



UNIVERSITY *of* NORTH CAROLINA WILMINGTON



Faculty

Handbook

UNIVERSITY OF NORTH CAROLINA WILMINGTON

Faculty Handbook

University of North Carolina Wilmington
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I. ABOUT THE HANDBOOK

A. WHAT IS THE HANDBOOK?

The UNCW Faculty Handbook provides information for faculty about the university and other aspects of their employment and professional lives, and it is a repository of policies that affect faculty. The Handbook is intended to introduce new faculty to the university, and it is an ongoing resource for all faculty.

All sections of the Handbook are intended to be helpful, but faculty are particularly expected to be familiar with information in the section [Faculty responsibilities](#). Faculty should also be acquainted with two documents that are the basis for faculty rights and freedoms: [Policies of Academic Freedom & Tenure](#) and the [UNCW Faculty Governance Document](#).

The Faculty Handbook is a joint production of the [Faculty Senate](#) and [Academic Affairs](#), and it is maintained by the [Faculty Handbook Committee](#) of the Faculty Senate. Substantive changes to the Handbook are approved by the Faculty Senate. This version is the official version of the Handbook.

1. HANDBOOK HISTORY

Many people are responsible for this Handbook. In 1994 Kathleen Kowal of the Psychology Department undertook a year-long revision of the Faculty Handbook. Her effort at compiling, revising, formatting, and editing the handbook resulted in a definitive print edition in July 1995. In the following two years, several addenda were distributed to the faculty.

In the summer of 1997, Richard Veit of the English Department produced and edited the first online edition of the Handbook. In the summer of 1998, he and Carol Ellis, Faculty Assistant to the Provost, updated the Handbook.

In 2002, the Faculty Senate constituted a [Faculty Handbook Committee](#) to be responsible for maintaining the Handbook. Richard Veit was named editor and conducted a complete revision of the Handbook in 2003, including a redesign of the web site. The revised Handbook was approved by the Faculty Senate and the Provost in Fall, 2003.

The current, single file version was created in 2011.

2. CREDITS

The Faculty Handbook is a joint production of the Faculty Senate and Academic Affairs, and is maintained by the [Faculty Handbook Committee](#) of the Faculty Senate.

II. ABOUT UNCW

A. THE UNC SYSTEM

1. OVERVIEW

The North Carolina State Constitution as revised in 1970 mandates 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. The General Assembly shall provide for the selection of trustees of The University of North Carolina. . . ." In slightly different language, this provision had been in the Constitution since 1868.

The University of North Carolina is composed of sixteen public senior institutions and the North Carolina School of Science and Mathematics, each with a chancellor and a board of trustees. The [seventeen campuses](#) are responsible to a common [board of governors](#), who elect a [president](#) as chief administrative officer of the university. The University's administrative offices are located at the Office of the President in Chapel Hill.

2. THE CODE

[The Code of the Board of Governors](#) is the official governing document of the UNC Board of Governors.

Section 18 of Chapter 1244 of the 1971 Session Laws for the state of North Carolina directed the Board of Governors of the University of North Carolina to adopt, for itself and all constituent institutions, a code based upon the code of the University of North Carolina as it may exist prior to July 1, 1972, but modified in such ways as to the Board of Governors may deem desirable in order to take into account the practices and needs of all the constituent institutions.

The Code is part of the larger [Policy Manual](#) of the University of North Carolina.

3. BOARD OF GOVERNORS FOR THE UNIVERSITY OF NORTH CAROLINA

The UNC Board of Governors is the policy-making body legally charged with "the general determination, control, supervision, management, and governance of all affairs of the constituent institutions." It elects the president, who administers the University. The 32 voting members of the Board of Governors are elected by the General Assembly for four-year terms. Special members are non-voting members with varying terms. Such members are former chairs of the board, former governors, and the president of the UNC Association of Student Governments, or that student's designee.

4. OFFICE OF THE PRESIDENT

A. THE PRESIDENT

The President is the chief administrative and executive officer of the university and has complete authority to manage the affairs and execute the policies of The University of North Carolina and its constituent institutions, subject to the direction and control of the Board of Governors and the provisions of The Code.

The President is the official administrative spokesperson for and the interpreter of the university, and as such, is responsible for the presentation and interpretation of all university policies, recommendations, and requests to the Board of Trustees, the governor, state officers and commissioners, and the federal government. The President is the official administrative medium of communication between the Board of Governors and all individuals, officials, agencies and organizations, both within and without the university and its constituent institutions.

The President recommends to the Board of Governors the adoption, modification, revision or reversal of policies, rules and regulations applicable to The University of North Carolina and any or all of its constituent institutions. To this end, the President is empowered to establish and maintain agencies of inquiry and administrative lines of communication, which include the constituent institutions, to ensure prompt perception of needs for problem identification and analysis, decision and policy formulation.

The President is responsible to the Board of Governors for the preparation of the consolidated budget of the university and its presentation to the Advisory Budget Commission, the General Assembly and its committees, officers, and members. The President assumes and retains at all times control over all budgets of the university.

Within the framework of the regulations of the Board of Governors, the President prescribes the specific duties and assignments of the principal officers reporting to him/her. The President may also establish and define the duties of all university councils and committees that advise and assist in the execution of his/her duties.

B. THE OFFICE OF THE PRESIDENT

The Office of the President, located in Chapel Hill, comprises various divisions, each headed by a vice-president who reports to the President.

5. THE 17 UNC CAMPUSES

Each of the [UNC campuses](#) is headed by a chancellor who is chosen by the Board of Governors on the president's nomination and is responsible to the president. Each university has a board of trustees consisting of eight members elected by the Board of Governors, four appointed by the governor, and the president of the student body, who serves ex officio. (The UNC School of the Arts has two additional ex officio members; and the NC School of Science and Mathematics has a 27-member board as required by law.) Each board of trustees holds extensive powers over academic and other operations of its campus on delegation from the Board of Governors.

B. UNCW

1. GENERAL INFORMATION

The University of North Carolina at Wilmington is a public comprehensive university, one of seventeen constituent campuses of the University of North Carolina.

Address and phone

601 South College Road
Wilmington NC 28403-3297

910.962.3000
[UNCW zip codes + 4 Directories](#)

Name

The following are used as names of the university:

The University of North Carolina at Wilmington
University of North Carolina Wilmington
UNCW (never UNC-W)
UNC Wilmington (never UNC-Wilmington)

2. MISSION STATEMENT

The University of North Carolina Wilmington, the state's coastal university, is dedicated to learning through the integration of teaching and mentoring with research and service. Our powerful academic experience stimulates creative inquiry, critical thinking, thoughtful expression and responsible citizenship in an array of high-quality programs at the baccalaureate and master's levels, and in our doctoral programs in marine biology and educational leadership. Substantial research activity, combined with our hallmark teaching excellence and moderate size, advances distinctive student involvement in faculty scholarship. We are committed to diversity and inclusion, affordable access, global perspectives, and enriching the quality of life through scholarly community engagement in such areas as health, education, the economy, the environment, marine and coastal issues, and the arts.

3. HISTORY

Education on the college level first came to Wilmington in 1946 when a college center was established under the direction of the North Carolina College Conference and under the administration of the Directorate of Extension of the University of North Carolina at Chapel Hill. The center offered courses on the freshman level to some 250 students during the academic year 1946-47. In 1947 a tax levy was approved by the citizens of New Hanover County, and Wilmington College was brought into existence as a county institution under the control of the New Hanover County Board of Education. In 1948 Wilmington College was officially accredited by the North Carolina College Conference and became a member of the American Association of Junior Colleges. In 1952 the institution was accredited as a junior college by the Southern Association of Colleges and Schools.

In 1958 New Hanover County voted to place the college under the Community College Act of the State of North Carolina. By virtue of this vote, the college became a part of the state system of higher education, and control passed from the New Hanover County Board of Education to a board of 12 trustees, eight of whom were appointed locally and four of whom were appointed by the governor of the state. At the same time the requirements for admission and graduation and the general academic standards of the college came under the supervision of the North Carolina Board of Higher Education, and the college began to receive an appropriation from the state for operating expenses in addition to the local tax.

On July 1, 1963, by an act of the General Assembly of North Carolina, Wilmington College became a senior college with a four-year curriculum, authorized to offer the bachelor's degree.

By vote of the Board of Trustees of the University of North Carolina in late 1968, with subsequent approval by the North Carolina Board of Higher Education and by an act of the General Assembly of North Carolina in 1969, Wilmington College became, on July 1, 1969, the University of North Carolina at Wilmington. It, and the institution in Asheville previously designated as Asheville-Biltmore College, became the fifth and sixth campuses of the University of North Carolina.

On August 22, 1977 the Board of Governors of the University of North Carolina authorized the University of North Carolina at Wilmington to offer its first graduate programs at the master's level.

In the spring of 1985 the Board of Governors of the University of North Carolina elevated the University of North Carolina at Wilmington to a Comprehensive Level I University.

The programs offered by the university include four-year programs leading to the Bachelor of Arts, Bachelor of Fine Arts, Bachelor of Music, Bachelor of Science and Bachelor of Social Work degrees within the College of Arts and Sciences, the Cameron School of Business, the Watson School of Education, and the College of Health and Human Services; graduate programs leading to the Master of Arts, Master of Arts in Teaching, Master of Business Administration, Master of Education, Master of Fine Arts in creative writing, Master of Public Administration, Master of School Administration, Master of Science, Master of Science in Accountancy, Master of Science in Nursing, and Master of Social Work; a Ph.D. in marine biology, an Ed.D. in educational leadership; several post baccalaureate and post master's certificate programs, a variety of pre-professional programs, and special programs in a variety of areas, including marine science research and continuing education.

4. CAMPUS MAP

The University of North Carolina Wilmington is located in the southeastern part of the state on a [661-acre tract](#) on State Highway 132 (College Road) midway between the Cape Fear River and the Atlantic Ocean. The city of Wilmington is situated on the east bank of the Cape Fear River about 15 miles from Carolina Beach and 10 miles from Wrightsville Beach. The metropolitan statistical area, of which Wilmington is a part, now has a population in excess of 354,000. Several main highways lead into the city, and commercial air service provides easy access to other metropolitan areas north, south, and west.

Ocean breezes and the nearness of the Gulf Stream give Wilmington a delightful year-round climate, and the area's proximity to the ocean provides unlimited recreational opportunities.

The spacious, well-landscaped campus was first occupied by the university in 1961. The number of buildings has increased from three in 1961 to 152 today. There are several athletic fields and intramural fields.

5. ACADEMIC CALENDAR

The UNCW undergraduate catalogue includes a [calendar](#) for the current academic year and a tentative calendar for the following year. Both calendars are subject to change, especially the tentative calendar, and are updated online as necessary.

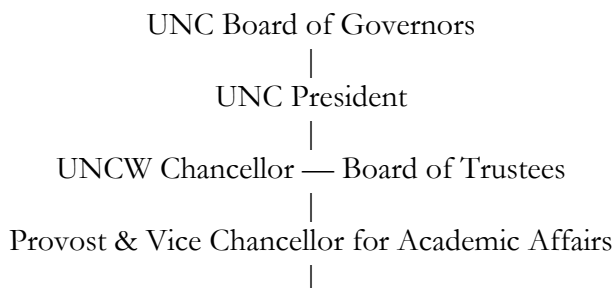
6. CATALOGUES

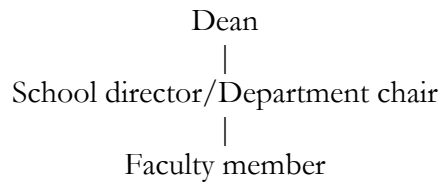
The UNCW undergraduate and graduate catalogues are only available online at <http://catalogue.uncw.edu>.

C . ADMINISTRATION

1. OVERVIEW

Lines of reporting in the university as they affect faculty are as follows:





2. UNCW BOARD OF TRUSTEES

The Board of Trustees is composed of 13 members, eight of whom are elected by the Board of Governors, four of whom are appointed by the governor, and one of whom is the President of the Student Government Association, who serves *ex officio* as a voting member. The President of the Faculty Senate, who is not a member of the Board of Trustees, is invited to meetings of the full board. All trustees, except the *ex officio* member, are appointed for four-year terms, and no one may serve more than two four-year terms in succession. No person may serve simultaneously as a member of the Board of Trustees and as a member of the Board of Governors, and members may generally not serve on other state-appointed policy-making Boards.

The Board of Trustees holds at least four regular meetings a year and may hold such additional meetings as may be deemed desirable. There are several standing committees of the Board.

The Board of Trustees promotes the sound development of the institution within the functions prescribed for it, serves as adviser to the Board of Governors on matters pertaining to the institution, and serves as adviser to the Chancellor concerning the management and development of the institution. The Board of Trustees assumes any other powers and duties as defined and delegated to it by the Board of Governors, particularly through the "[Delegations of Duty and Authority to Boards of Trustees](#)" that are appended to The Code.

3. THE CHANCELLOR

The Chancellor is the administrative and executive head of the university and exercises complete executive authority therein, subject to the direction of the Board of Trustees and the President.

The duties of the Chancellor, which are summarized here, are described in full in [Section 502 of The Code](#).

The Chancellor is responsible for carrying out policies of the Board of Governors and of the Board of Trustees and for keeping the President, the Board of Governors (through the President), and the Board of Trustees fully informed concerning the operations and needs of the institution. As of June 30 of each year the Chancellor prepares for the Board of Governors and for the Board of Trustees a detailed report on the operation of the institution for the preceding year. The Chancellor attends all meetings of the Board of Trustees.

Subject to policies prescribed by the Board of Governors and by the Board of Trustees, the Chancellor makes recommendations for the appointment, promotion, removal, and compensation of personnel within the institution and for the development of educational programs.

The Chancellor presents to the President all matters concerning the institution which are to be considered by the Board of Governors or any of its committees. In accordance with prescribed administrative procedures uniformly applicable to all constituent institutions, the Chancellor participates in the development of the proposed budget of The University of North Carolina.

The Chancellor is the official medium of communication between the President and all vice chancellors, deans, chairpersons of departments, directors and all other administrative officers, faculty members, students and employees. The Chancellor is also the official medium of communication between the Board of Trustees and all individuals, officials, agencies and organizations, both within and without the institution.

