotiation, effective communication and team building.

Students shall be made aware of disciplinary procedures for violations of the policy under the Student Code of Conduct.

SECURITY SURVEY:

A security survey or worksite analysis shall be conducted by all building supervisors within thirty days of the effective date of this plan. A survey should identify existing security risks, situations that create or contribute to security risks, and areas where security risks may develop.
The objectives of the security survey are to recognize, identify and plan to correct security risks. To meet these objectives the following shall be included as a part of the survey:

- Review of records and information compiled on incidents or near incidents of assaulitive behavior by University personnel, students or the public;
- Identification of work positions in which staff is at risk for assaulitive behavior; and
- Identification of campus locations that lack security or administrative controls that increase the vulnerability of students and employees to violence.

Upon completion of the survey, risk factors and campus locations lacking appropriate security conditions that prompt incidents or near acts of violence will be addressed by the Crisis Management Team. In addition, administrative controls will be regularly evaluated to reduce or eliminate any identified risk factors.

ADVISORY NOTE:

Employees and students are encouraged to be alert to the possibility of violence on the part of employees, former employees, students, former students, and the public. Ignoring threats and violence can result in fatal incidents to employees, students or the public. Violence also affects morale, productivity, absenteeism and can result in increases in turnover, litigation costs, workers' compensation costs, and training costs. Violence often follows established threat patterns and behavioral changes that are easily observed and reasonably predictable. Violence can be prevented or reduced by responding effectively to threats.

Adopted this the 1st day of March, 1996.

(Revised August 1, 1996.)

Julius L. Chambers, Chancellor
Attachment A

NORTH CAROLINA CENTRAL UNIVERSITY
VIOLENCE PREVENTION PLAN

EMPLOYEE CERTIFICATION

I hereby certify that I have received a copy of the Violence Prevention Plan. I understand that exhibiting violent behaviors, issuing threats, or other activities as indicated are a violation of this plan. I also realize that encouraging, instigating, or participating in threats or violent activities is prohibited. I understand that violation of this plan may result in disciplinary action up to and including termination of employment.

I acknowledge responsibility to notify my supervisor regarding threats, potential acts of violence, or violent activities. I realize that reported allegations must be made in good-faith in order to protect individuals and employees from defamation. I understand that deliberate and unwarranted allegations will be viewed as an attempt to disrupt University operations and that disciplinary action may be taken against me.

I acknowledge that I am not to have anything on this campus that can be construed or used as a dangerous weapon, such as firearms, knives, clubs, sticks, etc. I realize that North Carolina Central University has the right to search my work area and desk for any item that can be used or construed as a dangerous weapon. Further, the University may seize any item deemed a dangerous weapon under this plan.

_________________________  ________________________________
Date                                           Signature

265    APPENDIX XXIV
Attachment B

NORTH CAROLINA CENTRAL UNIVERSITY
PERSONAL SAFETY INCIDENT REPORT

Report of violent incident _____ Warning of Potential Violence _____

Your name: ___________________ Job title: ___________________
Department: _________________ Telephone #: ___________________

Date and time of incident: _____________________

Location:

Person exhibiting violent behavior or threat of violent behavior:
Name: ___________________ Job title: ___________________
Department: _________________ Telephone #: ___________________

Type of Incident:
___ Face-to-face Threat ___ Physical Assault
___ Telephone Threat ___ Property damage
___ Other: _____________________

Describe what happened (also include events which may have triggered the incident, preventions steps, defensive actions, etc.)

_____________________________________________________
_____________________________________________________
_____________________________________________________
_____________________________________________________
_____________________________________________________
_____________________________________________________

Witness List:
Name: ___________________ Job title: ___________________
Department: _________________ Telephone #: ___________________

Name: ___________________ Job title: ___________________
Department: _________________ Telephone #: ___________________

Name: ___________________ Job title: ___________________
Department: _________________ Telephone #: ___________________

Your signature: ___________________ Date: ______________

FORWARD COMPLETED FORM TO YOUR IMMEDIATE SUPERVISOR WITHIN 24 HOURS
### NORTH CAROLINA CENTRAL UNIVERSITY
#### CRISIS MANAGEMENT TEAM

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<tr>
<td>Audrey Crawford-Turner</td>
<td>560-5438</td>
<td>489-5289</td>
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<tr>
<td>Crisis Management Coordinator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>406 Gatehouse Lane</td>
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<tr>
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<tr>
<td>Director of Public Relations</td>
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<tr>
<td>611 Epworth Place</td>
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<tr>
<td>McDonald Vick</td>
<td>560-6106</td>
<td>309-9603</td>
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<tr>
<td>Chief of Police</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 White Ash Drive</td>
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<td>Director of Human Resources</td>
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<tr>
<td>701 Old Barn Avenue</td>
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<td>Kaye Webb</td>
<td>560-6105</td>
<td>832-1038</td>
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<td>Assistant to the Chancellor for Legal Affairs</td>
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</tr>
<tr>
<td>1020 Belfast Drive</td>
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<tr>
<td>Chairperson, Nursing Department</td>
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<tr>
<td>4619 Hope Valley Road</td>
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<td>Major, University Police</td>
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<td>(office)</td>
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<td>Catilla Everette</td>
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<tr>
<td>President, Student Government Association</td>
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<td></td>
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<td>Office of Student Affairs</td>
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<tr>
<td>211 Hoey Administration Building</td>
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<td>North Carolina Central University</td>
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<tr>
<td>Leslie Brinson</td>
<td>560-5166</td>
<td>876-3129</td>
</tr>
<tr>
<td>Professor, Psychology Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4617 Limerick Drive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Raleigh, NC 27604</td>
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</tbody>
</table>
Jeremy Ardrey
8704
President, Student Government Association
209 Annie Day Shepard Residence Hall
North Carolina Central University
NORTH CAROLINA CENTRAL UNIVERSITY

Typical Characteristics of a Violent Employee

- Usually male, often in late thirties or forties;
- Typically a "loner" with few friends, weak support system, shallow interpersonal relationships - exception may be a romantic interest in a co-employee, who may be repeatedly harassed;
- Close identity of self and self-worth with his job;
- History of violence (mentions past incidents of violence);
- Externalizes blame - "not my fault";
- May be paranoid - guarded, over-sensitive to criticism, defensive, etc.;
- History of drug or alcohol abuse;
- History of failures or rejections;
- Access and preoccupation with weapons;
- Unexplained changes in behavior;
- Life stresses away from the workplace;
- Does not take criticism well;
- Suicidal; and
- Life stresses exacerbated by the threat or reality of job loss (i.e., layoffs, labor disputes, etc.)
Early Warning Signs Exhibited by Employees Who Turn Violent

Workplace violence is difficult to predict in terms of specifically which employees will commit aggressive acts. However, a number of signs generally are exhibited by employees that turn violent.

- Sudden personality changes;
- Job performance suddenly becomes more erratic;
- Employee makes open comments about being treated badly, wanting to strike back;
- Behavior that suddenly turns more aggressive, such as bullying, intimidating behavior toward supervisors or fellow workers;
- Showing off, commenting or actually brandishing a weapon;
- Bizarre thoughts spoken aloud, often stemming from a sense that he/she should have been promoted, transferred or is entitled to advancement;
- Obsessions, such as nursing a grudge against a co-worker or supervisor, or from frustrated romantic interests;
- Employee is involved in frequent disputes with co-workers or supervisor;
- Ominous threats, such as "bad things are going to happen to so an so; "that propane tank in the back could blow up easily..." or boasts of a plan that will "solve everything";
- Bizarre thoughts such as perceiving that the world is falling apart; and
- Employee routinely violates management policy or has a violent reaction or overreaction to a policy.
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Bylaws

of the Board of Trustees

of North Carolina Central University

As Revised April 23, 1997
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BYLAWS
OF THE BOARD OF TRUSTEES
OF NORTH CAROLINA CENTRAL UNIVERSITY

ARTICLE I
Name

The name of this Board shall be the Board of Trustees of North Carolina Central University. North Carolina Central University is a constituent institution of The University of North Carolina.

ARTICLE II
Purpose

The purpose of this Board is to perform the powers and duties as prescribed by the applicable provisions of Chapter 116 of the North Carolina General Statutes and by The Code of the Board of Governors of The University of North Carolina.

ARTICLE III
Membership

Section 1. Composition. The membership of this Board shall be composed of thirteen persons chosen as follows: (1) eight elected by the Board of Governors, (2) four appointed by the Governor, and (3) the president of the student government of North Carolina Central University, ex officio.

Section 2. Terms of Office, Elective and Appointive. In every odd-numbered year, the Board of Governors shall elect four persons to this Board and the Governor shall appoint two persons to this Board. The term of office of all Trustees, excluding the ex officio Trustee, shall be four years, commencing on July 1 of odd-numbered years. The term of office of the ex officio trustee shall be for one (1) year commencing on July 1 of each year.

Section 3. Persons Ineligible for Membership.
   a) Any person who has served two full four-year terms in succession as a member of this Board shall, for a period of one year, be ineligible for election or appointment to this Board. However, such person may be appointed to the Board of Trustees of another institution of The University of North Carolina.

   b) No member of the North Carolina General Assembly or officer or employee of the State of North Carolina or of any constituent institution of The University of North Carolina or spouse of any such member, officer, or employee shall be eligible for election or appointment as a Trustee of this Board.
c) No person may serve simultaneously as a member of this Board of Trustees and as a member of the Board of Governors of The University of North Carolina.