Subject to policies established by the Board of Governors, the Board of Trustees, or the President, the Chancellor is the leader and official spokesperson for the institution. The Chancellor promotes the educational excellence and general development and welfare of the institution and defines the scope and authority of faculties, councils, committees and officers of the institution.

The Chancellor is a member of all faculties and other academic bodies of the institution and has the right to preside over the deliberations of any legislative bodies of the faculties of the institution. The Chancellor is responsible for ensuring that there exists in the institution a faculty council or senate which is either the general faculty or a subset of the faculty, a majority of whom are elected by and from the members of the faculty. Although the faculty is served by a president elected either by the general faculty or by the council or senate, the Chancellor may attend and preside over all meetings of the council or senate.

The Chancellor ensures the establishment of appropriate procedures within the institution to provide 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.

Subject to the policies and regulations of the Board of Governors and the Board of Trustees, the Chancellor exercises full authority in the regulation of student affairs and in matters of student discipline in the institution. In the discharge of this duty, the Chancellor may delegate such authority to faculty committees and to administrative or other officers of the institution or to agencies of student government.

4. DIVISIONS

A. ACADEMIC AFFAIRS

The Division of Academic Affairs is headed by the Provost and Vice Chancellor for Academic Affairs. The Provost is responsible to the Chancellor for all matters related to academic affairs, including organized research, admissions, financial aid, records, and library services. In each of these areas the Provost has administrative responsibility for budgets, personnel, and programs. These responsibilities include budget development and management; personnel decisions including recommendations for

reappointment, termination, promotions in rank, awarding of tenure, and salary increases; and the development and maintenance of appropriate programs.

As the chief academic officer for the university, the Provost is responsible for the planning and development of both undergraduate and graduate programs, academic support areas, and facilities required to accommodate such programs. In collaboration with the academic deans, the Provost provides academic leadership for the university. The Provost also serves as the chief operating officer for the university.

B. BUSINESS AFFAIRS

The Division of Business Affairs is headed by the Vice Chancellor for Business Affairs. The Vice Chancellor for Business Affairs is the chief fiscal officer of the institution. As the head of the Business Affairs division, the Vice Chancellor is responsible for: financial affairs, including capital management, receipts and disbursements, maintenance of financial records, and preparation of the biennial budget documents; physical resources, including buildings and grounds maintenance and capital improvements; security and safety services; campus communication services, auxiliary services, and a variety of other administrative/business functions. The Vice Chancellor is a liaison to the Business Affairs Committee of the Board of Trustees, the Endowment Board of Trustees, and the treasurer of the University Foundation.

C. INFORMATION TECHNOLOGY SYSTEMS

The Information Technology Systems Division is headed by the Vice Chancellor for Information Technology Systems. The Vice Chancellor for Information Technology Systems is responsible for developing and facilitating technology-supported change-management processes for the university and overseeing the delivery of information technology services. The responsibilities of the VCIT are:

- assessing the university's ability to meet and extend the capacities of faculty and students to use information technologies;
- establishing technical support systems to aid faculty in the use of course management tools and the delivery of web-based courses;
- developing, implementing, and monitoring standards to ensure quality and efficiency in information technology services;
- defining organizational structures and processes necessary to coordinate and align technology resources and services;
- identifying incentives to stimulate and focus the use of information technologies in all aspects of campus operations including academics, business, student services, advancement and public service areas;
- integrating and managing current information technology resources at UNCW including divisional computer resources, IT literacy, student computer labs, campus ethernet, campus networks, academic computing support, management information support, telecommunications and enterprise applications systems.

D. PUBLIC SERVICE & CONTINUING STUDIES

The Division of Public Service and Continuing Studies is headed by the Vice Chancellor for Public Service and Continuing Studies. The Vice Chancellor for Public Service and Continuing Studies serves as a liaison between the needs and interests of various constituencies of the university and the academic community. As a public, regional university in southeastern North Carolina, UNCW bears a special responsibility for providing public service and contributing to the cultural, educational and economic health of the region. In collaboration with the appropriate external and internal units, the Vice Chancellor is responsible for adult and continuing education, youth programs, conference services, distance education and applications for the information highway, off-campus credit and non-credit educational programs, community relations, economic development, workforce training and development, and special projects responding to the needs and interests of various constituencies. The Vice Chancellor also represents the university on various external boards and committees and gives speeches and presentations to external agencies.

E. STUDENT AFFAIRS

The Division of Student Affairs is headed by the Vice Chancellor for Student Affairs. The Vice Chancellor for Student Affairs is responsible for the direction, administration, and oversight of student life and student services/development programs. The Vice Chancellor is the spokesperson for student services and student needs, quality of life, and co-curriculum outside the classroom; is responsible for policy, long-range planning, budgeting, personnel, and leadership in the administration of student services/student development; and oversees the following departments which comprise the Division of Student Affairs: Campus Recreation, Career Services, Center for Leadership Education and Service, Counseling Services, Dean of Students, Development Officer, Student Achievement Services/Disability Services, Housing and Residence Life, Student Health Services, Technology and Assessment, and the University Union.

F. UNIVERSITY ADVANCEMENT

The Division of University Advancement is headed by the Vice Chancellor for University Advancement. The Vice Chancellor for University Advancement is the chief development officer of the institution. The Vice Chancellor is responsible to the Chancellor for the management and coordination of all private-sector fundraising, except athletics; supervises division personnel in the identification, cultivation, solicitation, and stewardship of all constituent groups including alumni, parents, friends, and faculty/staff; is responsible for alumni relations, special events, gift processing and receipting for all private gifts to the university, prospect research and management, annual giving programs, and planned giving services; serves as the liaison to the External Affairs Committee of the Board of Trustees and manages the university's Board of Visitors; and serves as Executive Director of the UNCW Foundation and as an ex-officio member of the Board of Directors of the UNCW Alumni Association, both of which are separately incorporated organizations.

5. SELECTION OF ADMINISTRATORS

All hiring processes are reviewed by Human Resources to assure that institutional commitments to equal employment opportunity and affirmative action principles are respected.

A. CHANCELLOR

The Board of Governors elects, on nomination of the President, the chancellor of each constituent institution. The President nominates from a list of not fewer than two names recommended by the institutional Board of Trustees ([see The Code, Section 500 B, \(1\)](#)). Specific procedures for the identification of candidates are established by the President and Board of Trustees.

B. VICE CHANCELLORS AND SENIOR ACADEMIC AND ADMINISTRATIVE OFFICERS

The Board of Governors appoints, on recommendation of the President and of the Chancellor, all vice chancellors and senior academic and administrative officers ([see The Code, Section 500 B, \(2\)](#)). Specific procedures and responsibilities for the identification of candidates for these positions are established by the Chancellor.

The procedures include development of a position description, announcement of the position, and establishment of a search committee whose responsibility is to review applications, interview final candidates and submit a recommendation to the appropriate administrative officer. Faculty members are asked to serve on the various search committees.

C. DEPARTMENT CHAIRS

The Chancellor appoints, on the recommendation of the Provost and Vice Chancellor and the appropriate dean, all chairpersons. The responsibility for the process leading to a recommendation is delegated to the dean.

6. FACULTY EVALUATION OF ADMINISTRATORS

At the end of every spring semester, each member of the faculty is asked to evaluate the Chancellor, the Provost, the graduate dean, and the faculty member's academic dean and department chair. A multi-item instrument called Faculty Perceptions of Administrative Performance has been used for this purpose since April 1989. In addition, the overall performances of certain other administrative officers are evaluated by the faculty on a supplementary form. The results of these evaluations are made available to the evaluatee and his or her immediate supervisor and are intended to provide information for self-improvement as well as for evaluation of the individual's performance by the supervisor. The Evaluation Committee of the Faculty Senate monitors the process of evaluation of administrators and seeks ways to continually improve it.

At the end of four years of service, academic deans are reviewed by the Provost and the Chancellor. As a part of the review process, department chairpersons, other administrators, and faculty from the appropriate college or school are invited to meet with a review committee to provide feedback about the performance of the dean. The committee serves as a conduit and organizing mechanism for feedback rather than as a body to recommend any course of action. Faculty from the appropriate school are appointed to the committee by the Provost with the concurrence of the President of the Faculty Senate.

The deans periodically conduct performance reviews of chairs.

III. Faculty Governance

A. POLICIES
OF ACADEMIC
FREEDOM &
TENURE

The University of North Carolina Wilmington

Approved by the Board of Governors of The University of North Carolina - May 14, 1976, effective June 11, 1976; revisions approved July 20, 1979, effective July 20, 1979; revisions approved May 10, 1982, effective July 1, 1982; revisions approved November 11, 1994, effective December 9, 1995; revisions approved January 2001, effective July 1, 2001; revisions approved August 2007, effective August 2007; revisions approved October 2009.

This document sets forth the official policy of The University of North Carolina Wilmington regarding academic freedom, rights, and responsibilities, promotion, and tenure of its faculty. Fundamental in this policy are the concepts of academic freedom, rights, and responsibilities as stated in [Chapter VI of the Code](#) of The University of North Carolina. Equally fundamental is an explicit policy of promotion and tenure.

1. SECTION I. FREEDOM AND RESPONSIBILITY IN THE UNIVERSITY COMMUNITY

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

2. SECTION II. ACADEMIC FREEDOM AND RESPONSIBILITY OF FACULTY

- A. It is the policy of The University of North Carolina Wilmington to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staff 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 spokespersons for The University of North Carolina Wilmington.
- B. The University of North Carolina Wilmington will neither penalize nor 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.

3. SECTION III. ACADEMIC TENURE

- A. The University of North Carolina Wilmington is responsible for maintaining high standards of teaching and creative scholarly activities; therefore, it is essential that its faculty be composed of individuals with superior professional qualifications. The educational and scholarly quality of the institution depends primarily on its faculty. Therefore, a sound policy for defining, recognizing, and impartially rewarding excellence is necessary in furthering the purposes of the institution.

Academic tenure as a means to these ends is fundamental. Not only does it guarantee the freedoms espoused in Sections I and II, but it also provides a degree of economic security to make the institution attractive to persons of high ability. A sound policy of academic tenure is indispensable to the success of the institution in fulfilling its obligations to its students and to society.

- B. The tenure policies and regulations herein contained set forth the considerations upon which appointment, reappointment, promotion, and permanent tenure are to be recommended. These considerations shall include an assessment of at least the following: the faculty member's demonstrated professional competence, continued academic and professional growth, potential for future contribution, teaching effectiveness, research, outreach (when appropriate), and the institution's needs and resources.
- C. Permanent tenure may be conferred only by action of the President and the Board of Governors of The University of North Carolina, or by such other agencies or officers as may be delegated such authority by the Board of Governors.
- D. In all instances, the tenure conferred on a faculty member is held with reference to employment by The University of North Carolina Wilmington rather than The University of North Carolina.

4. SECTION IV. POLICIES ON APPOINTMENT, PROMOTION, AND TENURE

A. ELIGIBILITY FOR PERMANENT TENURE

All faculty and staff members who hold the rank of assistant professor, associate professor, or professor shall be eligible for permanent tenure. Nevertheless, [Section 602\(7\)](#) of The Code of The University of North Carolina applies.

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 a faculty member's services, whether for a specified term or for permanent tenure, shall be contingent upon the continuing availability of such funds. This contingency shall not be included in a faculty member's contract in either of the following situations:

- 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 was attached to the permanent tenure.
- If the faculty member held tenure in the institution on 1 July 1975 and his/her contract was not then contingent upon the continuing availability of sources other than continuing state budget or permanent trust funds.

B. PROBATIONARY SERVICE

- *Definition and Length of Probationary Service*

Probationary service is that period of employment from the commencement of a faculty member's initial contract with The University of North Carolina Wilmington to the time that he/she is notified of either reappointment with permanent tenure or non-reappointment. However, years served in a special faculty appointment (Section 610 of the Code) shall not be counted as years of probationary service. Moreover, leaves of absence shall not count as probationary service. Except for full professors (Section [IV.B.2.d](#)), no one may be granted permanent tenure who has not completed at least two (2) years of probationary service.

In all cases, the maximum number of years of probationary service shall be nine (9). This provision takes precedence over all subsequent references to the contract years in which decisions regarding permanent tenure shall be made.¹¹

- *Length and Number of Appointments in the Probationary Period*

With respect to the various academic ranks, the tenure policy of the university is as follows:

- a. An assistant professor shall be appointed to an initial term of four years. Before the end of the third year of this appointment, the department chairperson¹² or school dean, shall recommend that the assistant professor be either reappointed for a second term of three years or not reappointed. Before the end of the second year of the second three-year appointment, the department chairperson or school dean shall, in the same manner, recommend that the assistant professor be either reappointed with permanent tenure and promoted to associate professor, or not reappointed.
- b. An associate professor promoted to that rank from within this institution shall have permanent tenure. One coming to that rank from outside the institution shall be appointed to an initial term of five years; and in such cases, before the end of the fourth year, his/her department chairperson or school dean, after reviewing the evidence provided by the evaluation process and consulting with all assembled senior departmental or school members based on rank, shall recommend that the associate professor be either reappointed with permanent tenure at the same or higher rank, or not reappointed.
- c. A professor shall have permanent tenure.

- d. Paragraphs (a), (b), and (c) shall not apply to a visiting faculty member; a faculty member, regardless of stated rank, who is employed for a limited period in the staffing of any special project; or any special faculty appointee as defined by [Section 610](#) of the Code. The Chancellor shall call to the attention of the appointee that, because of the visiting or special status of the appointment, the provisions of paragraphs (a), (b), (c), and (d) do not apply to his/her appointment.
- e. Non-teaching professional personnel who hold professorial rank shall be eligible for promotion and permanent tenure and shall be subject to standards equivalent in rigor to those standards that apply to the teaching faculty.
- f. If the department chairperson is being considered for promotion and/or permanent tenure, the appropriate dean shall evaluate his/her performance after consulting with and taking an advisory vote of the assembled senior members of the department. A recommendation, with written justification, is transmitted by the dean to Academic Affairs, and by Academic Affairs to the university-wide faculty Committee on Reappointment, Tenure, and Promotion (CRTP). The CRTP forwards its recommendation directly to the Provost and Vice Chancellor for Academic Affairs.
- g. A faculty member may be promoted at any time.
- h. The terms and conditions of each faculty appointment shall be written. A copy of the terms, signed by the Chancellor, shall be delivered to the faculty member, and a copy shall be retained by the Chancellor. Full information on the tenure policy of the university and on a faculty member's employment status shall be readily available to the faculty member.

- *Timely Notice*

For full-time faculty at the rank of assistant professor, and associate professor without permanent tenure, the minimum requirement for timely notice of reappointment or non-reappointment shall be as follows:

- a. During the first year of service at the institution, the faculty member shall be given not less than 90 calendar days notice before his/her employment contract expires;
- b. During the second year of continuous service at the institution, the faculty member shall be given not less than 180 calendar days notice before his/her employment expires; and
- c. After two or more years of continuous service at the institution, the faculty member shall be given not less than twelve months' notice before his/her employment contract expires.

- *Notice of Non-reappointment*

- a. The decision not to reappoint a faculty member when a probationary term expires shall be made by the appropriate dean^[3] after receiving the recommendations provided above and in [Section IV.C](#). The dean's decision not to reappoint, if it accords with negative recommendations by both the department's chairperson and the majority vote of the department's senior faculty, is final except as it may be later appealed in accordance with the provisions of [Section V](#). The dean shall notify the faculty member of the decision by a simple, unelaborated written statement that the faculty member will not be reappointed. Each decision not to reappoint shall be communicated for information through the administrative channels prescribed for review had the decision been to reappoint.
- B. Notice of non-reappointment shall be written. Failure to give timely notice of non-reappointment, whether the reappointment decision was timely made or made after it should have been made as required by [Section IV.B.1](#) and [IV.B.3](#), will oblige the Chancellor thereafter to offer a terminal appointment of one

academic year.

C. PROCEDURES FOR EVALUATION AND DOCUMENTATION

- The gathering of information for an evaluation for reappointment, promotion, or tenure shall be the responsibility of the department chairperson or appropriate dean. If the department chairperson is being considered for promotion, the appropriate dean shall be responsible for evaluating his/her performance after consulting with and taking an advisory vote of the assembled senior members of the department.
- A Faculty Committee on Reappointment, Tenure, and Promotion to be composed of eight permanently tenured faculty members shall be elected by the faculty to review requests for reappointment, tenure, and promotion. The committee members shall be elected for three-year terms, which terms shall be staggered. The committee shall be composed of two members from each of the four divisions designated in the "[Official Senate Election Procedures for Autonomous Faculty Committees](#)." The committee will elect its own chairperson. A quorum is a simple majority of the total committee membership. If a member of the RTP Committee is a candidate for review by that committee or has a spouse who is under review by that committee, he or she shall be replaced on the committee by a substitute during that semester. The Senate Steering Committee shall name a substitute.
- It shall be the responsibility of the dean of the College of Arts and Sciences and the deans of the professional schools to review the departmental recommendations for reappointment, promotion, and tenure following the evaluation process as required by [Section IV.B.2](#). The deans forward their recommendations to Academic Affairs.
- The Provost and Vice Chancellor for Academic Affairs shall convene the Faculty Committee on Reappointment, Tenure, and Promotion for the purpose of organization and shall present the submitted recommendations for reappointment, promotion, and tenure. The Faculty Committee on Reappointment, Tenure, and Promotion may seek additional information from appropriate sources for the purpose of clarification. All such requests for information shall come through the chairperson of the Faculty Committee on Reappointment, Tenure and Promotion. Such requests, with justification, and any responses shall be written, and the chairperson of the Faculty Committee on Reappointment, Tenure, and Promotion will ensure that any such correspondence and/or other documentation is inserted into the candidate's dossier before it is forward to the Provost and VCAA.
- The chairperson of the Faculty Committee on Reappointment, Tenure, and Promotion shall submit the committee's recommendations to the Provost and Vice Chancellor for Academic Affairs.
- If the Provost and Vice Chancellor for Academic Affairs recommends reappointment, tenure, and/or promotion of a faculty member, he/she shall forward the recommendation to the Chancellor. If the Provost and Vice Chancellor for Academic Affairs decides that the faculty member should not be reappointed when a probationary term expires, that decision must be reported to the Chancellor and Board of Trustees and is final except as it later may be appealed in accordance with the provisions of [Section V](#) and [604 D](#). If he/she recommends that promotion or tenure not be given, he/she shall forward the recommendation to the Chancellor.

- If the Chancellor receives a negative decision on reappointment from the Provost and VCAA he/she shall report this decision to the Board of Trustees at the same time that positive recommendations for reappointment are forwarded to it.

If the Chancellor concurs in a recommendation not to grant permanent tenure, he/she shall send the faculty member being considered written notification of the decision, place a copy in the dossier, and report this decision to the Board of Trustees at the same time that positive recommendations for tenure are forwarded to it. The decision not to tenure is final except as it may later be appealed in accordance with provisions of [Section 604 D of the Code](#).

If the Chancellor concurs in a recommendation for tenure he/she shall send the faculty member being considered written notification of the decision, place a copy in the dossier, and forward the recommendation to the Board of Trustees for final approval.

If the Chancellor does not concur in a recommendation not to grant tenure he/she shall send the faculty member being considered written notification of the decision, place an elaborated written statement of the decision in the dossier, and forward the recommendation to the Board of Trustees for final approval.

If the Chancellor does not concur in a recommendation to grant tenure he/she shall send the faculty member being considered written notification of the decision, place an elaborated written statement of the decision in the dossier, and report the decision to the Board of Trustees for final approval. The decision not to tenure is final except as it later may be appealed in accordance with the provisions of [Section V](#) and [604 D of the Code](#).

If the Chancellor concurs in a recommendation not to promote from associate professor to professor he/she shall send the faculty member being considered written notification of the decision, place a copy in the dossier, and report this decision to the Board of Trustees at the same time that positive recommendations for promotion are forwarded to it.

If the Chancellor concurs in a recommendation to promote from associate professor to professor he/she shall send the faculty member being considered written notification of the decision, place a copy in the dossier, and forward this recommendation to the Board of Trustees for final approval.

If the Chancellor does not concur in a recommendation not to promote from associate professor to professor he/she shall send the faculty member being considered written notification of the decision, place an elaborated written statement of the decision in the dossier, and forward the recommendation to the Board of Trustees for final approval.

If the Chancellor does not concur in a recommendation to promote from associate professor to professor he/she shall send the faculty member being considered written notification of the decision, place an elaborated written statement of the decision in the dossier, and forward the recommendation to the Board of Trustees for final approval.

D. CONTINUING EVALUATION OF FACULTY

- In the interest of fostering continued professional growth for all faculty members, a full evaluation shall be completed at least once every four years for each faculty member with permanent tenure. It is the responsibility of the department chairperson or school dean to initiate and conduct the evaluation process for all members of the department or school with permanent tenure as they come under this requirement. Appropriate recommendations resulting from this evaluation shall be formulated by the department chairperson or school dean.

- An evaluation of a faculty member with permanent tenure may be done in any year at his/her request.
- An evaluation of a department chairperson shall be the responsibility of the appropriate dean who shall consult with the full membership of the relevant department.
- When circumstances warrant, an evaluation may be initiated by the department chairperson, the appropriate dean, the Provost and Vice Chancellor for Academic Affairs, or the Chancellor.
- Copies of the evaluation and recommendations shall be given to the faculty member being evaluated, with copies forwarded to the Provost and Vice Chancellor for Academic Affairs (and the appropriate dean when evaluations are prepared by departmental chairpersons).

5. SECTION V. MEDIATION OF FACULTY GRIEVANCES

The university encourages faculty to resolve grievances in an amicable fashion whenever possible. As a result, the university provides faculty the opportunity to participate in mediation conducted by trained mediators. In order to learn more about the mediation services and to access those services, a faculty member should contact the Director of Human Resources or his/her designee. Upon the filing of a grievance, the chair of the Faculty Professional Relations Committee, or in the case of a request to review a non-reappointment decision, the chair of the Faculty Hearings Panel shall determine whether the faculty member has considered mediation as an alternative dispute-resolution process and provide information about this process for the faculty member to consider. Entering into mediation will suspend the time limitations for the filing and/or the formal resolution of the grievance or a hearing for the duration of a mediation being conducted.

The university shall pay for the mediation services, without charge to the faculty member, the department, or any individual administrator who is a party to the mediation. Mediation is voluntary, and both parties must agree to participate in order for mediation to proceed. The decision not to participate in mediation by either party will not be held against that party in any way, and no blame will attach to either party if mediation does not produce a settlement. At any time during the process, any party may withdraw and the mediation will end. If at any time during the process it becomes evident to the mediator that the parties cannot reach an agreement, the mediator may discontinue the process.

The mediation is confidential to the extent allowed by law. If both parties agree, the parties may each have an advisor present. If mediation is successful and results in an outcome acceptable to both parties, neither party may pursue a pending grievance or a hearing or at a later date file a grievance or request for a hearing on the matters addressed in the mediation. A successful mediation may result in a written agreement signed by both parties. Any mediation which results in an agreement that obligates the university must be signed by a university official with the authority to bind the university concerning the particular agreement. No record of a failed mediation will be produced by the mediator other than a statement written to either the chair of the Faculty Professional Relations Committee or the chair of the Faculty Hearings Panel, as appropriate, that mediation was attempted but settlement was not reached. Within five days after an unsuccessful mediation, the faculty member has the responsibility to notify the pertinent chair that he or she desires to pursue the grievance. The grievance will then be reviewed by either the Faculty Professional Relations Committee or the Faculty Hearings Panel as appropriate and in accordance with the relevant policy. The parties must agree that the mediator will not be called as a

witness in any subsequent proceeding and that anything done or said by either party during a mediation process may not be used against a party in any subsequent proceeding.

6. SECTION VI. NON-REAPPOINTMENT HEARINGS PROCEDURE

A. PERMISSIBLE AND IMPERMISSIBLE GROUNDS FOR NON-REAPPOINTMENT

The decision whether to reappoint a tenure track faculty member when a probationary term appointment^[4] 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, potential for future contributions, and the institution's 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) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's race, color, sex, religion, creed, national origin, age, disability, veteran status or sexual orientation; or (3) personal malice (meaning dislike, animosity, ill-will, or hatred based on personal characteristics, traits, or circumstances of an individual; or (4) material procedural irregularities.

B. CONFERENCE WITH DEAN

Within five days after receiving a written notice of non-reappointment, a faculty member may in writing request a private conference with the appropriate dean to discuss the reasons for non-reappointment.^[5] The faculty member's request shall be granted and the conference held forthwith, within five days after receipt of the request if possible.^[6]

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

C. CONFERENCE WITH THE PROVOST AND VICE CHANCELLOR FOR ACADEMIC AFFAIRS

Within five days after receiving notice that the original decision remains in effect, the faculty member may in writing request a conference with the Provost and Vice Chancellor for Academic Affairs. This request shall be granted and the conference held forthwith, within five days after receipt of the request if possible.

Within ten days after the conference, the Provost and Vice Chancellor for Academic Affairs shall send a written evaluation of the matter to the faculty member and to the appropriate dean. 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 dean or final as to the faculty member.

Within five days after receiving an evaluation that disagrees with the decision or recommends its reconsideration, the dean shall give the faculty member and his/her immediate supervisor a response in writing.

D. REQUEST FOR REVIEW BY HEARING COMMITTEE; SCOPE OF REVIEW

Within fourteen calendar days after the faculty member receives notice of an unfavorable action resulting from the conference with the Provost and Vice Chancellor for Academic Affairs, he/she may request that the Faculty Hearings Panel review the decision²¹. 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 [Section VI.A](#).

The request for review shall be written and addressed to the chairperson of the Hearings Panel. 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 a faculty member's part: (1) a representation that he/she can prove the contention, and (2) an agreement that the institution may offer in rebuttal of the contention any relevant data within its possession.

The Hearings Committee (selected from the Hearings Panel) 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 Hearings Committee, the faculty member, the appropriate dean, and such witnesses as may be called in attendance, except that the faculty member and the dean may each be accompanied by a person of his/her choice, but is not allowed to participate actively in the hearing. If a faculty member brings an attorney as an observer, the dean may be provided an attorney from or designated by the university's office of general counsel. 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 from participating in the hearing. The hearing shall be transcribed or recorded. If the faculty member requests it, a transcript of the proceedings shall be 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 dean. Except as herein provided, the conduct of the hearing is under the committee chairperson's control.

F. PRESERVATION OF EVIDENCE

The role of the committee is to create a clear, permanent record of the evidence presented at the hearing. The Committee must preserve all testimony and evidence received at the hearing in a form that will allow later review by the parties to the hearing, the Chancellor and the Board of Governor.

G. 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/she desires to offer. When the faculty member has concluded this presentation, the Hearings Committee shall recess to

consider whether he/she has established a prima facie case. If it determines that the contention has not been so established, it shall notify the parties to the hearing of its conclusion 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 dean 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/she desires to offer, including his/her own testimony.

At the end of this presentation, the Hearings Committee shall consider the matter in executive session and make findings of fact. The burden shall be upon the aggrieved faculty member to satisfy the committee that his/her contention is true by a preponderance of the evidence.

H. PROCEDURE AFTER HEARING

If the Hearings Committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify the faculty member, the appropriate dean, and the Provost and Vice Chancellor for Academic Affairs. Such a determination confirms the decision not to reappoint. If the Hearings Committee determines that the faculty member's contention has been satisfactorily established, it shall so notify the faculty member, the appropriate dean, and the Provost and Vice Chancellor for Academic Affairs by a written notice that shall also include a recommendation for corrective action by the dean.

Within five days after receiving such a recommendation, the dean shall notify the faculty member, the Provost and Vice Chancellor for Academic Affairs, and the chairperson of the Hearings Committee what modification, if any, he/she will make with respect to the original decision not to reappoint.

If the dean fails to make a recommended modification in the original decision, the Hearings 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.

I. APPEALS RIGHTS

A faculty member may file a written of appeal an unfavorable decision within fourteen calendar days after receipt of the chancellor's written decision to the Board of Governors. The review shall be in accordance with the procedures set forth in the [Code Section 604D \(2\)](#) and [UNC Policy 101.3.1, section III](#).