Section 4. Vacancies.

a) Any Trustee who is elected or appointed to the North Carolina General Assembly or who becomes an officer or employee of the State of North Carolina or of any constituent institution of The University of North Carolina or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee shall be deemed thereupon to resign from membership on the Board of Trustees.

b) Any Trustee who is elected or appointed to the Board of Governors shall be deemed to resign as a Trustee of this Board effective as of the date that his term commences as a member of the Board of Governors.

c) Whenever any vacancy shall occur in the membership of the Board of Trustees among those appointed by the Governor, it shall be the duty of the Secretary of the Board to inform the Governor of the existence of such vacancy and the Governor will appoint a person to fill the expired term. Whenever any vacancy shall occur among those elected by the Board of Governors, it shall be the duty of the Secretary of the Board to inform the Board of Governors of the existence of the vacancy and the Board of Governors will elect a person to fill the unexpired term.

d) Whenever a member shall fail, for any reason other than ill health or service in the interest of the State or nation, to be present for three successive regular meetings of the Board of Trustees, his place as a member shall be deemed vacant.

Section 5. Trustee Emeritus Honorary Members. By majority vote at the annual meeting, honorary life membership and the title of "Trustee Emeritus" can be conferred upon a former Trustee who shall have rendered notable service to the Board and North Carolina Central University. A Trustee Emeritus shall have none of the obligations of membership but shall be entitled to all privileges, except those of making motions, of voting, and of holding office; provided further that a Trustee Emeritus has no membership privilege that is inconsistent with State law or The Code of the Board of Governors of the University of North Carolina.

ARTICLE IV

Powers and Duties

Section 1. General Powers and Duties. This Board shall promote the sound development of North Carolina Central University within the functions prescribed for it, helping it to serve the State of North Carolina in a way that will complement the activities of the other constituent institutions of
The University of North Carolina and aiding it to perform at a high level of excellence in every area of endeavor. This Board shall serve as advisor to the Board of Governors on matters pertaining to North Carolina Central University and shall also serve as advisor to the Chancellor concerning the management and development of North Carolina Central University.

Section 2. Other Powers and Duties. This Board shall have such powers and duties, not inconsistent with the provisions of The Code of the Board of Governors of the University of North Carolina or with applicable provisions of State law as defined and delegated by the Board of Governors of The University of North Carolina.

a) Academic Affairs

1. Academic Program. The Board of Trustees shall be responsible for insuring North Carolina Central University'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.

2. Academic Degrees. Subject to authorization by the Board of Governors of the nature and content of specific degree programs which may be offered by North Carolina Central University, North Carolina Central University shall determine whether an individual student shall be entitled to receipt of a particular degree. No appeal from such an institutional decision shall lie beyond the Board of Trustees, unless it is alleged that the institutional decision was violative of an established policy of the Board of Governors.

3. 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 North Carolina Central University, subject to such policies as may be established by the Board of Governors.

4. Admissions. Subject to such enrollment levels and minimum general criteria for admission as may be established for North Carolina Central University by the Board of Governors, North Carolina Central University 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, unless it is alleged that an established policy of the Board of Governors or a law or Constitutional provision of North Carolina or the United States has been violated in the admission-evaluation process at the campus level.
b. Financial Affairs

1. Budget Administration. The Board of Trustees shall advise the Chancellor with respect to the development of Budget estimates of the institution and with respect to the execution and administration of the budget of North Carolina Central University, as approved by the General Assembly and the Board of Governors.

2. Property and Buildings. a) The Board of Trustees shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to construction of state-owned buildings, for the following matters concerning campus 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.

b) 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 North Carolina Central University, consistent with the total academic and service mission of the institution as defined and approved by the Board of Governors.

c) Any proposal involving the acquisition or disposition by North Carolina Central University 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.

d) The value of an interest in real estate shall, with respect to a lease, be deemed the annual rental thereof. The Board of Trustees may delegate to the Chancellor the power to authorize for North Carolina Central University 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.
3. 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, the 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 and trust funds, either currently in existence or to be established in the future, for the benefit of North Carolina Central University.

4. Tuition, Fees, and Deposits. (a) General Authority. The Board of Trustees 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.

(b) Tuition and Fee Deposits. The Board of Trustees shall require the payment of such advance deposits, at such time and under such conditions, as may be required by State law or by the Board of Governors.

(c) Application Fee. The 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.

(d) Acceptance of Obligations in Lieu of Cash. Subject to policies prescribed by the Board of Governors, the Board 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.

(e) Auxiliary Enterprises, Utilities and Miscellaneous Facilities. Pursuant to applicable provisions of State law and policies of the Board of Governors, the Board of Trustees of North Carolina Central University 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, and child development centers.

c) Academic and Administrative Personnel

1. The Board shall provide consultation to the Chancellor 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, prior to the Chancellor’s forwarding his recommendations with respect to
such appointments, promotions, and compensation to the President. If the President concurs in such recommendations, pursuant to or under the authority of the University Code, the President shall forward the recommendations to the Board of Governors.

2. The Board shall receive the recommendations of the Chancellor for appointment, promotion, and compensation of all faculty and administrative positions, other than those identified in Section 3 c)1 above and other than those subject to the State Personnel Act, 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.

3. 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.

4. 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.

5. Chancellor Selection.

(a) 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 Chairperson of the Board and the President shall jointly establish a budget and identify staff for the committee.

(b) The search committee, through its chairperson, 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 those candidates.

(c) 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.
d) **Student Affairs**

1. **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 North Carolina Central University shall be administered by North Carolina Central University pursuant to such regulations as may be prescribed by the Board of Trustees and subject to the terms of any applicable laws and policies of the Board of Governors.

2. **Student Services.** The 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 North Carolina Central University, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.

3. **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.

**ARTICLE V**

**Officers**

Section 1. The officers of the Board shall be a Chairperson, a Vice Chairperson, and a Secretary. These officers shall perform the duties prescribed by these bylaws, by the University Code, and by the parliamentary authority adopted by the Board.

Section 2. **Election of Officers.** At the annual meeting, the first regular meeting after June 30 of each year in September, the Board of Trustees shall elect from its membership a Chairperson, a Vice Chairperson and a Secretary. At the regular meeting held on the fourth Wednesday in June, a Nominating Committee of three (3) members shall be elected by the Board. It shall be the duty of this committee to nominate at least one candidate for each office to be filled at the annual meeting. The Nominating Committee shall make its report in writing by mailing its report to each member of the Board at least 20 days prior to the annual meeting. Before the election at the annual meeting, additional nominations from the floor shall be permitted.
Section 3. Terms of Office. The Officers shall be elected to serve for one year or until their successors are elected, and their term of office shall begin at the close of the annual meeting.

Section 4. Assistant Secretary. The Board may also elect an Assistant Secretary from among the members of the Chancellor's staff. Copies of all minutes, papers and documents of the Board of Trustees may be certified by its Assistant Secretary with the same force and effect as though such certification were made by the Secretary of the Board.

ARTICLE VI
Meetings

Section 1. Regular Meetings. The regular meetings of the Board shall be held on the fourth Wednesday in September, November, February, April and June unless otherwise ordered by the Board or the Chairperson of the Board.

Section 2. Annual Meetings. The first regular meeting held after June 30 of each year in September shall be known as the annual meeting and shall be for the purpose of electing officers, receiving reports of officers and committees, and transacting any other business that may arise.

Section 3. Special Meetings. Special meetings may be called by the Chairperson of the Board or shall be called upon the written request of seven (7) members of the Board. The purpose of the meeting shall be stated in the call. Except in cases of emergency, at least three days' notice shall be given.

Section 4. Quorum. Seven members of the Board shall constitute a quorum for meetings of the Board of Trustees. A majority of the members of a committee shall constitute a quorum. All actions of the Board or of committees of the Board shall be taken at a meeting at which a quorum is present by majority vote of the members of the Board or committees, except where otherwise stated in these bylaws.

ARTICLE VII
Committees

Section 1. Standing Committees. The standing committees of the Board shall be the Finance Committee, Building Committee, Educational Planning and Academic Affairs Committee, Executive Committee, Development Committee, Personnel Committee, and the Trustee-Student Relations Committee. Standing Committees shall be appointed by the Chair promptly after the Annual Meeting.

Section 2. Finance Committee. The Finance Committee shall be composed of five (5) Trustees. It
shall be the duty of this committee to receive the advice and recommendations of the Chancellor and make recommendations to the Board on matters pertaining to financial affairs, budget administration, endowments and trust funds, tuition, fees and deposits, and auxiliary enterprises, utilities and miscellaneous facilities.

Section 3. Building Committee. The Building Committee shall be composed of five (5) Trustees. It shall be the duty of this committee to receive the advice and recommendations of the Chancellor, and make recommendations to the Board on matters pertaining to property and buildings.

Section 4. Executive Committee. The Executive Committee shall consist of five (5) Trustee members as follows: The Chairperson of the Board, who will serve as Chairperson of this Committee; the Vice-Chairperson of the Board; three other members to be appointed annually by the Chairperson of the Board. Members of this Committee will also be eligible to serve on other committees. The responsibilities of this Committee shall be as follows:

a) Serve to represent the full Board for items requiring action between regular meetings of the full Board of Trustees.

Section 5. Development Committee. The Development Committee shall consist of four (4) to six (6) members appointed annually by the Chairperson of the Board of Trustees. In addition to special duties assigned to the Committee by the Chairperson of the Board, the regular responsibilities of the Committee shall be as follows:

a) Upon recommendation of the Chancellor, or upon decision of the Committee, review and make recommendations to the Board in all areas pertaining to development, public affairs and athletic efforts of the University.

b) Upon recommendation of the Chancellor, or upon decision of the Committee, keep the Board advised concerning athletic policies and plans.

c) Upon recommendation of the Chancellor, or upon decision of the Committee, keep the Board informed concerning programs, campaigns, operations, and investments of the North Carolina Central University Foundation. At least, one member of the Development Committee shall serve on the Board of Directors of the Foundation.

d) Be concerned with the public image of the University. Upon recommendation of the Chancellor, or upon decision of the Committee, review and make recommendations to the Board of the formulation of University policies affecting the Public Affairs area.

e) Be concerned with the work of the North Carolina General Assembly as it relates to the
University. The Committee shall keep the Board informed of legislative activities and upon recommendation of the Chancellor, or upon decision of the Committee, shall make recommendations to the Board on actions to be taken in making the University's position known to members of the Board of Governor's and/or the General Assembly.

f) To advise and consult with the Vice Chancellor for Development on capital and other fundraising campaigns to enhance the University's image among all University supporters and constituents.

Section 6. Educational Planning and Academic Affairs Committee. The Educational Planning and Academic Affairs Committee shall be composed of five (5) Trustees. It shall be the duty of this committee to receive the advice and recommendations of the Chancellor and make recommendations to the Board on matters pertaining to academic affairs, academic programs, academic degrees, honorary degrees and distinctions, and admissions.

Section 7. Personnel Committee. The Personnel Committee shall be composed of five (5) Trustees. It shall be the duty of this committee to receive the advice and recommendations of the Chancellor and make recommendations to the Board on matters pertaining to academic and administrative personnel.

Section 8. Trustee-Student Relations Committee. The Trustee-Student Relations Committee shall be composed of five (5) Trustees. It shall be the duty of this committee to receive the advice and recommendations of the Chancellor and make recommendations to the Board on matters pertaining to Student Affairs, student financial aid, student services, student conduct, activities, and government, and intercollegiate athletics.

Section 9. Other Committees. Such other committees shall be appointed by the Chairperson as the Board shall from time to time deem necessary to carry on the work of the Board. The Chairperson shall be ex officio a member of all committees except the Nominating Committee.

ARTICLE VIII
The Board of Trustees of the Endowment Fund
of North Carolina Central University

Section 1. Authority to Establish. The Board of Trustees of North Carolina Central University shall establish and maintain, pursuant to State law and to such terms and conditions, uniformly applicable to all constituent institutions, as the Board of Governors of the University of North Carolina may from time to time prescribe, an endowment fund for North Carolina Central University. The Board shall establish an investment board to be known as "The Board of Trustees of the Endowment Fund of North Carolina Central University" consistent with the powers and duties prescribed by State law.
Section 2. Composition. The Board of Trustees of the Endowment Fund shall consist of five (5) members, including the Chairperson of the Board of Trustees of North Carolina Central University, the Chancellor of North Carolina Central University, and three other persons, not necessarily members of the Board of Trustees, to be chosen by the Board of Trustees. The Chairperson of the Board of Trustees shall be the Chairperson of the Board of Trustees of the Endowment Fund. The three (3) elected members shall serve for terms prescribed by the Board of Governors.

Section 3. Powers, Duties, and Responsibilities. The Trustees of the Endowment Fund may receive and administer as part of the endowment fund gifts, devises, and bequests and any other property of any kind that may come to them from the Board of Governors of the University of North Carolina or that may come to the trustees of the endowment fund from any other sources, excepting always the moneys received from State appropriations and from tuition and fees collected from students and used for the general operation of North Carolina Central University.

a) It is not the intent of State law that the proceeds from any endowment shall take the place of State appropriations or any part thereof, but it is the intent of State law that these proceeds shall supplement the State appropriations to the end that North Carolina Central University may improve and increase its functions, may enlarge its areas of service, and may become more useful to a greater number of people.

b) The trustees of the Endowment Fund shall be responsible for the prudent investment of the fund to the exercise of their sound discretion, without regard to any statute or rule of law relating to the investment of funds by fiduciaries but in compliance with any lawful condition placed by the donor upon that part of the endowment fund to be invested,

c) In the process of prudent investment or to realize the statutory intent of the endowment, the Board of Trustees of the Endowment Fund may expend or use interest and principal of gifts, devises, and bequests; provided that, the expense or use would not violate any condition or restriction imposed by the original donor of the property which is to be expended or used. To realize the statutory intent of the endowment fund, the Board of Trustees of the Endowment Fund may transfer interest or principal of the endowment fund to the useful possession of North Carolina Central University; provided that, the transfer would not violate any condition or restriction imposed by the original donor of the property which is the subject of the proposed transfer.

d) The Trustees of the endowment fund shall have the power to buy, sell, lend, exchange, lease, transfer, or otherwise dispose of or to acquire (except by pledging their credit or violating a lawful condition of receipt of the corpus into the endowment fund) any property, real or personal, with respect to the fund, in either private or public transaction,
and in doing so they shall not be subject to the provisions of Chapters 143 and 146 of the General Statutes; provided that, any expense or financial obligation of the State of North Carolina, created by an acquisition or disposition, by whatever means, of any real or personal property of the endowment fund shall be borne by the endowment fund unless authorization to satisfy the expense or financial obligation from some other source shall first have been obtained from the Director of the Budget after the Director of the Budget consults with the Advisory Budget Commission.

c) Any gift, devise, or bequest of real or personal property to North Carolina Central University, nothing to the contrary appearing, a gift, devise, or bequest, as the case may be, to the endowment fund of the North Carolina Central University.

t) Whenever any property of an endowment fund authorized by G.S. 116-36 is disposed of or otherwise transferred from the endowment fund, any instrument of transfer shall indicate that the donor, grantor, seller, lessor, lender, or transferor, as the case may be, is the Board of Trustees of the Endowment Fund of North Carolina Central University.

ARTICLE IX
The Chancellor of North Carolina Central University

Section 1. General Authority. The Chancellor of North Carolina Central University shall be the administrative and executive head of North Carolina Central University and 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.

Section 2. Relationship of the Chancellor to the Board of Governors and the President.

a) 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 North Carolina Central University. Upon request, the Chancellor shall be available to confer with the President or with the Board of Governors concerning matters that pertain to North Carolina Central University. As of June 30 of each year the Chancellor shall prepare for the Board of Governors a detailed report on the operation of North Carolina Central University for the preceding year. 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.

b) The Chancellor shall make recommendations for development of the educational programs of North Carolina Central University and shall serve as general advisor to the President and through the President the Board of Governors with respect to all programs
and activities of North Carolina Central University.

c) The Chancellor shall be responsible to the President for the administration of North Carolina Central University, including the enforcement of the decisions, actions, policies, and regulations of the Board of Governors applicable to North Carolina Central University.

d) The Chancellor shall present to the President all matters concerning North Carolina Central University 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 of the University of North Carolina, the Chancellor shall participate in the development of the proposed budget of the Board of Governors of the University of North Carolina.

e) 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.

Section 3. Relationship of the Chancellor to the Board of Trustees

a) 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 North Carolina Central University and its needs. The Board of Trustees may convene in executive session, consistent with State law and policy.

b) As of June 30 of each year, the Chancellor shall prepare for the Board of Trustees a detailed report on the operation of North Carolina Central University for the preceding year. 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 North Carolina Central University.

c) The Chancellor shall be responsible to the Board of Trustees for enforcing all policies, rules and regulations of the Board of Trustees.

d) 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 North Carolina Central University.

Section 4. Relationship of the Chancellor to North Carolina Central University
a) 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 North Carolina Central University; the Chancellor shall promote the educational excellence and general development and welfare of North Carolina Central University; the Chancellor shall define the scope of authority of faculties, councils, committees, and officers of North Carolina Central University; and all projects, programs and institutional reports to be undertaken on behalf of North Carolina Central University shall be subject to the Chancellor’s authorization and approval.

b) The Chancellor shall be a member of all faculties and other academic bodies of North Carolina Central University and shall have the right to preside over the deliberations of any legislative bodies of the faculty of North Carolina Central University.

1. The Chancellor shall be responsible for insuring that there exists in North Carolina Central University 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 members and appropriate administrators, may function, as the council or senate. The faculty shall be served by a chairperson 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 North Carolina Central University that are of interest and concern to the faculty.

2. In addition to insuring the establishment of a council or senate, the Chancellor shall insure the establishment of appropriate procedures with North Carolina Central University 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.

c) 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 North Carolina Central University. 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 this duty with regard to 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 him and the right to such advice and assistance in his own defense as may be allowable under the regulations of the institution as approved by the Chancellor. In those instances where any denial of any of these rights is alleged, it shall be the duty of the President to review the proceedings.

d) The Chancellor, following consultation with the Board of Trustees, shall forward to the President recommendations with respect to appointments, promotions and compensation of 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.

e) With respect to all faculty and administrative positions, other than those identified in section d) above and other than those subject to the State Personnel Act, the Chancellor shall forward his recommendations for appointment, promotion and compensation to the Board, and the action of the Board of Trustees with respect to such personnel shall be final.

f) The Chancellor shall be responsible for the establishment and supervision of North Carolina Central University's program of intercollegiate athletics, subject to such policies as may be prescribed by the Board of Governors and the Board of Trustees.

g) The Chancellor shall be responsible to the Board of Trustees for enforcement of all regulations adopted for traffic and parking and vehicle registration.

h) The Chancellor shall be responsible for the maintenance of campus security, subject to the provisions of State law and such policies as may be adopted by the Board of Governors or the Board of Trustees.

ARTICLE X
Parliamentary Authority

The rules contained in the current edition of Robert's Rule of Order Newly Revised shall govern the Board in all cases in which they are applicable and in which they are not inconsistent with state law, the University Code, these bylaws and any special rules of order the Board may adopt.

ARTICLE XI
Amendment of Bylaws

These bylaws can be amended at any regular or special meeting of the Board by a two-thirds vote,
provided that the proposed amendment is mailed to each Trustee at least seven days prior to the meeting at which the amendment is to be voted upon.

Adopted by the Board of Trustees of North Carolina Central University
April 23, 1997
NORTH CAROLINA CENTRAL UNIVERSITY

FACULTY SENATE

CONSTITUTION
(AMENDED APRIL, 1992)

&

BYLAWS
(AMENDED MAY, 1994)
Amended April 20, 1992

CONSTITUTION OF THE FACULTY SENATE
OF
NORTH CAROLINA CENTRAL UNIVERSITY

PREAMBLE

The faculty of North Carolina Central University, accepting its great responsibility for the growth and the development of the academic program of the University and believing that the governance of the University affects its academic life, hereby establishes through this constitution, a mechanism for advising the Chancellor of the University relative to the governance of the University.