7. SECTION VII. FACULTY COMMITTEE TO HEAR GRIEVANCES

- A. The Faculty Professional Relations Committee shall serve as the grievance committee provided for in [Section 607 of the Code](#). This committee shall be elected by the faculty with members elected from each professorial rank as provided in the [Bylaws of the Faculty Senate](#). No officer of administration shall serve on the committee. For purposes of this section, officer of administration shall be deemed to include department chairpersons.
- B. The committee shall be authorized to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty including those of "special faculty member's as that term is defined in [Section 610 of the Code](#). 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 Provost and Vice Chancellor for Academic Affairs, the appropriate dean, department chairperson, 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.

- C. "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, including matters related to post-tenure review. 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.
- D. If any faculty member feels that he/she has a grievance, he/she may petition the Faculty Professional Relations Committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and against whom the grievance is directed. The petition shall contain any information that the petitioner considers pertinent to his/her 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.

8. SECTION VIII. 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.
- The permissible grounds for discharge from employment, suspension or demotion in rank are only for reasons of:
 - Incompetence, including significant, sustained unsatisfactory performance after the faculty member has been given an opportunity to remedy such performance and fails to do so within a reasonable time frame;
 - Neglect of duty, including sustained failure to meet assigned classes or to perform other significant faculty professional obligations; or
 - Misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, including violations of professional ethics, mistreatment of students or other employees, research misconduct, financial fraud, criminal, or other illegal, inappropriate or unethical conduct. To justify serious disciplinary action, such misconduct should be either (i) sufficiently related to a faculty member's academic responsibilities as to disqualify the individual from effective performance of university duties, or (ii) sufficiently serious as to adversely reflect on the individual's honesty, trustworthiness or fitness to be a faculty member.
 - These sanctions may be imposed only in accordance with the procedures set forth in [Section 603 of the Code](#). For purposes of this Code, 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 reappointment or termination of employment.

9. SECTION IX. TERMINATION OF FACULTY EMPLOYMENT

A. REASONS JUSTIFYING TERMINATION AND CONSULTATION REQUIRED

- *Reasons for Terminating Employment*
The employment of a faculty member with permanent tenure or of a faculty member

appointed to a fixed term may be terminated by The University of North Carolina Wilmington because of (1) demonstrable, bona fide institutional financial exigency or (2) major curtailment or elimination of a teaching, research, or public service program. Financial exigency is defined as a significant decline in the financial resources of the institution that is brought about by a decline in instructional enrollment or by other action or events that compel a reduction in the institution's current operations budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public service program shall be made by the Chancellor, after consulting with the academic administrative officers and faculties as required by [Section 605 of the Code](#). This determination is subject to the concurrence of the President and the approval of the Board of Governors. If the financial exigency or curtailment or elimination of a program is such that the institution's contractual obligation to a faculty member cannot be met, the faculty member's employment may be terminated in accordance with the institutional procedures set out in Section IX.B below.

- *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/her 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

- *Considerations in Determining Whose Employment Is to Be Terminated*

In determining which faculty member's employment is to be terminated for the reasons set forth in Section IX.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.

- *Timely Notice of Termination*

1. When a faculty member's employment is to be terminated because of a major curtailment or elimination of a teaching, research, or public service program that is not founded upon financial exigency, he shall be given timely notice as follows: (1) one who has permanent tenure shall be given not less than twelve months' notice; and (2) one who was appointed to a fixed term and does not have permanent tenure shall be given notice in accordance with the requirements specified in [Section IV.B.3](#).
2. When a faculty member's employment is to be terminated because of financial exigency, the institution shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources, to give the same notice as set forth in Section IX.B.2.a [immediately above].

- *Type of Notice to Be Given*

The Chancellor or his/her delegate shall send the faculty member whose employment is to be terminated a written statement of this fact by registered mail, return receipt requested or by

another means that ensures delivery to the faculty member and which provides proof of delivery. 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 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/she alleges that the decision to terminate him/her rather than another faculty member was arbitrary or capricious; and a copy of this procedure on termination of employment.

- *Termination If Reconsideration Not Requested*

If, within ten days after he/she receives the notice required by Section IX.B.3, the faculty member makes no written request for a reconsideration hearing, his/her employment shall be terminated at the date specified in the notice given pursuant to Section IX.B.3 without recourse to any institutional grievance or appellate procedure.

- *Request for Reconsideration Hearing*

Within ten days after receiving the notice required by Section IX.B.3, the faculty member may request by registered mail, return receipt requested or by another means that ensures delivery to the chancellor and which provides proof of delivery, a reconsideration of the decision to terminate his/her employment if he/she alleges that the decision was arbitrary or capricious. The request shall be submitted to the Chancellor and shall specify the grounds upon which the faculty member contends that the decision to terminate his/her employment was arbitrary or capricious and shall include a short, plain statement of facts that he/she believes support the contention.

Submission of such a request shall constitute on the faculty member's part: (1) a representation that he/she can prove the contention, and (2) an agreement that the institution may offer in rebuttal of the contention whatever relevant data it may have.

- *Jurisdiction of Hearings Committee in Reconsidering Termination*

If the faculty member makes a timely written request for a reconsideration of the decision, the Chancellor or his/her delegate shall insure that the hearing is accorded before the Faculty Hearings Committee (a subset of the Faculty Hearings Panel). The committee's jurisdiction is solely to consider whether the selection of the faculty member for termination, vis-à-vis other faculty members, was arbitrary or capricious. The committee's jurisdiction does not extend to a reconsideration of whether a financial exigency exists or a program should be curtailed or eliminated. This 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.

- *Conduct of Hearing*

The hearing shall be conducted informally and shall be closed to the public. The faculty member and the Chancellor have the right to legal counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. The faculty member and the committee shall be given access, upon request, to documents of The University of North Carolina Wilmington that were used in making the decision to terminate the faculty member after the decision was made that some faculty member's employment must be terminated. The hearing shall be transcribed or recorded. Upon request, a transcript of the proceedings shall be provided the

faculty member at the institution's expense. The committee may consider only such evidence that it considers fair and reliable. All witnesses may be questioned by the committee members. Except as herein provided, the conduct of the hearing shall be under the committee chairperson's control. The committee must preserve all testimony and evidence received at the hearing in a form that will allow a later review if the decision is appealed.

For purposes of the hearing, a quorum is a simple majority of the total membership. No member of the committee who holds an 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 shall hear this case.

- *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/she desires to offer. The Chancellor or his/her representative may then present in rebuttal of the faculty member's contentions, or in general support of the decision to terminate his/her employment, such testimonial or documentary proofs as he/she desires to offer, including his/her 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 shall be on the faculty member to satisfy the committee that his/her contention is true by a preponderance of the evidence.

- *Procedure after Hearing*

If the committee determines that the faculty member's contention has not been established, it shall, by a simple unelaborated statement, so notify him/her and the Chancellor. The faculty member may then appeal the decision to terminate his/her employment to the UNCW Board of Trustees in accordance with [Section 605C\(6\) of the Code](#).

If the committee determines that the faculty member's contention has been satisfactorily established, it shall so notify him/her, and the Chancellor in writing. The notice to the Chancellor 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 chairperson of the committee what modification, if any, he/she 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 to the UNCW Board of Trustees in accordance with [Section 605\(C\) of the Code](#). If the Chancellor concurs in a recommendation of the committee that is favorable to the faculty member, his/her decision is final.

C. ASSISTANCE FOR FACULTY MEMBERS AND RIGHTS TO NEW POSITIONS

- *Institutional Assistance to Employees Who Are Terminated*

The institution, when requested in writing by an employee whose employment has been

terminated, shall give him/her reasonable assistance in finding other employment.

- *First Right of Refusal of New Positions*

For two years after the effective date of termination of a faculty member's contract for any reason specified in Section IX.A, the institution shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by registered mail, return receipt requested, to the faculty member's last known address, and he/she shall be given thirty calendar days after he/she receives the notice to accept the offer.

10. SECTION X. RETIREMENT

A faculty member may retire in accordance with the provisions of [Chapter 135](#) of the North Carolina General Statutes or the Optional Retirement Plan offered by the UNC System. An eligible faculty member may participate in the university's [Phased Retirement Program](#) in accordance with the applicable policy.

11. SECTION XI. POLICY ON LEAVE

The University of North Carolina does not have a sabbatical leave program. From time to time leaves of absence for faculty members are granted for valid professional or personal reasons. Leaves of absence without pay are negotiated, depending upon the individual's need and the best interest of the institution.

12. SECTION XII. IMPLEMENTATION

- 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 twenty-eight 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:
 - The provisions in Section [IV.B.2.a](#) prohibiting appointment of instructors after five years at that rank shall apply only with respect to persons who, upon the effective date, have not served at the rank of instructor for four years. The provisions of that sentence shall not apply to those who, upon the effective date, have served at the rank of instructor for four or more years. It shall neither require non-reappointment nor insure reappointment when their then-current or subsequent one-year terms expire, but shall leave this decision to be made as under the policies and regulations formerly applying.
 - All provisions hereof requiring a department chairperson or school dean to consult with the assembled senior members of the department or school, and the Provost and Vice Chancellor for Academic Affairs to consult with the assembled college review committee shall apply only with respect to personnel recommendations initiated after the effective date.

- The provisions of Section [VI](#) shall apply with respect to both those who are given notice of non-reappointment within ninety calendar days before the effective date. Instructors, assistant professors, and associate professors to whom notice of non-reappointment has been given within ninety calendar days before the effective date shall have twenty calendar days after the effective date within which to initiate the procedures for review provided in Section [VI](#).
- The provisions of Section [X](#) shall apply both to all persons who, upon the effective date, have attained normal retirement age and are in continued terms of employment, and to those persons who attain normal retirement age after the effective date.

B. UNCW

FACULTY

GOVERNANCE

DOCUMENT

UNCW Faculty Governance Document

(adopted August 30, 1977 and subsequently amended on several occasions up to and including June 4, 1987)

1. ARTICLE I: THE FACULTY

- A. Section 1.** The Faculty shall consist of those persons employed full-time by the University of North Carolina at Wilmington who hold the rank of professor, associate professor, assistant professor, instructor, or lecturer.
- B. Section 2.** All members of the Faculty shall be entitled to vote.
- C. Section 3.** The Faculty has the responsibility to preserve, generate, transmit, and apply knowledge and understanding and to foster and support the vital spirit of open inquiry and critical thinking.
- D. Section 4.** The Faculty is accountable for the quality of instruction and scholarship at this university and accepts the responsibility and authority, both primary and shared, for developing, monitoring, and modifying policies affecting the academic environment, including but not limited to:
- setting minimal general degree requirements for the University, to which the faculties of individual colleges, schools, and departments may add requirements for their graduates (the requirements in the specific areas of concentration shall be determined by the department faculties in consultation with the appropriate dean);
 - setting minimal university admission standards (the faculties of individual colleges, schools, or departments may add standards or set higher standards than those set by the Faculty generally);
 - establishing curricula; reviewing existing programs, including auxiliary academic programs (e.g., continuing education); deleting programs; developing and reviewing proposed new programs;
 - establishing grading systems and grade-appeal procedures; setting academic policies concerning withdrawal, suspension, retention, repeating courses, academic classification, continuation in residence, and class attendance of students; setting examination policies;
 - establishing policies and standards for the granting of academic credit, including credits transferred from other institutions;
 - establishing policies for the granting of degrees, academic and honorary, and acting to award such degrees;
 - establishing policies concerning promotion, appointment, reappointment, and tenure of faculty;
 - establishing policies governing academic counseling of students;

- establishing policies regarding faculty research and the allocation of those UNCW research funds which are available to the general faculty; and
- establishing policies and procedures for the faculty evaluation of faculty and administrators.

E. Section 5. The Faculty has the responsibility and authority to provide to the administration recommendations concerning the development and implementation of other policies affecting academic life. This requires timely consultation on policies including, but not limited to:

- the academic calendar,
- salary adjustments,
- academic leave,
- academic workloads,
- allocation of academic positions,
- appointment and retention of administrators,
- library user services and collection development,
- grants and contracts,
- academic computer use,
- course scheduling,
- allocation and use of existing facilities,
- transportation and parking,
- design and utilization of new facilities,
- student conduct and discipline,
- faculty welfare including benefits.

F. Section 6. The Faculty shall delegate to the Faculty Senate all of the duties and responsibilities listed in Sections 4 and 5.

G. Section 7. Any member or group of members of the Faculty may present, in writing, items for Senate consideration. Such requests shall be sent at least one week before the scheduled meeting to the President, who shall see that the items are placed on the agenda of the next meeting. This agenda shall be distributed to all faculty members at least three days before the meeting.

H. Section 8. The Faculty may at any time review the actions of the Faculty Senate and by mail ballot after an open discussion at the Faculty meeting (regular or called):

- the Faculty, by a one-third vote of the total Faculty, may require the Senate to reconsider any Senate action.
- the Faculty, by majority vote of the total Faculty, may overrule any Senate action.
- the Faculty, by majority vote of the total Faculty, may act on responsibilities listed in Sections 4 and 5 of Article I. This action shall supersede any contrary action of the Senate.

2. ARTICLE II: OFFICERS OF THE FACULTY

A. Section 1. The Officers of the Faculty shall consist of a President, a Vice President, and a Secretary. The President, Vice President and Secretary of the Faculty Senate shall be the Officers of the Faculty.

- B. *Section 2.* The Chancellor shall ordinarily preside at general Faculty meetings; the President of the Faculty Senate shall ordinarily preside at meetings of the Senate.
- C. *Section 3.* The Secretary shall be responsible for the minutes of each Faculty meeting, shall furnish copies of the minutes to all members of the Faculty and the Student Government President prior to the next meeting, and shall maintain a permanent file of the minutes.

3. ARTICLE III: FACULTY MEETINGS

- A. *Section 1.* The faculty shall meet at least once each semester.
- B. *Section 2.* Special meetings of the faculty may be called by the Chancellor, by the chief academic officer, by the President of the Senate, by the Faculty Senate, or by written petition of ten percent of the total faculty.
- C. *Section 3.* A quorum shall consist of twenty-five percent of the total membership of the faculty.
- D. *Section 4.* All meetings of the faculty shall be conducted in accordance with Robert's Rules of Order Newly Revised, latest edition.

4. ARTICLE IV: THE FACULTY SENATE

- A. *Section 1.* The Faculty Senate shall have the power to act for the faculty in all matters of faculty concern not otherwise provided for in this document. The Faculty Senate shall be the legislative body of the faculty.
- B. *Section 2.* The Chancellor shall be ex officio a voting member of the Senate. The chief academic officer and the dean of each college or school shall be ex officio non-voting members of the Faculty Senate.
- C. *Section 3.* All departments, including the Library, shall be represented in the Faculty Senate on a proportional basis. The Faculty Senate shall determine the ratio of senate representatives to faculty.
- D. *Section 4.* Those faculty members who are not formally assigned to a department shall be assigned to a department for purposes of voting for Faculty Senate representatives only. Such assignments shall be made by the chief academic officer in consultation with the President of the Faculty Senate.
- E. *Section 5.* Representatives to the Faculty Senate shall be elected by secret ballot for two-year (staggered) terms.
- F. *Section 6.* A department can, by a two-thirds vote of its total membership, recall any of its senators.
- G. *Section 7.* The Faculty Senate shall establish its bylaws and standing rules, setting procedures for elections of senate representatives, the conduct of meetings, duties of officers, and establishment and responsibilities of committees.
- H. *Section 8.* If the Chancellor suspends, overrules, or asks for reconsideration of any action of the Faculty Senate and/or the faculty, he/she shall notify the President of the Faculty of such action and the reasons therefore within two weeks. The senate and/or the faculty will reconsider its action and determine the appropriate course to follow.
- I. *Section 9.* The officers of the Faculty Senate shall be a President, a Vice President, and a Secretary. Each shall be elected annually from and by the elected senate membership.
- J. *Section 10.* The Faculty Senate shall normally meet at least once each month during the regular academic year.
- K. *Section 11.* The Faculty Senate--with previous notice--may enact, amend, or repeal the bylaws by two-thirds vote of its total membership.

5. ARTICLE V: COMMITTEES

- A. *Section 1.* All Faculty committees shall be committees of the Faculty Senate.
- B. *Section 2.* The Senate Bylaws shall specify the charge and membership of all standing committees and provide for ad hoc committees.
- C. *Section 3.* At least one-third of the membership of faculty standing committees shall be drawn from the faculty who are not members of the Faculty Senate (except in cases where the Senate Bylaws dictate otherwise).
- D. *Section 4.* The faculty committees shall keep records of their meetings and proceedings. Copies of these records, except those records involving individual personnel matters, shall be placed on file with the Secretary of the Senate and shall be available for inspection by all members of the faculty. All committees of the faculty shall present an annual report to the faculty at the close of the academic year.

6. ARTICLE VI: AMENDMENTS AND EFFECTIVE DATE

- A. *Section 1.* Amendments to this Governance Document shall be approved at a regular or special meeting, by a two-thirds majority vote of all voting members of the senate. At least ten days prior to the date of the vote, the proposed amendment must have been submitted in writing to those entitled to vote for members of the senate.
- B. *Section 2.* Such amendments shall then be submitted in writing to the faculty, and unless disapproved by at least one-third of the total faculty within thirty days by written vote, shall be considered ratified. The amendment shall take effect upon approval by the Chancellor.
- C. *Section 3.* All other documents of governance previously adopted by the faculty are and shall be null and void.

C. FACULTY
SENATE

The UNCW Faculty Governance Document states: "The Faculty Senate shall have the power to act for the faculty in all matters of faculty concern not otherwise provided for in this document. The Faculty Senate shall be the legislative body of the faculty" ([Gov. Doc. IV.1](#)).

D. GRADUATE
COUNCIL

1. GRADUATE FACULTY BYLAWS

A. ARTICLE I- PURPOSE AND AUTHORITY

The Graduate Faculty, formed under authority vested with the chancellor of the University of North Carolina at Wilmington, shall enhance graduate education and its research components, and thereby preserve, generate, transmit, and apply knowledge and understanding and foster and support a vital spirit of open inquiry and critical thinking.

B. ARTICLE II- MEMBERSHIP

- Section 1: Eligibility

All full-time faculty members holding academic rank of professor, associate professor or assistant professor, who meet the criteria established by the UNCW Graduate Council (hereafter called Graduate Council) shall be eligible for membership in the Graduate Faculty. Appropriate exceptions may be approved from time to time, including persons holding the status of adjunct professor.

Persons employed for the first time at UNCW as tenure track faculty, adjunct, or visiting faculty may be granted membership on the Graduate Faculty at the discretion of the graduate dean for an initial appointment not to exceed three years.

Faculty with full-time administrative appointments that include the administration of graduate programs shall be members of the Graduate Faculty in recognition of those duties and responsibilities. Whenever such administrative appointments are concluded, such persons shall be granted a five-year extension of membership, after which each shall be evaluated using the prevailing criteria in the normal five-year cycle, as described in Section 2.

- Section 2: Admission and Criteria

An eligible person desiring membership on the Graduate Faculty may be appointed (or reappointed) to a five-year membership by the dean of the Graduate School upon nomination by the appropriate department chair and college or school dean, and with the advice and consent of the Graduate Council.

At the minimum, the following general criteria shall be required for membership on the Graduate Faculty.

1. An earned terminal degree in an appropriate discipline along with demonstrated effectiveness in teaching.
2. A continuing record of productive scholarship. Scholarship shall be defined as the creation of factual, theoretical, or interpretive knowledge, including performances, showings, and other forms of artistic accomplishment, which (a) is subject to regional, national, or international peer evaluation, (b) is disseminated regionally, nationally, or internationally in professional media, and (c) establishes a permanent record in a format appropriate to the discipline.
3. A record or strong indication of growing involvement with scholarship for those applicants/members holding the rank of assistant professor.

Academic units, either colleges, schools, or the respective departments, may at their option propose additional criteria. Such criteria shall not negate the general criteria, but may further define the expectations for membership on the Graduate Faculty for persons within the academic unit. An academic unit, if it chooses, thus may propose that their members demonstrate a record of scholarly accomplishment that meets specific qualitative and quantitative criteria. Such criteria shall be adopted by procedures established within each unit (e.g., majority vote) in concert with

the appropriate academic officers and submitted to the Graduate School for approval by the Graduate Council. Academic units may propose revisions in their criteria at any time, but the previously established criteria shall remain in effect until the revisions have been approved by the Graduate Council.

Exceptions to the application of these criteria may be approved on a case-by-case basis upon petition to the dean of the Graduate School and the Graduate Council. Nothing in these and future criteria shall be adopted as a means of discriminating against any person because of race, sex, physical handicap, religion, age, or ethnic background.

GRADUATE RESEARCH FACULTY MAY SERVE ON GRADUATE STUDENT SUPERVISORY COMMITTEES IN ACCORDANCE WITH THE GRADUATE FACULTY GUIDELINES OF THE ACADEMIC UNIT OFFERING THE DEGREE. ORDINARILY, A RESEARCH FACULTY MEMBER CANNOT SERVE AS SOLE CHAIR OF A GRADUATE SUPERVISORY COMMITTEE, BUT MAY, AS ALLOWED BY THE UNIT'S GUIDELINES, SERVE AS ASSISTANT OR CO-CHAIR WITH A TENURED OR TENURE-TRACK GRADUATE FACULTY MEMBER AT THE UNIVERSITY. EXCEPTIONS MAY BE APPROVED ON A CASE-BY-CASE BASIS UPON PETITION TO AND APPROVAL OF THE DEAN OF THE GRADUATE SCHOOL AND THE GRADUATE COUNCIL. THE PETITION MUST INCLUDE A LETTER OF RECOMMENDATION FROM THE CHAIR OR HEAD OF THE RELEVANT UNIT AND CURRICULUM VITAE FOR THE RESEARCH FACULTY MEMBER. (THIS PARAGRAPH ADDITION TO THE BYLAWS WAS APPROVED BY A VOTE OF 81 TO 23 OF THE GRADUATE FACULTY ON APRIL 19, 2005.)

- Section 3: Activities of Graduate Faculty

Members of the Graduate Faculty may serve on the Graduate Council, vote on amendments to these Bylaws, and participate in graduate instruction, advisory committees of graduate students, and in other matters concerning graduate education within their college or schools and the university.

- Section 4: Implementation Period

Implementation shall extend for a five-year period, beginning with the fall semester of the 1989-1990 academic year. During this period, teaching assignments for graduate courses, participation on the advisory committees for graduate students, appointment to the Graduate Council, and other activities that later will require membership on the Graduate Faculty shall remain available to all members of the faculty at the discretion of the chairs and deans of each academic unit. After academic year 1994-95, activities associated with graduate education, as described in Section 3, shall be limited to members of the Graduate Faculty.

- Section 5: Temporary Membership on the Graduate Faculty

By the end of the period of implementation, academic units normally shall use only members of the Graduate Faculty as instructors for graduate courses (note: see definition below). On those occasions when someone who is not a member of the Graduate Faculty is proposed as an instructor for a graduate course, or proposed for service on a graduate student's advisory committee, the dean of the college or school shall request approval for such an appointment from the dean of the Graduate School; the request should include a justification, the person's curriculum vitae, and a statement concerning timely actions toward making the person eligible for regular membership of the Graduate Faculty. The dean of the Graduate School will report these requests to the Graduate Council for its advice and consent.

Graduate courses shall be defined as those classes identified by a 500 prefix. Classes that are cross-listed (i.e., concurrently carry an undergraduate course number and a graduate course number) also must be taught by members of the Graduate Faculty.

C. ARTICLE III - MEETING OF THE GRADUATE FACULTY

- Section 1: Purpose and Call

A general meeting of the Graduate Faculty shall be called by majority vote of the Graduate Council, the chancellor, the provost and vice chancellor for academic affairs, the dean of the Graduate School, or by petition of at least 10 percent of the Graduate Faculty. A general meeting shall be for the purpose of communication, discussion, and/or determining whether an issue warrants a referendum by the full membership of the Graduate Faculty.

- Section 2: Quorum

A quorum shall consist of 25 percent of the Graduate Faculty.

D. ARTICLE IV - GRADUATE FACULTY REFERENDA

Graduate Faculty referenda shall be conducted only with the consent of the Graduate Council or the Graduate Faculty, shall be conducted by mail ballot, shall be conducted only during the September-May academic year, and shall be valid only if one-third or more of the eligible voters return ballots. A majority of the ballots cast shall represent the decision of the Graduate Faculty. The decision shall be binding on the UNCW Graduate Council.

E. ARTICLE V - UNCW GRADUATE COUNCIL

- Section 1: Function

The primary function of the Graduate Council shall be to review, develop, and make recommendations concerning policy for the Graduate School and graduate education at UNCW. (Note: The Graduate Council replaces the body known as the Graduate Administrative Board.) The Council also shall serve in an advisory capacity to, and shall undertake special assignments from, the dean of the Graduate School.

- Section 2: Composition

Voting members of the Graduate Council shall be thirteen elected members of the Graduate Faculty, including three each from Voting Divisions¹ I and II of the College of Arts and Sciences, two from Division III of the College of Arts and Sciences; two from the Cameron School of Business; two from the Watson School of Education; and one from the School of Nursing.²

Non-voting members of the Graduate Council shall be the chancellor, the provost and vice chancellor for academic affairs, the college and school deans, the university librarian, and the president of the Faculty Senate, or their designees; and a student representative from the Graduate Student Association.

¹Voting divisions shall be those stated in section 14 of the Official Senate Election Procedures.

²Provisions of this section shall be periodically reviewed by the Graduate Council and amendments proposed as necessary (as provided in Article IX) to insure an equitable distribution of members among the Graduate Faculty.

- Section 3: Chair of the Graduate Council

The chair shall be the dean of the Graduate School, who shall vote only in the case of ties. In the absence of the dean, the associate dean has the authority to preside over meetings of the Graduate Council and shall vote only in the case of ties.

- Section 4: Vice-Chairperson of the Graduate Council

At the first meeting of each academic year the graduate council will elect a vice-chairperson. The vice-chairperson's primary responsibility is to preside over the graduate council when the dean of the Graduate School is unable to attend a meeting due to a schedule conflict. The vice-chairperson will also be responsible for convening a meeting and presiding over it if a situation arises when the majority of the voting members of the graduate council request that a meeting be called without the dean of the Graduate School being present.

- Section 5: Election of Members

Faculty members of the Graduate Council shall be elected in the spring for a term of three years. Newly elected members shall begin service at the beginning of the subsequent fall semester.

Representatives must be tenured members of the Graduate Faculty and may be from any department regardless of whether that unit awards an advanced degree. Administrators (half-time or more) and department chairs are ineligible to serve as elected members.

Election of members shall occur within voting division (College of Arts and Sciences Division I, College of Arts and Sciences Division II, College of Arts and Sciences Division III, Cameron School of Business, Watson School of Education and the School of Nursing). Terms of members within each division shall be staggered. No more than one member may serve from any department.

Each spring the Graduate School shall distribute a list of eligible candidates to members of the Graduate Faculty for challenges and withdrawals. Having processed the responses, the Graduate School shall distribute ballots to members of the Graduate Faculty in divisions where there is a vacancy. Faculty may vote for one candidate for each vacancy within their division. The candidate receiving the most votes within a division shall be elected for a three-year term. In the case where more than one vacancy exists within a division, the candidate receiving the second-most votes shall serve the second longest term, and so on, consistent with the stipulations in the preceding paragraph. If a member is unable to complete a term, the Graduate Council shall appoint a faculty member from within the same division to serve for the remainder of the academic year, with any remainder of the unexpired term to be filled the following year by election. A member who has served for six consecutive years may not be elected to an additional consecutive term.

A non-voting graduate student representative will be chosen by the Graduate Student Association to serve a one-year term. This term will rotate among the schools and college so that each academic unit is represented once every four years according to a pre-determined schedule. The graduate student selected must be currently enrolled and in good academic standing.

- Section 6: Responsibilities

The Graduate Council shall:

1. Advise the dean of Graduate School on matters of graduate education and its research components;
2. Initiate, review and make recommendations concerning graduate education;
3. Review and make recommendations on all curriculum requests at the graduate level;
4. Review and make recommendations on all proposals for new degree programs, concentrations, or certificate programs at the graduate level;
5. Review and make recommendations on the criteria developed by academic units for membership on the Graduate Faculty;
6. approve or disapprove applications based on the recommendations of the dean of the Graduate School;
7. Develop appeals procedures for issues related to the Graduate School;
8. Establish such committees as may be deemed necessary and proper for the purpose of furthering graduate education at UNCW;
9. Participate in the recruitment of the dean of the Graduate School, and have input into the selection of the dean.