ARTICLE I

Name

The name of the North Carolina Central University faculty organization shall be the North Carolina Central University Faculty Senate.

ARTICLE II

Purpose

The purpose of the North Carolina Central University Faculty Senate shall be to participate fully in an advisory capacity in the formulation, the implementation, and the review of the University's policies and regulations that are of faculty concern. The Senate shall work to promote and encourage among faculty, students, administrators, and Board of Trustees an atmosphere of understanding, of trust, and of unity of purpose that will foster
an effective and enlightened University.

**ARTICLE III.**

Membership

**SECTION 1.** The Senate shall consist of two groups of members, elected and ex-officio. Only elected members shall have the right to vote.

The ex-officio members shall be the Chancellor, the Provost, the Vice-Chancellors, and the deans of the various schools and colleges.

Any member of the general faculty -- as defined in the Bylaws of the North Carolina Central University Faculty Senate (hereinafter Bylaws) -- except ex-officio members, shall after two years on the faculty, be eligible for election to the Senate.

**SECTION 2.** Each department or school shall choose Senate representatives by vote and forward annually the names of Senators-elect to the Senate Chair no later than the first week of March. In order for the Senate to maintain accurate records, such information should be forwarded even if no changes are to be made in representation for the following year.

**SECTION 3.** Each department or school shall choose an Alternate for each Senate representative and forward the name to the Senate Chair as described above. Qualifications for Alternates shall be the same as those for Senate representatives.

**SECTION 4.** A delegate to the Senate shall be elected to a term of three years. Upon the close of the term, the Senator shall be ineligible for re-election until one year has passed, except
that a Senator from a department comprised of one member only shall continue to serve on the Senate.

SECTION 5. Tenure for any Alternate shall coincide with that of the Senator for whom the Alternate serves.

SECTION 6. All full-time academic faculty members may attend any meeting of the Senate and shall be free to engage in floor discussions. Voting privileges are reserved to Senators or, in the absence of Senators, to their Alternates.

SECTION 7. The Chancellor and all other ex-officio members or their representatives are expected to attend all meetings of the Senate.

ARTICLE IV

Officers and Election of Officers

SECTION 1. Officers of the Senate shall be Chair, Vice Chair, Secretary, and Parliamentarian. The Chair, Vice Chair, Secretary and Parliamentarian shall comprise the Executive Committee.

SECTION 2. The Chair, Vice Chair, Secretary and Parliamentarian shall be elected annually by the Senate. The Chair, Vice Chair, Secretary and Parliamentarian shall serve a term of one calendar year and may be reelected for one additional term.

SECTION 3. Election shall be by secret ballot, according to procedures specified in the Bylaws.

SECTION 4. After the Chair has assumed office, the department or school represented by the Chair shall elect a replacement to serve a one year-term as Senator in order to assure full voting representation for that department or school.
ARTICLE V

Duties of Officers

SECTION 1. It shall be the duty of the Chair to preside over meetings of the Senate. The Chair shall preside over meetings of the Executive Committee, also. The Chair, after consultation with the Executive Committee, shall appoint members of standing and special committees. The Chair shall prepare an annual budget request for the funding of Senate operations and shall submit the request to the Chancellor.

SECTION 2. The Vice Chair shall preside over meetings of the Faculty Senate and the Executive Committee in the absence of the Chair and shall assume the duties of the Chair in the event of a vacancy in that position. (A new Vice Chair shall be elected at the next regular meeting following the announcement of such vacancy).

SECTION 3. The Secretary shall prepare and be responsible for all minutes of the Senate; issue an agenda to all faculty members prior to meetings of the Senate; send minutes of meetings to the Chancellor, members of the Board of Trustees, Deans, Senators, the General Faculty and to Chairs of Faculty Senates/Faculty Councils of the other members of the University of North Carolina System; and provide each Senator and the Chairs of Faculty Senates/Faculty Councils of other members of the University of North Carolina System with timely written notice of meetings. The Secretary, in the absence of both the Chair and Vice Chair, shall preside over meetings.
SECTION 4. The Parliamentarian shall guide the proceedings of the Senate in accordance with the latest edition of Robert's Rules of Order.

ARTICLE VI
Meetings

SECTION 1. The Senate shall convene regular meetings, as specified in the Bylaws. Special meetings may be called by the Chair, after consultation with the Executive Committee. The Chancellor may call a special meeting, after consultation with the Chair.

SECTION 2. A simple majority of Senators or their Alternates must be present in order for a Senate meeting to proceed.

SECTION 3. Any Senator, Alternate, general faculty member, or administrator may submit agenda items in compliance with the Bylaws.

ARTICLE VII
Voting

SECTION 1. Only Senators, or, in their absence, their Alternates, may vote. All elections shall be by secret ballot. Otherwise, votes shall be indicated by voice, unless a division of the house is called. In that case, votes shall be indicated by a show of hands.

Voting by proxy is not permitted.

SECTION 2. In case of a tie vote, the presiding officer shall vote.

ARTICLE VIII
Representation on the University of North Carolina Faculty Assembly.

SECTION 1. In accordance with the regulations governing election of Senate Officers, the Senate shall conduct annual elections for the purpose of naming representatives and alternates to the University of North Carolina Faculty Assembly at a General Faculty Meeting. (See Bylaws).

ARTICLE IX

Committees

SECTION 1. Standing Committees of the Senate shall be the Executive Committee and the following:

Academic Policies Committee
Campus Relations and Welfare Committee
Committee on Committees
Faculty Personnel Committee
Faculty Research and Professional Development Committee
Faculty Tenure and Status Review Committee
Governance Committee
Honorary Degrees and Memorials Committee
Nominations and Elections Committee

SECTION 2. Members of committees shall be Senators or Alternates. Every Senator shall serve on at least one committee. Alternates may, at the discretion of the Executive Committee, serve on committees.

SECTION 3. After consultation with the Executive Committee, the Chair shall appoint members of all standing committees except
the Executive Committee. The members of each appointed standing
committee shall elect a chair and a secretary.

SECTION 4. Members of the general faculty may attend
committee meetings unless the meetings have been designated as
closed meetings.

SECTION 5. As the Senate sees fit, it shall establish special
committees, whose members shall be named by the Chair. These
committees shall not necessarily be limited to Senators or
Alternates, but may include general faculty members with special
interest or expertise in the work of the committee.

Article X
Bylaws and Amendments

SECTION 1. The Senate shall approve amendment(s) to the
Bylaws by a simple majority vote.

SECTION 2. Any proposed amendment(s) to the Constitution
shall be circulated to all Senators and Alternates at least one
month prior to Senate debate. Senate approval for amendment(s)
shall require a vote of 2/3 of the Senators or Alternates present
and voting at the meeting. After Senate approval, the amendment(s)
must be submitted to the General Faculty. Approval by the General
Faculty requires that 3/4 of the faculty vote, and that 3/4 of
those voting favor the amendment(s).

SECTION 3. Each committee shall summarize its deliberations
and recommendations in regular reports to the Senate and shall send
an annual written report to the Secretary.

At least once per year, the Chair shall make reports and/or
recommendations to the faculty and to appropriate University officials.

SECTION 4. Representatives to the Senate from the School of Law shall advise committee members on questions of legality.
Amended May 6, 1994

B Y L A W S  O F  T H E  F A C U L T Y  S E N A T E  
O F  
N O R T H  C A R O L I N A  C E N T R A L  U N I V E R S I T Y

The bylaws, which append the Constitution of the Faculty Senate of North Carolina Central University (NCCU), include the rules and regulations subject to change by a simple majority of those attending a duly scheduled Faculty Senate meeting which achieves a quorum. These bylaws deal with procedural, technical and organizational matters that may change from time to time, but do not take up matters of the Senate's purpose, principles, or fundamental structure.

1. **Representation to Faculty Senate**

A department or school with one to seven (1-7) faculty members holding regular appointments and administrators with teaching status shall have one (1) Senate member; a department and/or school with eight to fourteen (8-14) faculty members holding regular appointments and administrators with teaching status shall have two (2) Senate members; a department and/or school with fifteen (15) or more faculty members holding regular appointments and administrators with teaching status shall have three (3) Senate members.

2. **Election of Officers**

a. Election of Senate Officers for the forthcoming year shall take place at the April meeting of the Senate, after a quorum
has been established. If there is no quorum, a special meeting must be called for the purpose of elections. For each new officer the names of two (2) nominees shall be presented on a printed ballot by the Nominating Committee, and a third nomination for each office may be made from the floor of the Senate (see ARTICLE IV, SECTION 3). Election of each officer shall be determined by a plurality of those Senate members present and voting at the meeting.

b. Person must be a member of the Senate to serve as chair.

c. For each officer or representative to be elected, the Nominating Committee shall be charged with the nomination of two (2) persons who have agreed to serve in the position. Appointments to the Nomination Committee shall be made by the Senate Chair at the same times as the appointments are made to other standing committees of the Senate.

d. The University will provide release time for the chair and secretary of the Senate.

3. Chancellor’s Relationship to the Senate

In accordance with Section 502 D2 of the 1975 Code of the Board of Governors of the University of North Carolina, the designee is a member of the Senate, and may preside over its meetings.
4. Senate Meetings

The Senate shall hold eight (8) regular monthly meetings, averaging one per month between September 1 and April 30 at times to be set by the body. The place of the meetings shall be sent in writing to the Senators by their Secretary at least one week prior to the date of the meeting.

5. Agenda Items

Written copies of agenda items should be submitted to the Senate Chair and Secretary at least two weeks prior to the next meeting. Any agenda items submitted and not included in the next meeting must be described briefly at that meeting by the Senate Chair.

6. Representation on the University of North Carolina Faculty Assembly

Delegates to the University of North Carolina Faculty Assembly shall be elected at a General Faculty meeting.