Participate in matters of concern to graduate education in the University of North Carolina through representation on the University Graduate Council.

- Section 7: Standing Committees

The standing committees of the Graduate Council shall include, but not be limited to the following:

1. Student Affairs
2. Program and Curriculum
3. Policy
4. Graduate Faculty

- Section 8: Meetings

Meetings of the Graduate Council shall be held regularly during the academic year (September-May), Special meetings may be called by the dean of the Graduate School by circulating a written notice and agenda to members at least seven days prior to the meeting day, Also, the dean of the Graduate School must call a meeting within 30 days if requested in writing by at least four members of the Graduate Council.

- Section 9: Graduate Council Action Between Academic Years

The Graduate Council shall function only during the academic year (September-May). At other times, the dean of the Graduate School shall render ad hoc decisions on policy matters until such times as the Council resumes its meetings: such decisions as may be necessary shall not necessarily serve as precedents for subsequent actions by the Council.

- Section 10: Quorum and Voting

A quorum of the Council shall consist of a majority of the voting members of the Council (i.e., seven of thirteen members), and the affirmative vote of a majority of the quorum shall be necessary to evoke action (i.e., a minimum of four of seven voters present). The dean of the Graduate School shall vote only in the case of ties.

F. ARTICLE VI- PARLIAMENTARY AUTHORITY

The rules contained in Roberts Rules of Order, Newly Revised, the latest edition, shall govern meetings of the Graduate Council and its committees in all parliamentary situations not covered by these Bylaws or the laws of the State of North Carolina.

G. ARTICLE VII- DUTIES OF OFFICERS

- Section 1: Chair of the UNCW Graduate Council

The dean of the Graduate School, acting as chair, shall preside over meetings of the UNCW Graduate Council, call meetings of the Council as necessary, or whenever requested to do so in writing by

four of its members or the Provost, represent UNCW on the University System Graduate Council, speak on behalf of the Graduate Council as necessary, and perform any other duties assigned by the Council.

- Section 2: Dean of the Graduate School

The primary role of the dean of the Graduate School is to assure the quality of all graduate programs of UNCW. The dean reports directly to the provost and vice chancellor for academic affairs. The dean of the Graduate School advises the provost on the attraction and retention of faculty and in the budgeting process so that graduate education is properly represented when academic funds are distributed. The dean should also be the chief advocate for graduate education and its research components at all levels of the university. The dean of the Graduate School should lead and assist the departments and colleges within the university to develop new programs in response to identified needs. In summary, the dean represents the university's commitment to excellence in graduate education and its associated research components.

Although not limited to the following, the dean of the Graduate School is expected to:

1. Administer the policies of the Graduate School as determined by the Graduate Council as approved by provost;
2. Administer the Office of the Graduate School;
3. Admit students to the degree programs of the Graduate School upon recommendations of the appropriate colleges or schools;
4. Appoint, with the advice and consent of the Graduate Council, individuals nominated for membership of the Graduate Faculty;
5. Appoint members of the Graduate Faculty to the advisory committees of graduate students in keeping with the recommendations of their respective schools and/or college;
6. Represent graduate education on behalf of the Provost's Office, in the Faculty Senate, UNCW Planning Committee, the UNC Graduate Council, and appropriate graduate educational associations;
7. Cooperate with and support the school and college deans, department chairs and graduate coordinators in the development and maintenance of quality graduate programs;
8. Meet with graduate program coordinators on a regular schedule for the purpose of communication and coordination;
9. Consult with appropriate personnel in the development and revision of budget matters concerning graduate education;
10. Assist in the exploration and development of new graduate programs;
11. Assure that periodic evaluations of all graduate programs occur;
12. Assist in the expansion of professional development opportunities for the Graduate Faculty;
13. Advocate and support the enhancement of research activities associated with the conduct of the graduate programs.

H. ARTICLE VIII - UNIVERSITY GRADUATE COUNCIL

Representation of the UNC Graduate Council shall be vested in the dean of Graduate School and, upon action of the provost, in such other members of the Graduate Faculty as may be elected or appointed in the conformance with policy of the University of North Carolina.

I. ARTICLE IX - AMENDMENT OF BYLAWS

- Section 1: Proposal

Amendments to these Bylaws may be proposed by voting members of the Graduate Council or by dean of the Graduate School. Proposed amendments shall be presented in an open hearing of the Council and, if receiving at least nine affirmative votes, thereafter shall be sent to the entire Graduate Faculty by mail ballot within 30 days, unless the voting cannot reasonably take place before the end of the spring semester, in which case voting shall be delayed until the following fall term.

- Section 2: Adoption

The adoption of amendments to these Bylaws requires a mail ballot sent to the entire Graduate Faculty. To be valid, one-third of the eligible voters must return ballots and a two-thirds majority of the mail ballots returned shall be necessary to pass any amendment.

IV. Faculty Responsibilities

A. TEACHING

1. POLICIES

A. FACULTY ABSENCES

Any faculty member who contemplates being absent from regular campus duties is expected to make arrangements in advance with the department chairperson. Where possible, the faculty member should prepare an assignment for each class affected and should arrange for a colleague to provide instruction.

In the event of an absence caused by an emergency or sickness, the faculty member should inform the department chairperson.

B. STUDENT ABSENCES

All faculty members are responsible for setting policy concerning the role of attendance in determining the grades for their classes. Students are expected to be present at all regular class meetings and examinations for the courses in which they are registered. It is the responsibility of the students to learn and comply with the policies set for each class in which they are registered.

On the first day of class faculty must inform students in writing of their class attendance policy and the effect of that policy on their final grade. If class attendance or late arrival is to affect a student's final grade, then a statement to this effect must be a part of the [course syllabus](#) distributed to each student.

If a course is fully enrolled and additional students are waiting to enroll, the chairperson or faculty member may drop from the class roll any student who does not attend the first class meeting and does not notify the department office within 24 hours of the desire to remain enrolled.

The [Student Health Center](#) does not issue routine medical excuses for students who miss classes. With the permission of the student, an instructor may verify that a health problem did exist and get an estimate of the extent of the student's disability. Specific details will not be released without the written consent of the student. A health professional may recommend a reduction in a student's course load or medical withdrawal from the University.

Student participation in university-sponsored activities occasionally requires that a student miss one or more class meetings. A student who expects to miss class because of participation in a university-sponsored activity must notify the instructor in advance of the absence and make arrangements with the instructor to complete all missed work and, if necessary, to do any compensatory projects which the instructor assigns. It is usually expected that the instructor will excuse the absence and permit the student to make up missed work in whatever manner the instructor deems appropriate.

If a student or family member contacts the Dean of Students or one of the academic deans about a medical or family emergency, the Dean's office will notify the instructor of the absence but will not verify the validity of the situation.

If a student stops attending class, faculty are requested to inform the [Dean of Students](#) and the appropriate academic dean.

C. COMMENCEMENT & OTHER CEREMONIES

Commencement exercises are held in December and in May. The Fall Convocation is held in August. Dates for commencement and the convocation are listed in the [Calendar of Events](#) printed in the university's catalogues.

A faculty presence is an important component of commencement and other ceremonial exercises, and attendance is a courtesy to graduating students, their families, and invited speakers.

Academic regalia, the attire for both commencement exercises and the convocation, may be rented or purchased through the [University Bookstore](#) at the expense of the individual faculty member.

D. COURSE POLICIES & SYLLABUS

Faculty should keep two factors in mind when preparing opening class handouts:

- Students have a right to know the course policies that affect them—for example, regarding grading and attendance.
- Specifying policies in writing is important for the protection of the faculty. Most student complaints about grades have concerned unspecified or vague grading policies.

In every course, undergraduate and graduate, students must be given an opening handout that spells out the following (clearly and specifically):

- *the basis for grading*, including the relative weightings, in determining the final grade, of such factors as exams, papers, quizzes, and projects. See also [grading](#).
- *the attendance policy* (if the faculty member has one)
- *penalties*, if any, for absences, late arrivals, missed examinations, and late or missed assignments
- *office hours*

For online classes, course policies must be posted online. For other classes, either a hard-copy opening handout must be distributed or the information must be posted on a course website or emailed to the class.

Modifications to the opening handout should also be communicated to students in writing. Faculty are free to create their own policies in these matters, but these policies must be communicated to the students at the beginning of the course.

E. COURSE ROLL

Faculty can access the class roll for each course on [SeaNet for Faculty](#), beginning with preregistration for each academic term. This class roll is official only after the [late registration and drop/add period](#) is completed each term. Class sections from former terms may also be viewed on SeaNet at any time by the class instructor.

- *Verification form*

Faculty are sent a Class Roll Verification form, which must be returned before the seventh week of the term, the deadline for student withdrawal from classes. Return of the form by the deadline is essential, since it allows the Registrar's Office to notify students who are registered for a class but have never attended, so that they may withdraw prior to the withdrawal deadline. All students who remain on the class roll must receive a grade at the end of the semester; students who fail to withdraw by the deadline receive a grade of F in the class.

F. CURRICULAR CHANGE

Changes in university curricula may be initiated by the department, the Faculty Senate, the deans, or directors, and they require official approval. Curricular changes may not be listed in the catalogue until approved.

Faculty involvement in proposed changes in the undergraduate curricula is accomplished through the following committee structure:

- Curriculum committees within the College of Arts and Sciences, the Cameron School of Business Administration, the Donald R. Watson School of Education, and the School of Nursing review all proposed curricular changes within their respective college and schools and make recommendations to the respective deans.
- The [University Curriculum Committee](#), a committee of the Faculty Senate, reviews all curricular matters concerning the establishment, dissolution, division, or consolidation of academic departments or other degree-granting entities; the establishment or dissolution of academic degrees, including majors, minors, and certificate programs; the revision of academic degrees when these revisions directly affect any academic unit outside of the revising department's school or college; policies for maximum and minimum hours required for majors, minors, and certificates; total number of hours required for graduation; basic studies requirements; university-wide

competency requirements; course prefixes; any curricular conflicts between schools and/or colleges; and other general curricular policies which have total university impact. The committee shall submit all such proposals, along with the committee's recommendations, to the Senate for consideration.

Recommendations of college and school curriculum committees are first submitted to the appropriate dean for approval. Approved recommendations regarding individual courses and all other curricular matters not subject to review by the University Curriculum Committee are submitted directly to the chief academic officer for official approval.

Recommendations of college and school curriculum committees involving matters subject to review by the University Curriculum Committee are submitted to that committee upon approval by the dean. However, the college or school may submit proposals to the University Curriculum Committee prior to the completion of its review process if simultaneous consideration is necessary to meet a deadline, such as for the publication of the following year's catalogue. Recommendations of the University Curriculum Committee are first submitted to the Faculty Senate and, if approved, are submitted to the chief academic officer for official approval.

Forms for proposing new courses or for changing or deleting existing courses are available from the department chairperson, the chairperson of the appropriate college or school curriculum committee, and [online](#). Forms for proposing changes in existing basic studies courses, for proposing additions (or deletions) of existing courses to (from) basic studies, and for proposing the designation of an existing course as meeting the oral or computer-competency requirements are available from the department chairperson or from the chairperson of the University Curriculum Committee.

Proposals may be submitted at any time, but faculty should keep the following in mind:

- The normal deadline for submissions to Academic Affairs for the catalogue is November 13 each year. Proposals submitted in the spring of the year have a high assurance of making the November catalogue deadline, if approved. Courses submitted in the fall close to the deadline are unlikely to pass through the review and approval process in time to meet the November 13 deadline for the following year's catalogue.
- Proposals are reviewed by the college and school curriculum committees before going to the appropriate dean for approval.
- Proposals regarding majors, minors, and certificate programs additionally involve review by the University Curriculum Committee and approval by the Faculty Senate.
- Proposals for changes in courses that are already approved for basic studies require approval by the college and school curriculum committees and their deans before they can be considered by the University Curriculum Committee and the Senate.
- Proposals to designate existing courses as basic studies courses are accepted by the University Curriculum Committee only in odd-even academic years (e.g., 2001-02, 2003-04).
- Proposals to plan new undergraduate degree programs must be reviewed by the appropriate college or school curriculum committee, the University Curriculum Committee, the Faculty Senate, and the chief academic officer before notice of intent to plan can be submitted to the Office of the President.

The [Graduate Council](#) initiates, reviews, and makes recommendations concerning graduate education and reviews and makes recommendations on all curriculum requests at the graduate level. Changes in the graduate curricula that originate in the departments require approval by the Graduate Council. The Graduate Council also reviews and makes recommendations on all proposals for new degree programs or program tracks at the graduate level.

G. DIRECTED INDIVIDUAL STUDY (DIS)

Directed individual study (DIS), designated as 491 with the subject prefix (e.g., HST 491), involves investigation, under the direction of a faculty member, beyond what is offered in existing courses.

It should be noted that the purpose of DIS is supplemental study; it may not be used to duplicate a course existing in the catalogue, regardless of whether that course is offered in the current term. (In cases when a student needs a particular course that is not currently offered, an instructor may offer, with the chairperson's permission and without additional compensation, a section of that course—using the course number, not 491—with an enrollment of one student.)

To enroll in a DIS a student must be a junior or a senior and have an overall grade point average of a least 2.0 and the approval of all of the following:

- the faculty member who would direct the study
- the department chairperson
- the appropriate dean

Instructors are under no obligation to offer directed individual study and do so without additional compensation.

Departmental criteria include:

- the availability of the instructor (ordinarily instructors will not supervise more than six student credit hours of DIS per semester)
- the appropriateness of and need for the proposed study in the student's program
- the availability of library and other research resources
- the feasibility of completion of the proposed study in the allotted time.

Students are limited to nine credit hours of DIS toward graduation requirements, not more than three of which can be outside the student's major.

To enroll a student in DIS, the instructor completes a DIS form before or during the registration period for the semester. Forms are available in departmental offices. The completed form, after being approved by the departmental chairperson and the appropriate dean, is sent to the Office of the Registrar prior to the close of registration.

H. TEACHING EVALUATIONS

The [SPOT guidelines document](#) states, "Because numerous studies have indicated that both peer and student evaluations are necessary for the equitable evaluation of teaching effectiveness, it is strongly suggested that peer and student evaluations be given similar emphasis in personnel recommendations."

- *Peer evaluation*

A variety of methods of peer evaluation are in use throughout the campus. There is no single instrument for peer evaluation, but typically faculty are requested to include in their review materials syllabi, course tests and examinations, statements about new courses developed, and results of student evaluations. For new and non-tenured faculty and graduate teaching assistants, peer review includes direct observation of classroom teaching.

- *Student evaluation (SPOT)*

Every faculty member is evaluated by students every semester in all courses (including summer courses) using the institution-wide Student Perceptions of Teaching (SPOT) questionnaire. This questionnaire and the instructions for administering it were developed by the Faculty Senate. The use of the SPOT is mandatory, although some departments also have additional student evaluation questions which are appended to the SPOT. The department chairperson or appropriate supervisor receives the results of the SPOT from the Office of Academic Computing and shares them with the faculty member every semester. SPOT results are considered, along with other measures and instruments of evaluation, in annual evaluation; in evaluation for reappointment, promotion, and tenure; and in post-tenure review.

The reliability of data gathered by way of student evaluation instruments depends, in part, on the establishment of a set of common practices for administration and use. The Faculty Senate has adopted a set of [guidelines for the administration and use of SPOT](#).

I. GRADING

- *Assigning grades*

Each faculty member has the academic freedom and responsibility to determine grades according to any method, chosen by the faculty member, which is professionally acceptable, communicated to everyone in the class, and applied to all students equally. However, prejudiced or capricious academic evaluation by a faculty member is a violation of a student's rights and constitutes valid grounds for a grade appeal. Faculty are urged to include a written statement of their grading policy on course [syllabi](#).

The University of North Carolina at Wilmington uses the quality point system and semester hour credit for calculating student achievement. Plus (+) or minus (-) grades may be awarded at the discretion of the instructor. Passing grades range from A to D- (there is no A+). For a listing of the [quality points and a description of the performance associated with each grade](#), see the Undergraduate Catalogue.

A student's quality point average is determined by dividing the accumulated number of quality points earned by the accumulated number of quality hours attempted. Hours attempted for which a grade of "F" is received are included in this calculation.

- *Equitable grading*

Grading criteria must be applied equally to all students. If an instructor gives any student in a class an opportunity that can raise the student's grade (for example, the opportunity to revise work, retake an examination, or do work for additional credit), that same opportunity must be afforded to all students in the class. Failure to receive equitable opportunities in grading constitutes valid grounds for a grade appeal.

- *Grade of Incomplete (I)*

At the discretion of the instructor, a student may be given a grade of Incomplete when the work in the course has not been completed for reasons beyond the control of the student. Instead of reporting the grade on SeaNet, the instructor must also complete a "Form for Assigning an Incomplete," available in departmental offices. It is the responsibility of the faculty member 1) to send copies of the form, once approved by the departmental chairperson, to the Registrar when the grades are due, and 2) to specify to the student the exact terms and conditions necessary to satisfy the incomplete including the date by which all work needs to be completed. All incomplete grades must be removed, no later than the end of the next regular semester; otherwise the "I" becomes "F". A student must not register for a class when attempting to remove a grade of Incomplete for that class. When a student with an Incomplete grade has successfully completed all required work, the instructor submits a completed "Report of Conversion of Grade or Incomplete" [form](#), available in the departmental office.

The grade of "I" (Incomplete) may be assigned *only* if *all* of the following conditions pertain:

- The student is in good standing in the course and has satisfactorily completed the greater portion of the requirements for the class; and
- the student is prevented from completing the remaining requirements by unavoidable circumstances (not by incompetence or neglect); and
- the student can complete the remaining requirements within a calendar year without repeating the course; and
- the instructor and student have discussed and agreed to the grade and conditions.

The grade if "I" should *not* be given for *any* of the following reasons:

- A student otherwise in good standing fails to take the final examination with no communication with the instructor; or
- a student otherwise in good standing fails to turn in an assignment with no excuse; or
- the student is failing the course or needs to repeat it.

For these cases, the appropriate grade is F. If the instructor later learns that the student was incapacitated, the instructor can submit a [grade change](#). However, F is the only appropriate grade when a student has not completed coursework without being excused by the instructor. Students may retake such a course under the [course repeat policy](#).

- *Student rights and privacy*

The Family Educational Rights and Privacy Act of 1974 (FERPA, also known as the "Buckley Amendment") is an amendment to the Elementary and Secondary Education Act of 1965. Simply stated, the law provides college students with the following three rights:

- The right of the student to "inspect and review" his or her institutional records
- The right of "an opportunity for a hearing to challenge the content of their school records"
- The right of privacy for student records

In this regard, the law requires that students be informed of their rights within the stated provisions of the law. All UNCW students are to be informed that in compliance with the Family Educational Rights and Privacy Act of 1974 these rights will be adhered to on this campus.

Parents who provide more than half of a student's financial support may have access to academic information if the "Parent's Request for Academic Eligibility Information" form is on file in the appropriate dean's office or in the Center for Academic Advising. Students may authorize access to other individuals only through a written consent form signed by the student. These forms remain in the student's file.

Obligations for faculty include the following:

- Faculty should not discuss a student's performance with anyone unless the student has signed an authorization.
- Faculty should not post grades by using students' names, social security numbers, or any other symbols that could divulge the identity of the students.
- Faculty should not announce the names of students and the grades they made on tests in class or leave graded material in public areas (for example, outside their offices) for student pick-up.

A statement concerning student records, including procedures for inspecting, reviewing and amending records, is provided in the [UNCW Student Handbook and Code of Student Life](#).

- *Reporting of grades*

All grading is recorded on the web via [SeaNet for Faculty](#). (For information about how to access SeaNet, see the [SeaNet guide](#) or phone 962-3126). Grade reporting deadlines are mandatory and are taken seriously; faculty must meet the deadlines in order for grades to be processed, for the students to be notified, and for final graduation check. Students obtain their grades through SeaNet for Students or SeaPort (the university's telephone interactive voice-response system), and no grade reports are mailed to students. Faculty may verify grades by viewing them on SeaNet for Faculty. Faculty should correct grade discrepancies by the published deadline located under the "Grading Period" link on SeaNet for Faculty. After the deadline, faculty should correct grade discrepancies by filling out a "Change of Grade" form (available in departmental offices), obtaining the necessary signatures, and forwarding it to the Office of the Registrar.

- *Posting of grades*

Final grades for semesters and summer sessions are available to students through SeaNet for Students or the SeaPort system as soon as they have been processed on-line. A faculty member who chooses to post grades must devise a system to insure anonymity; neither students' names nor their social security numbers nor other symbols that could identify them to others may be displayed. Faculty may not leave graded material in public areas (for example, outside their offices) for students to pick up.

- *Changing grades*

Should it be necessary for a faculty member to change a student's grade, the appropriate form ("Report of Conversion of Grade or Incomplete") is available in departmental offices. The faculty member must state the justification for changing the grade and must have the grade change approved by the department chairperson and the dean.

A student who wishes to contest a grade must follow the procedure for grade appeals, found in the [undergraduate](#) and [graduate](#) catalogues.

- *Final examination policy*

University policy requires the scheduling of final examinations at the end of each semester. Under this policy, the final examination schedule provides a three-hour period for each examination and allows a maximum of three examinations per day. The length of the final examination, up to a maximum of three hours, is at the discretion of the instructor.

All classes must meet during their respective final examination periods. If a final examination is not required, the instructor will determine how the assigned time is to be used. In those few courses for which this is not an academically sound requirement (e. g. laboratories, senior seminar), the instructor and students may be excused from meeting by the department chairperson, who is responsible for notifying the appropriate dean of all such cases.

The [final examination schedule](#) is posted on the Registrar's website prior to the preregistration period for each semester. Rescheduling of a final examination for an entire class may be done only with the approval of the appropriate dean. Students in a course having multiple sections may take the final examination with another section only by permission of the instructor and if it does not cause conflict in another course. No makeup final examination will be given except for reasons of illness or other verified emergency. Students who are absent from a final examination for reasons acceptable to the instructor must take the makeup examination at the convenience of the instructor.

A student who is scheduled to take three final examinations in one calendar day may have one rescheduled by notifying the three instructors and the appropriate deans of this desire at least two weeks before the beginning of the final examination period. It is the responsibility of the three instructors, working with the student, to reschedule one of the examinations and so inform the student and the appropriate deans at least one week before the beginning of the final examination period.

Ordinarily, quizzes or tests should not be given at the end of the semester or summer term (last five weekdays in a semester, last three weekdays in a summer term).

- *Retention of examinations and other graded material*

Faculty are expected to retain all unreturned papers, including examinations and term papers, for a period of one calendar year, in order to ensure a basis for possible review of a grade. A faculty member should be willing to discuss any unreturned graded material at the request of a student.

J. HONOR CODE

Revised August 6, 2009; reformatted July 18, 2005; Effective 1986.

[The UNCW Student Academic Honor Code](#) (pdf)

K. IMPROPER RELATIONSHIPS

- *Familial relationships*

A faculty member may not supervise or evaluate any enrolled student to whom he or she is related by blood, law, or marriage.

- *Amorous relationships*

The University of North Carolina does not condone amorous relationships between students and employees. Members of the University community should avoid such liaisons, which can harm affected students and damage the integrity of the academic enterprise. Further, sexual relationships between unmarried persons can result in criminal liability. In two types of situations, University prohibition and punishment of amorous relationships is deemed necessary:

- When the employee is responsible for evaluating or supervising the affected student.
- When the student is a minor, as defined by North Carolina law.

Prohibited conduct and corrective action are specified in the Board of Governors' policy [Improper Relationships between Students and Employees](#). UNCW procedures for investigating complaints are found in the UNCW Code of Student Life: [Administrative Review Procedure for Investigating Complaints Pertaining to Sexual Harassment, Improper Personal Relationships, Personal Discrimination, Unlawful Workplace Harassment, or Workplace Violence](#).

L. OFFICE HOURS

Although the university has no specific requirements regarding faculty office hours, each member of the faculty is expected to be available to students and advisees for at least two hours per day during the

regular academic year, and at least one hour per day during the term of a summer session in which a faculty member teaches. Office hours should be posted on office doors and should be at times convenient for students. On any occasion when an unavoidable conflict arises, faculty should post a note (or have the secretary post a note) on their office door.

M. RESERVING ROOMS

Reservations for most campus facilities (both academic and non-academic space) can be made by calling (962-)7098.

N. SEXUAL HARASSMENT POLICY

June 21, 1996 (effective August 12, 1996)
[replaces October 1983 policy]

The University of North Carolina at Wilmington is committed to ensuring that all students, faculty, and staff are treated with dignity and respect. Sexual harassment is highly detrimental to the environment of mutual respect that must prevail if the university is to fulfill its goals. Sexual harassment violates university policy and is illegal under state and federal law. All members of the university community have an obligation to learn what behaviors constitute sexual harassment, be responsible for their own behavior, and cooperate in creating a climate where sexual harassment is not tolerated.

Sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when such conduct

- i. constitutes an express or implied condition to another person's academic pursuits, university employment, or participation in activities sponsored by the university or organizations or groups related to the university, or
- ii. is engaged in for the purpose of interfering with such pursuits, employment, or participation, or
- iii. creates a hostile, intimidating, or offensive environment for such pursuits, employment, or participation."

Sexual advances or requests for sexual favors which are presented as a *condition* to another person's academic pursuits, university employment, or participation in university activities are always a violation of university policy--whether repeated or not. Behaviors which are not presented as a condition to another person's employment, education, or participation in university activities but which create a *hostile, intimidating, or offensive environment* generally must be repetitive and clearly unwelcome to constitute a violation of university policy.

Unwanted sexual attention can take many forms, including, but not limited to:

- *Verbal*: unwanted and repeated sexual remarks; offensive jokes about sexual or gender traits; sexual propositions; insults, threats, or bribes; sexual innuendoes or comments about a person's body, clothing, or activities; offensive written notes or phone calls.
- *Non-verbal*: leering, whistling, or suggestive or insulting gestures.

- *Physical*: unwanted touching of a sexual nature (e.g., brushing, patting, pinching, fondling); coerced sexual activity.

Any of these could be considered sexual harassment, and, depending on the situation, fit into the following categories:

- *Gender harassment*: statements or behaviors that insult or degrade another person on the basis of his or her gender or sexual orientation; repetitive, unwelcome physical or verbal sexual advances;
- *Sexual bribery*: solicitation of sexual activity by promise of reward;
- *Sexual coercion*: coercion of sexual activity by threat of punishment;
- *Sexual imposition*: forced, unwanted sexual activity.

In sum, sexual harassment usually takes the form of explicit conditions pertaining to an individual's work or study (whether repeated or not) or unwanted and repeated behaviors of the type described above. Compliments, a one-time thoughtless joke, or inadvertent physical contact typically do not constitute sexual harassment. Individuals unclear as to whether a specific behavior is sexual harassment are encouraged to talk with the university EEO/AA Officer, the Dean of Students, or one of the EEO/AA contact persons listed in the university telephone directory.

Sexual harassment is considered a serious matter. The university suggests several mechanisms, both informal and formal, for persons to make complaints, which may include bringing the matter to the attention of university officials. [See Administrative Review Procedure for University Members Alleging Personal Discrimination.] However, accusations of sexual harassment have serious consequences for the accused as well as the accuser, and therefore action will be taken against anyone bringing forth frivolous or false charges.

O. STUDENT INTERNSHIPS

Several departments in the College of Arts and Sciences and the Cameron School of Business offer students the opportunity to earn academic credit within a work environment. The purpose of the internship experience is to enhance, supplement, and integrate the learning that occurs in formal classroom settings.

Permission of the dean and department offering the internship is required to enroll, and the department places limits on the number of credit hours earned applicable toward graduation. Internships are graded on a pass/fail basis. These credit hours earned will count towards the number of hours required to graduate, but the grade of Pass (P) will be excluded from the computation of the GPA.

Internship courses are designated 498 and are established in the same manner that other academic courses are proposed and approved. That is, departmental proposals are processed through the [curriculum review procedure](#) for appropriate faculty and administrative approvals. Internships proposed initially as experimental (trial) courses require the same processing as regular internship proposals.