Delegates shall be elected to terms of three years, and may serve no more than two consecutive terms. No faculty member may serve as delegate more than six (6) of the preceding nine (9) years, nor may a faculty member be elected to a term that would result in a violation of the above limitation. Time spent while serving as an alternative shall not be counted in the above limitation.
Any faculty member, whether or not a member of the Faculty Senate, holding a permanent or probationary term of appointment (that is, a faculty member in a state designated position) is eligible for election to the Faculty Assembly.

Delegates shall report to the Senate about their meetings with the Faculty Assembly.

7. Resolutions, Recommendations and Actions

a. An action, resolution or recommendation shall be considered an official action, resolution, or recommendation of the Faculty Senate upon its adoption or ratification of the Faculty Senate.

b. Immediately upon ratification, by the Chair of the Faculty Senate shall forward all official Senate action, resolutions, or recommendations to the Chancellor. Further, the Chair shall report to the Senate any action taken by the Administration on all official Senate action, (October 27, 1978).

8. Duties of Committees

SECTION 1. Consistent with its general purpose and the Senate Bylaws, the committees shall work alone or in appropriate formal or informal collaboration with other committees to address matters which affect faculty development. The duties of standing committees include the following:
a. **The Executive Committee** shall act in behalf of the Senate when the General Senate is not in session. The outgoing Chair of the Senate shall serve as an ex-officio member of the Executive Committee. Members of the Executive Committee will function as official representatives in open and committee meetings of the NCCU Board of Trustees.

b. **The Academic Policies Committee** shall formulate academic policies to the Senate for approval and to dispose of all problems involving the academic standards of the College where policies have already been set.

c. **The Campus Relations and Welfare Committee** shall review and make recommendations which contribute to the professional satisfaction of faculty and students.

d. **The Faculty Personnel Committee** shall review recommendations for reappointments, promotions, and tenure of faculty members submitted to it by the Vice Chancellor of Academic Affairs, and advise the Chancellor on these matters.

e. **Faculty Research and Professional Development Committees** shall review and establish policies related to professional growth in research, teaching and service. The committee shall also work on professional development issues, such as funding for research and professional development, release time, library resources, course loads, professional leaves, support staff, on and off campus seminars, and promotion/tenure portfolio development.
f. The Committee on Committees shall determine the need for new committees, for changes in function and/ or name existing committees, and for the dissolution of committees. This committee shall meet at least once a year with the Governance Committee to provide internal consistency between the two committees.

g. The Governance Committee shall review the Constitution and Bylaws of the Senate at least annually and suggest revisions when necessary. It shall oversee all other matters which pertain to the structure and the function of the Senate. This committee shall meet at least once a year with the Committee on Committees to provide internal consistency between the two committees.

h. The Honorary Degrees, Memorials and Special Awards Committee shall nominate individuals as recipients of honorary degrees, memorials and special awards.

i. The Nominating Committee shall prepare a slate of Faculty Senate Officers and conduct annual elections in the April meeting of the Senate. The committee of five senators shall be appointed by the chair of the Faculty Senate. This committee will submit and keep a record of term and tenure of officers and Senators and plan a recognition service for the Senate.
9. Procedures for Amendment Ratification by the Faculty

a. Voting by faculty members to ratify amendments to the Constitution shall be by secret ballot.

b. Voting shall be done by department, or by school where Senate representation is not by department.

c. The chair of the Faculty Senate shall appoint an ad hoc Ballot Committee:
   
   _ to determine the period during which balloting is to be done;
   
   _ to prepare and distribute to senators a ballot for each eligible faculty member in the respective academic unit;
   
   _ to verify and count the ballots after the voting; and
   
   _ to prepare and distribute a written report of the results of the vote to all faculty members.

d. The Senators shall be in charge of the balloting and responsible for the time and place for voting in the academic unit that such Senators represent.

e. At the time of casting of a ballot, each voter shall sign a registration sheet.

f. The registration sheet and the sealed ballot box shall remain in the custody of a Senator until delivery to the Chair of the Faculty Senate.

g. If balloting within an academic unit is not completed by the end of the balloting period the Chair of the Faculty Senate shall appoint two (2) Senators to conduct each balloting.
h. Balloting for ratification of an amendment to the Constitution shall be completed no later than the end of the semester following the semester during which the Faculty Senate passed a bill of amendment.
The Code

Board of Governors
The University of North Carolina

August 1988
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CHAPTER I
ESTABLISHMENT, INCORPORATION AND COMPOSITION OF THE UNIVERSITY OF NORTH CAROLINA

SECTION 100. CONSTITUTIONAL ESTABLISHMENT.

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. The General Assembly shall provide for the selection of trustees of The University of North Carolina and of the other institutions of higher education, in whom shall be vested all the privileges, rights, franchises and endowments heretofore granted to or conferred upon the trustees of these institutions. The General Assembly may enact laws necessary and expedient for the maintenance and management of The University of North Carolina and the other public institutions of higher education. [North Carolina Constitution, Art. IX, Sec. 8]

SECTION 101. INCORPORATION AND CORPORATE POWERS.

The Board of Governors of The University of North Carolina shall be known and distinguished by the name of "The University of North Carolina" and shall continue as a body politic and corporate and by that name shall have perpetual succession and a common seal. It shall be able and capable in law to take, demand, receive and possess all moneys, goods and chattels that shall be given for the use of the University, and to apply the same according to the will of the donors; and by gift, purchase or devise to receive, possess, enjoy and retain forever any and all real and personal estate and funds, of whatsoever kind, nature or quality the same may be, in special trust and confidence that the same, and the profits thereof, shall be applied to and for the use and purpose of endowing the University, and shall have power to receive donations from any source whatever, to be exclusively devoted to the purposes of the University, or according to the terms of donation.

The corporation shall be able and capable in law to bargain, sell, grant, alien or dispose of and convey and assure to the purchasers any and all such real and personal estate and funds as it may lawfully acquire when the condition of the grant to it or the will of the devisor does not forbid it; and shall be able and capable in law to sue and be sued in all courts whatsoever; and shall have power to open and receive subscriptions, and in general may do all such things as are usually done by bodies corporate and politic, or such as may be necessary for the promotion of learning and virtue. [See G.S. 116-1]

SECTION 102. COMPOSITION OF THE UNIVERSITY.

The University of North Carolina shall constitute a single, multi-campus university composed of the following constituent institutions:

1. Formerly denominated "the Board of Trustees of The University of North Carolina" and redesignated, effective July 1, 1972, as "the Board of Governors." [See G.S. 116-1]
2. In Chapter 116 of the General Statutes, the University is referred to as "the University of North Carolina"; whereas, in Article IX of the North Carolina Constitution, the University is referred to as "The University of North Carolina." Consonant with the principle that the Constitution takes precedence over the General Statutes, the latter designation is used throughout this Code.
3. Effective July 1, 1972 [See G.S. 116-1]
Chapter II

THE BOARD OF GOVERNORS
The Board of Directors

SECTION 202. OFFICERS

The Board of Directors may by resolution provide for the creation of such offices as it may deem necessary to the proper conduct of the Corporation.

202.1eam of Directors.

The Board of Directors shall consist of not less than three nor more than nine Directors, who shall be elected annually at the Annual Meeting or in such other manner as may be provided by the By-Laws. Any Director shall hold office for the term for which he has been elected, and until his successor shall have been elected and qualified, but each Director shall be eligible for re-election at each Annual Meeting.

The Board of Directors may by resolution provide for the creation of such offices as it may deem necessary to the proper conduct of the Corporation.

202.2 President, Vice-President and Secretary.

The President, Vice-President and Secretary shall be elected by the Board of Directors at its organizational meeting and shall hold office for the term of one year or until their successors shall have been elected and qualified.

The President shall preside over all meetings of the Board of Directors and of the Members at which he may be called upon to act. He shall be a member of all Committees of the Board of Directors. He shall have such other powers and duties as the Board of Directors may from time to time prescribe.

The Vice-President shall perform the duties of the President in case of his absence or disability, and shall have such other powers and duties as the Board of Directors may from time to time prescribe.

The Secretary shall keep the records of the proceedings of the Board of Directors and shall attend all meetings of the Board of Directors and of the Members at which he may be called upon to act. He shall perform such other duties as the Board of Directors may from time to time prescribe.

202.3 Treasurer.

The Treasurer shall have such powers and duties as are prescribed by the laws of the State of Delaware and as are from time to time imposed by the Board of Directors.

202.4 Trustees.

The Trustees shall have such powers and duties as are prescribed by the laws of the State of Delaware and as are from time to time imposed by the Board of Directors.

202.5 Auditor.

The Auditor shall have such powers and duties as are prescribed by the laws of the State of Delaware and as are from time to time imposed by the Board of Directors.

202.6 Legal Counsel.

The Corporation may retain such legal counsel as it may deem necessary from time to time, bearing such compensation as the Board of Directors may from time to time determine.

202.7 Clerk.

The Clerk shall be the official historian of the Corporation and shall keep a record of all proceedings of the Board of Directors and of the Members at which he may be called upon to act. He shall perform such other duties as the Board of Directors may from time to time prescribe.

202.8 Assistant Secretary.

The Assistant Secretary shall perform such duties as are prescribed by the Board of Directors.

202.9 Assistant Treasurer.

The Assistant Treasurer shall perform such duties as are prescribed by the Board of Directors.

202.10 Assistant Auditor.

The Assistant Auditor shall perform such duties as are prescribed by the Board of Directors.

202.11 Assistant Clerk.

The Assistant Clerk shall perform such duties as are prescribed by the Board of Directors.
CHAPTER II

COMMITTEES OF THE BOARD OF GOVERNORS

AND JURISDICTION

SECTION 101. THE STANDING COMMITTEES

The Board of Governors shall be the Board of Governors of the University of Washington, and shall consist of the members elected to membership in the Board of Governors, subject to the provisions of this Constitution. The Board of Governors shall have power and authority to make and carry out all laws and regulations necessary for the efficient and economical operation of the University of Washington, subject to the provisions of this Constitution. The Board of Governors shall have power and authority to make and carry out all laws and regulations necessary for the efficient and economical operation of the University of Washington, subject to the provisions of this Constitution.
13

SECTION 401. OFFICERS

The Board of Trustees shall have power to appoint a Chairman, Vice Chairman, and a Secretary.

The Chairman and Vice Chairman shall perform duties and exercise powers similar to those of the officers of other corporate bodies. The Chairman shall serve at the pleasure of the Board of Trustees and shall preside at its meetings.

The Secretary shall have charge of the records of the Board of Trustees and shall keep an accurate record of all its proceedings.

SECTION 402. MEETINGS

The Board of Trustees shall meet at regular intervals, and special meetings may be called at the request of the Chairman or by the Board of Trustees. Notice of such meetings shall be given in writing to each member of the Board at least five days before the meeting.

SECTION 403. POWERS AND DUTIES

The Board of Trustees has the power to adopt and amend bylaws, to elect and remove officers, to fix the terms of office of all officers, and to carry out all necessary actions to carry out the purposes of the Association.

SECTION 404. MEMBERSHIP

BOARDS OF TRUSTEES

CHAPTER IV

The Board of Trustees is a corporate body, and its powers and duties are set forth in the Association's bylaws.

The Board of Trustees shall have the power to adopt and amend bylaws, to elect and remove officers, to fix the terms of office of all officers, and to carry out all necessary actions to carry out the purposes of the Association.

The Board of Trustees shall meet at regular intervals, and special meetings may be called at the request of the Chairman or by the Board of Trustees. Notice of such meetings shall be given in writing to each member of the Board at least five days before the meeting.

The Chairman shall serve at the pleasure of the Board of Trustees and shall preside at its meetings. The Secretary shall have charge of the records of the Board of Trustees and shall keep an accurate record of all its proceedings.
Section 2. CHANGES OF CONCURRENT INSTRUCTION.

The President must be the only executive officer of the institution to keep the President of the Board of Trustees informed of the progress of the institution at all times. The President is responsible for the proper conduct of the institution. The President must be responsible to the Board of Trustees for the administration and operation of the institution.

The President must be responsible to the Board of Trustees for the proper operation of the institution. The President must be responsible to the Board of Trustees for the financial management of the institution. The President must be responsible to the Board of Trustees for the appointment of all faculty members and staff members.

The President must be responsible to the Board of Trustees for the appointment of all faculty members and staff members. The President must be responsible to the Board of Trustees for the appointment of all faculty members and staff members. The President must be responsible to the Board of Trustees for the appointment of all faculty members and staff members.
The comprehensive and consistent protection of academic freedom and tenure is integral to the survival and development of the University. It is a primary consideration in the formulation of policies and procedures that affect the academic community. The University endeavors to uphold the principles of academic freedom and tenure as outlined in the General Regulations and By-Laws, with a commitment to maintaining a culture of pursuit of knowledge and the advancement of scholarship. This includes the protection of the right to engage in research, teaching, and other scholarly activities without interference or restriction. Through this commitment, the University fosters an environment where intellectual inquiry and expression are encouraged, thereby nurturing the growth of the academic community and the advancement of knowledge.
SECTION 69. APPEARANCE JURISDICTION OF THE BOARD OF

In accordance with the provisions of the laws of the State of New York, the Board of Directors of the Company shall have jurisdiction over any claim or controversy arising out of or relating to this Agreement.

The Board of Directors of the Company hereby declares that it is necessary and proper for the protection of the Company and its members to enter into this Agreement. The members of the Company hereby consent to the jurisdiction of the courts of the State of New York and waive any objection to the laying of venue in such courts. The members of the Company further consent to the service of process by publication in any manner permitted by law and hereby consent to personal jurisdiction in any such action or proceeding brought in such courts.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first above written.

[Signature]
[Name]

[Signature]
[Name]
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FINANCES, PROPERTY AND OBLIGATIONS
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TO BOARDS OF TRUSTEES
DELECTIONS OF DUTY AND AUTHORITY

APPENDIX
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

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. 116-31f) and child development centers (See G.S. 116-38(a), (b) and (c)).

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1. 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, 45 et seq.]
SECTION 1  FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY

A. North Carolina Central University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution, therefore, supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.

B. North Carolina Central University shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.

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 2  ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY

A. It is the policy of North Carolina Central University 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 their role as scholars and the responsibilities involved in scholarship consist of the free discussion and publication of their findings. Faculty members should not publish or present findings of research which have not been reviewed by the appropriate scholarly bodies within their institutions. It is expected that significant changes in their professional work will be presented before the faculty, and that such presentations will be open to the faculty and students. Faculty members shall be held accountable for their publications and for their professional actions which affect the university and its students. Faculty members whose work is supported by public funds are required to make the results of their research available to the public through appropriate research reports or manuscripts submitted to a refereed journal. Faculty members shall be expected to make available a reasonable number of copies of their publications to students at a reasonable cost.
not represent themselves, without authorization as spokesmen for North Carolina Central University.

B. North Carolina Central University will not penalize or discipline members of the faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

SECTION 3 ACADEMIC TENURE

A. In General

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 by North Carolina Central University except upon specified grounds and in accordance with the procedures provided in Section 4 and against termination of employment except as provided for in Section 6.

Academic tenure for faculty members is intended to secure their academic freedom and to help the institution attract and retain faculty members of high quality. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible under Section 5A, a conferral of tenure requires an assessment of the faculty member's demonstrated professional competence, his potential for future contribution, and institutional needs and resources.

B. In Relation to 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 terminable when they expire ("fixed term appointment"); or they may be for probationary terms ("probationary term appointment"); or they may be continuous until resignation, retirement, or death ("appointment with permanent tenure").

The faculty ranks to which appointments may be made and the incidents of academic tenure applicable to each are:

(1) **Instructor.** The rank of instructor is appropriate for one who is appointed to the faculty in the expectation that in the normal course he will progress to the professorial rank in this or another institution but lacks, when appointed, one or more qualifications expected by his department or school for appointment to professorial rank. When he meets all those qualifications, the faculty member will usually be promoted to assistant professor or given a terminal appointment of one year.

The initial appointment to the rank of instructor is for a probationary one-year term. The instructor may be reappointed successively for six one-year terms, a total of seven such terms. At least 90 days before the end of the first term and 180 days before the end of the second consecutive term, a written decision shall be given the instructor whether, when his current term expires, he will be reappointed at the rank of instructor for another term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 3B(5), or not reappointed. During the last 180 days of the second consecutive year of employment, the institution
may notify the instructor that his employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, an instructor who has not been notified that his employment will be ended in that year as provided in the preceding sentence shall be given a written decision whether, when his current term expires, he will be reappointed to a fourth consecutive term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 3B(5), or offered a terminal one-year appointment at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and sixth consecutive terms. No reappointment to the rank of instructor may be made after seven consecutive years' employment at that rank. The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal one-year appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3C.

Promotion at any time from the rank of instructor to that of assistant professor constitutes an initial appointment at the latter rank, with the incidents described in Section 3B(2).

(2) Assistant Professor. The initial appointment to the rank of assistant professor is for a probationary term of one year. Unless at any point the assistant professor is not reappointed, he will be reappointed to a second one-year term and to two successive three-year terms before a decision is made to recommend permanent tenure
at the same or higher rank or not to reappoint. At least 90 days before the first one-year appointment ends, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed at the rank of assistant professor for another one-year term or not reappointed. At least 180 days before the end of the second consecutive one-year appointment, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed at the rank of assistant professor to a three-year term or not reappointed.

Before the end of the second year of the first three-year term as assistant professor, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed to a second three-year appointment or not reappointed. Before the end of the second year of the second three-year term, a written decision shall be given the assistant professor whether, when his current term expires, he will be reappointed with permanent tenure at the same or higher rank or not reappointed.

The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3C.

Promotion at any time from the rank of assistant professor to that of associate professor constitutes an initial appointment to the three-year term at the latter rank, with the incidents described for that term
in Section 3B(3).

(3) **Associate Professor.** When a faculty member's initial appointment by the institution is to the rank of associate professor, the appointment is to a probationary term of one year. Unless at any point the associate professor is not reappointed, he will be reappointed to a second one-year term and then to a three-year term before a decision is made whether to recommend permanent tenure at the same or higher rank or not to reappoint. At least 90 days before the end of the first one-year appointment, a written decision shall be given the associate professor whether, when his current term expires, he will be reappointed at the rank of associate professor for another one-year term or not reappointed. At least 180 days before the end of the second consecutive one-year appointment, a written decision shall be given the associate professor whether, when his current term expires, he will be reappointed at the rank of associate professor for a three-year term or not reappointed.

Before the end of the second year of the three-year term, a written decision shall be given the associate professor whether he will be recommended for permanent tenure at the same or higher rank when his current term expires or not reappointed.

The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal one-year appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3C.
Promotion at any time from the rank of associate professor to that of professor confers permanent tenure from the effective date of the promotion. Since this promotion confers tenure, it must be approved by the President and the Board of Governors.

(4) Professor. When a faculty member's initial appointment by the institution is to the rank of professor, the appointment is to a probationary term of three years. Before the end of the second year of this term, a written decision shall be given the professor whether, when his current term expires, he will be recommended for permanent tenure or not reappointed.

The decision shall be made in the manner provided in Section 3C. If a decision not to grant tenure is made but not communicated as herein required, the Chancellor shall offer a terminal appointment of one academic year.

(5) Special Faculty Appointments. Appointments may be made to fixed-term faculty ranks with title designations "lecturer," "artist in residence," "writer in residence," and any faculty rank designation provided in paragraphs (1) through (4) of this subsection with the prefix-qualifier "adjunct," "clinical," or "research" under the conditions and with the incidents herein provided. Such an appointment, using any of the foregoing title designations, is appropriate for one who has unusual qualifications for teaching, research, academic administration, or public service, but for whom neither the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, or because of concern for continued
availability of special funding for the position, or for other valid institutional reasons.

An initial appointment may be for a fixed term of from one to three years. Subsequent appointments to fixed terms of one to five years' duration may be made either in direct succession or at intervals. Each is considered an initial appointment. No obligation exists on the part of North Carolina Central University to give any notice before a current term expires as to whether appointment will be offered for a succeeding term. But the appropriate departmental chairman, upon the faculty member's written request made not earlier than 180 calendar days nor later than 90 calendar days before his current term expires, shall give the faculty member, within 20 calendar days after he receives the request, a written decision whether an offer of reappointment will be made and, if so, its terms. Failure to communicate a decision constitutes notice that no offer will be made.

The decisions herein required shall be made as provided in Section 3C.

(6) Visiting Faculty Members. Persons other than regular members of the faculty may be appointed as visiting members of the faculty with rank designations, prefixed by the word "visiting," appropriate to

1Department"is used herein as a generic term for departments, professional schools, and any other academic units 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.
their status in their regular employment. Such appointments shall be for a term of not more than one year. One successive appointment for a term of not more than one year may be made. Appointments are made in accordance with the procedures for appointing an instructor, except that North Carolina Central University is not obliged to give notice before a current term expires whether an appointment will be offered for a second term. During his term of appointment, a visiting faculty member may not be suspended or discharged except upon the grounds and by the procedures provided in Section 4.

C. General Provisions

(i) Initiation, Review, and Approval of Appointments, Promotions, and Reappointments. Each initial appointment, each promotion in rank, each reappointment to a fixed term, and each reappointment of an instructor, assistant professor, associate professor, or professor, whether or not the reappointment recommends the conferral of permanent tenure, shall be initiated by recommendation of the chairman of the department concerned after consulting with the department's assembled full professors. If, because there are too few full professors or for other reasons, it appears that the consultation required by the preceding sentence may not produce advice adequately representative of the departmental faculty members' views, the chairman shall consult with other senior members of the department familiar with the faculty member's work.

The chairman's recommendation shall be sent to the dean of the school, who shall forward it with his recommendation to the Vice Chancellor for Academic Affairs; the Vice Chancellor for Academic
Affairs shall forward the recommendations of the chairman and dean with his recommendation to the Chancellor. The Chancellor shall consult the Faculty Personnel Committee. (See the Faculty Handbook for the composition of this committee.) If the Chancellor decides not to recommend reappointment, promotion, or the conferral of tenure, that decision shall be handled as if it had been made by the department chairman. If the Chancellor concurs in a recommendation that will confer permanent tenure, he shall consult with the Board of Trustees and, if he still concurs in the recommendation, he shall forward the recommendation to the President and the Board of Governors for final approval. All other personnel actions in which the Chancellor recommends reappointment or promotion shall be forwarded by him to the Board of Trustees for final approval unless the approval authority is delegated by that Board.

(2) Decisions Not to Reappoint When Probationary Terms Expire.

The decision not to reappoint when a probationary term appointment expires shall be made by the chairman of the department concerned, after consulting with the department's assembled full professors. If, because there are too few full professors or for other reasons, it appears that the consultation required by the preceding sentence may not produce advice adequately representative of the departmental faculty members' views, the department head shall consult with other senior members of the department familiar with the faculty member's work. This decision is final except as it may later be reviewed in accordance
with the provisions of Section 5. The chairman shall notify the faculty member of his decision by a simple, unelaborated written statement that the faculty member will not be reappointed. Each such decision shall be communicated for information through the administrative channels prescribed for review had the decision been to reappoint.

(3) Early Promotion and Tenure. Nothing in these regulations shall be construed to preclude the Chancellor from recommending permanent tenure and/or promotion of a faculty member at any time.

(4) Terms and Conditions of Appointments. The terms and conditions of each initial appointment and of each reappointment to the faculty shall be set out in writing. A copy of the terms, signed by the Chancellor, shall be delivered to the faculty member; the Chancellor shall also retain a copy. The general terms and conditions of such appointments, including those provided herein, shall be either set out in the document of appointment or incorporated therein by clear reference to specified documents that shall be readily available to the faculty member.

Any special terms and conditions shall be clearly stated in the written appointment. Except as herein provided, no special terms or conditions may be included that vary the general terms and conditions stated herein. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the chairman or dean who recommends the appointment.

(a) Continued Availability of Special Funding. 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 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 contract was not then contingent upon the continuing availability of sources other than continuing state budget or permanent trust funds.

(b) Provisions for Less Than Full-Time Employment. Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specified period, may be included in an appointment or reappointment to any faculty rank or may be added by a written memorandum of amendment during the term of an appointment. For compassionate reasons of health, or requirements of childbirth or child care, or similar 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 the full-time employment obliga-
tion. Such special terms must be expressly stated in initial appointment documents or, if added by memorandum of amendment, must be approved by signature of the Chancellor and the faculty member, with a copy to be retained by each. Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are on the basis of a full-time employment obligation and confer the full incidents of academic tenure pertinent to the particular appointment.

These provisions do not apply to informal temporary adjustments of the regularly assigned duties of faculty members by the department chairman who is responsible for their direct supervision, or to the granting by the University of extended leaves of absence with or without compensation.

D. Resignation

A faculty member shall give prompt written notice of his resignation with its effective date to the Chancellor and to his department head. A professor or associate professor should ordinarily give not less than four months' notice and an assistant professor or instructor not less than three months' notice of resignation.

SECTION 4 DUE PROCESS BEFORE DISCHARGE OR THE IMPOSITION OF SERIOUS SANCTIONS

A. A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged 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. 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 5) or termination of employment (Section 6).

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 Tenure Committee. (See Faculty Handbook for the composition of this Committee.)

C. If, within ten days after he receives the notice referred to in paragraph 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 paragraph B above, the faculty member makes written request, by registered mail, return receipt requested, the statement referred to in paragraph B shall be supplemented by a written specification of the reasons for the intended discharge and a statement of the manner in which the hearing shall be held.

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 Whenever it is used in Sections 4, 5, and 6, 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.
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 Faculty Tenure Committee. The hearing shall be on the written specification of reasons for the intended discharge. The committee shall accord the faculty member twenty days from the time it receives his written request for a hearing to prepare his defense. The 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 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.

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 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 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 forty-five 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.

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 5 NONREAPPOINTMENT OF FACULTY MEMBERS ON PROBATIONARY TERM APPOINTMENTS

A. Permissible and Impermissible Grounds for Nonreappointment

The decision whether to reappoint a faculty member when a probationary term appointment expires may be based on any factor considered relevant to the total institutional interests, but it must consider the faculty member's demonstrated professional competence, his potential for future contributions, and institutional needs and resources. These considerations may form, in whole or in part, the basis of the ultimate decision, except that a decision not to reappoint may not be based upon (1) a faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's race, sex,
religion, or national origin; or (3) personal malice.

B. Conference with Department Head

Within five days after receiving a written notice of nonreappointment, a faculty member may in writing request a private conference with his department head to discuss the reasons for nonreappointment. This request shall be granted and the conference held forthwith, within five days after receipt of the request if possible.

Within five days after the conference, the department head shall give the faculty member a simple, unelaborated, written statement of whether the original decision remains in effect.

C. Conference with Supervisor of Department Head

Within five days after receiving notice that the original decision remains in effect, the faculty member may in writing request a conference with the department head's immediate administrative supervisor. This request shall be granted and the conference held forthwith, within five days after receipt of the request if possible.

Within ten days after this conference, the reviewing administrative officer shall send a written evaluation of the matter to the faculty member and to the department head. The evaluation may be in the form of an unelaborated concurrence with the decision; an expression of disagreement with the decision, with or without supporting reasons; or a recommendation for reconsidering the decision, with or without suggestions for specific procedures in doing so. Whatever form the evaluation may take, it is merely recommendatory and not binding upon the department head or final as to the faculty member.

4 If the initial decision not to reappoint is made by an administrative officer other than the Chancellor, substitute the name of that administrative officer for department chairman wherever the latter phrase appears. If the initial decision not to reappoint is made by the Chancellor or Board of Trustees the faculty member who is not to be reappointed may seek review of that decision in accordance with the procedures set forth in the 481-484-A. R.T.C.
Within five days after receipt of an evaluation that disagrees with the decision or recommends its reconsideration, the department head shall give the faculty member and his immediate supervisor his response in writing.

D. Request for Review By Faculty Tenure Committee; Scope of Review

Within five days after he receives notice of an unfavorable action resulting from the conference with the department head's supervisor, the faculty member may request that the Faculty Tenure Committee review the decision. This review is limited solely to determining whether the decision not to reappoint was based upon any of the grounds stated to be impermissible in subsection A of this section.

The request for review shall be written and addressed to the Chairman of the Faculty Tenure Committee. It shall specify the grounds upon which the faculty member contends that the decision was impermissibly based, with a short, plain statement of facts that the faculty member believes support the contention. Such a request constitutes on the faculty member's part: (1) a representation that he can prove his contention, and (2) an agreement that the institution may offer in rebuttal of his contention any relevant data within its possession.

The Faculty Tenure Committee shall consider the request and grant a hearing if it determines that (a) the request contains a contention that the decision was impermissibly based under this section, and (b) the facts suggested, if established, will support the contention. A denial of the request finally confirms the decision. If the request is granted, a hearing shall be held within ten days after the request is received; the faculty member shall be given at least five days' notice of the hearing.
E. Conduct of Hearing

The hearing shall be conducted informally and in private with only the members of the Faculty Tenure Committee, the faculty member, the department head, and such witnesses as may be called in attendance, except that the faculty member and the department head may each be accompanied by a person of his choosing. A quorum for the hearing is a simple majority of the total Committee membership. Committee members who hold an appointment in the faculty member's department or school, who will testify as witnesses, or who have any other conflict of interest are disqualified. If the faculty member requests it and the chairman of the Faculty Tenure Committee approves, a transcript of the proceedings shall be made and provided to the faculty member. 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, the faculty member, the department head, and the representatives of the faculty member and department head. Except as herein provided, the conduct of the hearing is under the Committee Chairman's control.

F. Hearing Procedure

The hearing shall begin with the faculty member's presentation of contentions, which shall be limited to those grounds specified in the request for a hearing and supported by such proof as he desires to offer. When the faculty member has concluded this presentation, the Committee shall recess to consider whether he has established a prima facie case. If it determines that the contention has not been established, it shall
so notify the parties to the hearing and thereupon terminate the proceedings. Such termination confirms the decision not to reappoint. If it determines that rebuttal or explanation is desirable, it shall so notify the parties and the hearing shall proceed. The department head may then present in rebuttal of the faculty member's contentions, or in general support of the decision not to renew, such testimonial or documentary proofs as he desires to offer, including his own testimony.

At the end of this presentation, the Committee shall consider the matter in executive session. The burden is upon the aggrieved faculty member to satisfy the Committee that his contention is true.

G. Procedure After Hearing

If the Faculty Tenure Committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify him, the department head, and the department head's immediate supervisor. Such a determination confirms the decision not to reappoint. If the Committee determines that the faculty member's contention has been satisfactorily established, it shall so notify him, the department head, and the department head's immediate supervisor by a written notice that shall also include a recommendation for corrective action by the department head.

Within 5 days after receiving such a recommendation, the department head shall notify the faculty member, his own immediate supervisor, and the Chairman of the Faculty Tenure Committee what modification, if any, he will make with respect to the original decision not to reappoint.

If the department head fails to make a recommended modification in the original decision, the Committee shall submit a report to the Chancellor
containing the Committee’s findings and recommendation and what it considers to be appropriate action by the Chancellor to resolve the matter.

SECTION 6 TERMINATION OF FACULTY EMPLOYMENT

A. Reasons Justifying Termination and Consultation Required

(1) Reasons for Terminating Employment. The employment of a faculty member with permanent tenure or of a faculty member appointed to a fixed or probationary term may be terminated by North Carolina Central University 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 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 subsection A(2), below. 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 program is such that the institution’s contractual obligation to a faculty member cannot be met, the employment of the faculty member may be terminated in accordance with the institutional procedures set out in subsection B below.
(2) Consultation with Faculty and Administrative Officers. When it appears that the institution will experience an institutional financial exigency or when it is considering a major curtailment in or elimination of a teaching, research, or public service program, the Chancellor or his 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.

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 subsection A (1), consideration shall be given to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

(2) Timely Notice of Termination.

(a) 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:

i. One who has permanent tenure shall be given not less than twelve months' notice; and
(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 subsection 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 subsection 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), and without recourse to any institutional grievance or appellate procedure.

(5) Request for Reconsideration Hearing. Within ten days after receiving the notice required by subsection 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 it is contended that the decision to terminate his employment was arbitrary or capricious, and shall include a short, plain statement of facts that the faculty member believes support the contention.

Submission of such a request shall constitute on the part of the faculty member: (1) a representation that he can support his contention by factual proof, and (2) an agreement that the institution may offer in rebuttal of his contention whatever relevant data it may have.

(6) Jurisdiction of Faculty Tenure 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 Faculty Tenure Committee. This reconsideration shall be limited solely to a consideration of the contentions made in the faculty member's request for reconsideration. The reconsideration hearing shall be held promptly, but the Committee shall accord 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 North Carolina Central University that were used in making the decision to terminate the faculty member after the decision was made that some faculty members' employment must be terminated. Upon request, a transcript of the proceedings shall be given the faculty member at the institution's expense. The Committee may consider only such evidence as is presented at the hearing and need consider only that offered that it considers fair and reliable. All witnesses may be questioned by the members of the Committee. Except as herein provided, the conduct of the hearing is under the control of the Committee Chairman.

A quorum for purposes of the hearing is a simple majority of the total membership. No one shall serve on the Committee who holds appointment in the faculty member's department or school, participated directly in the decision to terminate this individual faculty member, or has any other substantial conflict of interest.

(8) **Hearing Procedure.** The hearing shall begin with the faculty member's presentation of contentions, limited to those grounds specified
State of North Carolina
Department of Justice
P. O. Box 629
Raleigh
27602

9 October 1980

Dr. Leslie C. Brinson
Department of Psychology
North Carolina Central University
Durham, North Carolina 27707

RE: Scagnelli v. WHITING, et al.
Deposition

Dear Dr. Brinson:

Enclosed please find the original of your deposition taken February 26 and 28, 1980. Please read over the deposition for any corrections, make any corrections on a separate sheet of paper and sign the deposition on page 587.

Please return the signed deposition to me as soon as possible.

Sincerely,

RUFUS L. EDMISTEN
Attorney General

Edwin M. Speas, Jr.
Special Deputy Attorney G

EMSjr/ch
Enc.
(original deposition and exhibits)
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 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 Committee determines that the contention of the faculty member 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 Committee determines that the contention of the faculty member has been satisfactorily established, it shall so notify him, and the Chancellor by a written notice that shall also include a recommendation for corrective action by the Chancellor.

Within ten days after receiving the recommendation, the Chancellor shall send written notice to the faculty member and the Chairman of the Faculty Tenure 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 the 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, this decision is final.

C. Assistance for Faculty Members and Rights To New Position

   (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, to the address last furnished by the faculty member, return receipt requested, and the faculty member will be given thirty calendar days after he receives the notice to accept or reject the offer.

SECTION 7 REAPPOINTMENT OF FACULTY BEYOND NORMAL RETIREMENT DATE

A. Retirement Policy for Members of the Faculty

Consistent with N.C.G.S. 135-5(a) (2), each member of the faculty shall automatically be retired on July 1 coincident with or next following his sixty-fifth birthday, without notice, except as herein provided.
B. Employment Beyond Age 65

A faculty member may be continued in employment past the retirement date specified in subsection A upon approval of the Chancellor and of the Board of Trustees. Continuation in employment may be authorized only in increments not exceeding one year. Continuation in full-time employment shall not extend beyond July 1 coincident with or next following the faculty member's seventieth birthday. Continuation in employment not exceeding half-time service shall not extend beyond July 1 coincident with or next following the faculty member's seventy-second birthday. Any continuation in employment must be in accordance with the following procedure:

(1) Each proposed appointment to continue employment beyond the retirement date specified in subsection A shall be initiated by recommendation of the department head or dean of school concerned after consultation with the faculty member. The recommendation shall present evidence that the faculty member is capable of continuing to perform at a high level and shall set forth in detail the exceptional circumstances that justify the recommendation.

(2) The department head's recommendation for continuation shall be reviewed through the administrative channels prescribed for the review of recommendations for other fixed-term faculty reappointments.

(3) 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 his department chairman that his con-
tenure 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.

(4) 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 department chairman's immediate supervisor.

(5) The faculty member may request a review of the determination by the department head's immediate supervisor. 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 supervisor's concurrence with the department chairman's decision affirms the decision. If the supervisor thinks the matter should be reviewed, he shall so notify the faculty member's department chairman who shall thereupon put the matter forward into the regular administrative review channels. Concurrence with the department 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 department 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.

SECTION 8  EFFECTIVE DATE

A. These policies and regulations supersede all other institutional
documents governing the matters covered herein.

B. Except as otherwise provided below, 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:

1. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of instructor for seven or more years, shall be appointed on July 1, 1976, to a fixed term rank as authorized by Section 3.B(5), promoted to the first three-year term as assistant professor, recommended for permanent tenure at the rank of assistant professor, or offered a terminal appointment of one academic year. This decision shall be made in accordance with the procedure of Section 3.C.

2. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of assistant professor for fewer than two years shall be appointed on July 1, 1976, to the first three-year term as assistant professor unless they are not reappointed in accordance with Section 3.B(2). Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of assistant professor for two or more years shall be appointed on July 1, 1976, to the second three-year term as assistant professor, recommended for permanent tenure at the rank of assistant professor, promoted to associate professor with or without a recommendation for permanent tenure, or offered a terminal appointment of one
academic year. These decisions shall be made in accordance with Section 3.C.

3. Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of associate professor for fewer than two years shall be appointed on July 1, 1976, to the second one-year term as associate professor unless they are not reappointed in accordance with Section 3.B(3). Faculty members without permanent tenure who, upon the effective date, have been serving at the rank of associate professor for two or more years shall be appointed on July 1, 1976, to the three-year term as associate professor, recommended for permanent tenure at the rank of associate professor, recommended for promotion to professor, or offered a terminal appointment of one academic year. These decisions shall be made in accordance with Section 3.C.

4. Faculty members who, upon the effective date, have been serving at the rank of professor without permanent tenure shall be appointed on July 1, 1976, to the three-year term as professor, recommended for permanent tenure, or offered a terminal appointment of one academic year. This decision shall be made in accordance with Section 3.C.

5. The provisions of Section 3 requiring the department chairman to consult with the assembled full professors of his department shall apply only with respect to personnel recommendations initiated by the department chairman after the effective date of these regulations.

6. The provisions of Section 5 shall apply, not only with respect to those to whom notices of nonreappointment are given after the effective date, but also with respect to those to whom such notices have been given
within the period of 60 calendar days next preceding the effective date. Instructors, assistant professors, associate professors, and professors to whom notices of nonreappointment have been given within the period of 60 calendar days next preceding the effective date shall have 20 calendar days after the effective date within which to initiate the procedures for review provided in Section 5.

7. The provisions of Section 7 shall apply with respect to all those who, upon the effective date, have attained normal retirement age and are in continued terms of employment, as well as to those who attain normal retirement age after the effective date.