- *Procedure to enroll students in internships*

Student enrollment in internships shall follow the same procedures as enrollment in other academic courses, with the following additional requirements:

- Academic credit awarded for each internship program shall not exceed six credit hours.
- Limits are placed by the department offering the internships on the number of credit hours earned in this manner which may be applied toward graduation.
- Prior to the commencement of any work or study, a contract shall be negotiated by the faculty supervisor between the university and the participating agency. The contract must be approved by the department chairperson and the appropriate dean, each of whom will retain a copy on file, and it shall include the following:
 - a) The time, duration, credit hours, and location of study for the student.
 - b) The internship objectives, i.e., the skills or experience required for the student to complete the course of study.
 - c) The evaluation techniques for assessing student achievement of internship objectives, e.g., tests, term papers, on-site examination, etc. Although the evaluation of student achievement may be a collaborative effort between supervisory individuals, the faculty supervisor has full responsibility and accountability for the assignment of a course grade.
- A copy of the approved contract shall be forwarded by the dean to the office of the Registrar for inclusion in the student's file.

P. STUDENT DISCIPLINE

All students shall be responsible for conducting themselves in a manner that helps to enhance an environment of learning in which the rights, dignity, worth and freedom of each member of the academic community are respected. (See the Code of the University of North Carolina, [Section 608.](#))

If a student's behavior in the classroom is disruptive so that it impacts negatively on the learning environment, it is the right and obligation of the faculty member to ask the student to stop or to leave the classroom. If the disruptive behavior continues, the faculty member should inform the [Dean of Students](#) of the problem.

Disciplinary proceedings in the university must insure due process, as set forth in [Section 502 D\(3\)](#) of the Code.

Q. STUDENT RIGHTS & FREEDOMS

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. (Taken from the Preamble of the "Joint Statement on Rights and Freedoms of Students". For the complete "Joint Statement", see Administrative Policies section G. of the [UNCW Code of Student Life.](#))

The "Joint Statement on Rights and Freedoms of Students" further describes the rights and freedoms of students as follows. The professor in the classroom and in conference should encourage free

discussion, inquiry, and expression. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Faculty should ensure that students enjoy the following protections:

PROTECTION OF FREEDOM OF EXPRESSION. Students should be free to take reasoned exception to the data or views offered in any course or study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

PROTECTION AGAINST IMPROPER ACADEMIC EVALUATION. Students should have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

PROTECTION AGAINST IMPROPER DISCLOSURE. Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisors, and counselors should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

See also students' [privacy rights](#) under the Buckley Amendment.

R. SUMMER SCHOOL TEACHING

Faculty on nine-month appointments may teach in one or both of the UNCW summer sessions and earn additional income. Assignment is not automatic but is based upon such factors as the scope of the departmental summer course offerings, size of budget allocated to the department by the Summer Session administration for faculty salaries, and potential enrollment in courses to be offered. The method for assigning courses taught by a faculty member varies from department to department.

A written contract stipulating the course(s) to be taught and the rate of compensation is binding upon both the appointed faculty member and the Summer Session administration. Faculty members on nine-month appointments may teach summer school or accept other employment outside UNCW without restriction (see [External professional activities for pay](#)). Persons on twelve-month appointments are not eligible for summer school pay in addition to their regular salaries.

Rates of compensation are provided annually by the summer school office. Pay is based on a percentage of the instructor's nine-month salary, although with a set minimum and maximum salary.

S. TEACHING AWARDS

To recognize and reward good teaching, UNCW, the Board of Trustees, and the Board of Governors have established several different awards which are made to faculty who demonstrate excellence in teaching. Awards include the following:

- Chancellor's Teaching Excellence Awards
- Distinguished Teaching Professorships
- Board of Governors' Awards for Excellence in Teaching

In addition, the Board of Trustees Teaching Excellence Award is presented annually to one of the recipients of the Distinguished Teaching Professorship.

For information about these and other teaching awards, consult the [awards page](#) maintained by Academic Affairs.

T. TEXTBOOKS

- *Ordering textbooks*

Textbook orders are handled through the University Bookstore. Faculty members are expected to submit textbook requests to the bookstore, either through the departmental secretary or by [online adoption](#). The bookstore does not provide faculty members with desk copies; these should be obtained by writing directly to the publisher. Departments are informed of the deadlines for submitting textbook requisitions. These are generally in March for the summer sessions, April for the fall semester, and October for the spring semester.

Course packs developed by the faculty and printed by the UNCW Copy Center or an off-campus copy center may be sold through the University Bookstore. (More detailed information is available on [printing services available to faculty](#).)

- *Examination and desk copies of textbooks*

Faculty may request examination copies and desk copies of textbooks from publishing companies. These are often free of charge, especially if they are under consideration for course adoption (examination copies) or have already been adopted as course textbooks (desk copies). From time to time, book merchants come to UNCW and offer to buy these textbooks from faculty. The Faculty Senate has taken the position that the sale by faculty of complimentary textbooks is an unprofessional practice and has urged faculty to refrain from selling complimentary copies of textbooks (Senate motion 88-3-4, January 19, 1988).

- *Placing class materials on reserve*

The Library site provides information for faculty on [course reserves](#).

- *Use of copyrighted materials in teaching*

By the Copyright Act of 1976, copyright protection extends to literary works, musical works (including any accompanying words), pantomimes, choreographic works, pictorial, graphic and sculptural works, motion pictures and other audiovisual works, and sound recordings. [Guidelines](#) for conforming to the requirements of U. S. copyright law and information on how to request copyright permissions can be found on a site maintained by Randall Library.

U. TRIAL COURSES

Academic departments may offer special trial courses during the fall and spring semesters on a one-time basis without adding them to their regular departmental offerings. A second trial offering, if additional data are essential, must be within two regular semesters of the first. Numbers designating these special courses are 292 and 492. Descriptive information on trial courses does not appear in the catalogue but is on file in the Office of the Registrar.

V. TRAVEL (TEACHING-RELATED)

Faculty members who travel in order to fulfill their teaching obligations (e.g., those who supervise student teachers and those who teach in the University's extension program) are, in some cases, reimbursed at least partially for their expenses. All reimbursed university travel must follow [university travel policies](#) (from Administrative Policies and Procedures Manual). Information about current policies and the forms for requesting travel funds are also available from department chairpersons. See also the maximum [reimbursement rates](#) or in-state and out-of-state travel.

Travel for university service may also be reimbursed. Travel of delegates to Faculty Assembly meetings is reimbursed by the Office of the President.

W. WEATHER EMERGENCIES

In the event of a hurricane, snowstorm, or other weather emergency, classes may be cancelled. For information on closings, faculty should call the Severe Weather Hotline (1-888-657-5751) or find information from the news media.

See also UNCW's [hurricane policy](#).

X. WORKLOAD

The number and type of courses taught by faculty members each semester, and the times at which they are taught, are determined by the department chairperson in consultation with the faculty member and with the appropriate dean. Each department is required to have a workload policy.

For detailed guidelines for faculty loads, see UNCW's [Faculty Workload Policy Guidelines](#). The colleges and schools also have workload policies. See:

- [CAS policy](#)
- [Cameron School policy](#)
- [School of Nursing policy](#)
- [Watson School policy](#)

2. RESOURCES

A. CENTER FOR TEACHING EXCELLENCE

B. HONORS SCHOLARS PROGRAM

C. LEARNING COMMUNITIES

D. TUTORING (ACADEMIC SUPPORT SERVICES)

E. STUDENT SERVICES

F. UNIVERSITY COLLEGE

ADVISING

STUDENTS

1. *ADVISING RESPONSIBILITIES*

Advising is one of a faculty member's most important duties, one that faculty should take seriously because every student has a right to concerned, competent, informed advising and because errors in advising may prevent a student from graduating on schedule or may result in a student [paying a surcharge](#).

Every enrolled student is assigned a faculty or professional advisor, and the university considers academic advising responsibilities to be a regular part of teaching responsibilities. Advisors are expected to:

- be available for conferences at appropriate times and places;
- provide accurate information about academic regulations, procedures and deadlines, course prerequisites, and graduation requirements;
- assist students in planning academic programs suited to their interests, abilities and career objectives; and
make appropriate referrals as needed.

Students have the primary responsibility for planning their programs and for meeting the graduation requirements.

2. *UNDERGRADUATE ADVISING*

A. ADVANCED PLACEMENT

B. AUDITING

C. BASIC STUDIES REQUIREMENTS

D. CLASSIFICATION OF STUDENTS

E. DEAN'S LIST

F. DECLARING OR CHANGING MAJORS/MINORS

During the first or possibly the second year of study, students are assisted in selecting courses, maintaining required scholastic standards, and planning a complete educational program by advisors in the Center for Academic Advising of the [University College](#). No earlier than the end of the second semester of the freshman year and no later than the end of the sophomore year, students declare a major and have their records transferred to the appropriate department and/or school. Requirements for admission to each of the professional schools and to majors in the college are listed in the [Undergraduate Catalogue](#). Some departments have additional requirements for admission. Descriptions of these are available in the departmental or deans' offices.

A student may elect a minor in any of the academic disciplines that offer one; these are listed in the Undergraduate Catalogue. The student must meet with the department chairperson or coordinator to define the requirements to complete the minor. Minors will be awarded at the same time as the baccalaureate degree. Upon completion of requirements and attainment of a degree, the minor will be posted on the student's academic transcript.

For students assigned to the Center for Academic Advising (CAA), all requests for a declaration of major or option, the declaration of a double major, or the declaration of a minor must be completed in the CAA. For students beyond the CAA, the change of major or option, the declaration of a double major, or the declaration or change of a minor must be completed in the Office of the Registrar. The only exception is for students changing from one department in a professional school to another department in the same school. These requests must be completed in the office of the dean of that professional school.

G. DIRECTED INDIVIDUAL STUDY (DIS)

Directed individual study (DIS), designated as 491 with the subject prefix (e.g., HST 491), involves investigation, under the direction of a faculty member, beyond what is offered in existing courses.

It should be noted that the purpose of DIS is supplemental study; it may not be used to duplicate a course existing in the catalogue, regardless of whether that course is offered in the current term. (In cases when a student needs a particular course that is not currently offered, an instructor may offer, with the chairperson's permission and without additional compensation, a section of that course—using the course number, not 491—with an enrollment of one student.)

To enroll in a DIS a student must be a junior or a senior and have an overall grade point average of a least 2.0 and the approval of all of the following:

- the faculty member who would direct the study
- the department chairperson
- the appropriate dean

Instructors are under no obligation to offer directed individual study and do so without additional compensation.

Departmental criteria include:

- the availability of the instructor (ordinarily instructors will not supervise more than six student credit hours of DIS per semester)
- the appropriateness of and need for the proposed study in the student's program
- the availability of library and other research resources
- the feasibility of completion of the proposed study in the allotted time.

Students are limited to nine credit hours of DIS toward graduation requirements, not more than three of which can be outside the student's major.

To enroll a student in DIS, the instructor completes a DIS form before or during the registration period for the semester. Forms are available in departmental offices. The completed form, after being approved by the departmental chairperson and the appropriate dean, is sent to the Office of the Registrar prior to the close of registration.

H. DROP/ADD AND LATE REGISTRATION

During the drop/add period and using their registration number, students drop and add courses and register late through SeaNet/SeaPort. Students without a registration number, such as leave-of-absence or re-enrolling students, may get their number from the office of the [Registrar](#).

- *Force-add*

Faculty can force-add beyond the previously established limit for a course by signing an add card, although, by doing this, faculty may inadvertently overenroll their classes. A student is allowed to drop or add courses until the end of the first week of the semester without having a grade entered on the academic record. The dates and procedure for drop/add can be found in the [course schedule](#) on SeaNet. It is the responsibility of the student to be aware of the dates for Drop/Add.

- *Dropping an absent student during the drop/add period*

At the faculty member's request, a chairperson may drop a student from the class roll during the drop/add period if and only if *all* of the following conditions apply:

- o the course is fully enrolled, *and*
- o additional students are waiting to enroll, *and*
- o the student did not attend the first class meeting, *and*
- o the student did not notify the faculty member or departmental office within 24 hours of the first meeting of a desire to remain enrolled

Faculty members should make their advisees aware of this policy.

I. FAST-TRACK PROGRAM

J. GRADUATE COURSES FOR UNDERGRADUATES

K. GRADUATION REQUIREMENTS & APPLICATION

[Graduation requirements](#) are listed in the Undergraduate Catalogue.

Graduation requirements for [a double major](#) and for [a second baccalaureate degree](#) are listed in the Undergraduate Catalogue.

- *Application for graduation*

Faculty should remind their advisees to file an [application for graduation](#) by the deadlines listed in the [Calendar of Events](#) in the Undergraduate Catalogue. Students may apply online for graduation or stop by the office of the Registrar to fill out the form. Faculty should review carefully, during the preregistration period prior to graduation, the degree audit of those students who are planning to graduate. Careful advising at this time will allow the student to make up any deficiencies in the graduation requirements.

The authority and responsibility for final approval of applicants for graduation is delegated to the appropriate dean and the President of the Faculty Senate.

- *Request for waiver of degree requirement*

Any substitution or deviation from the requirements for graduation as stated in the catalogue under which the student has elected to graduate must be approved by the faculty advisor, the department chairperson, and the appropriate dean. A "waiver/substitution" form, available in the department, is forwarded to the Office of the Registrar.

L. HONORS PROGRAM

M. INTERNATIONAL STUDENTS

N. STUDENT INTERNSHIPS

Several departments in the College of Arts and Sciences and the Cameron School of Business offer students the opportunity to earn academic credit within a work environment. The purpose of the internship experience is to enhance, supplement, and integrate the learning that occurs in formal classroom settings.

Permission of the dean and department offering the internship is required to enroll, and the department places limits on the number of credit hours earned applicable toward graduation. Internships are graded on a pass/fail basis. These credit hours earned will count towards the number of hours required to graduate, but the grade of Pass (P) will be excluded from the computation of the GPA.

Internship courses are designated 498 and are established in the same manner that other academic courses are proposed and approved. That is, departmental proposals are processed through the [curriculum review procedure](#) for appropriate faculty and administrative approvals. Internships proposed initially as experimental (trial) courses require the same processing as regular internship proposals.

Procedure to enroll students in internships

Student enrollment in internships shall follow the same procedures as enrollment in other academic courses, with the following additional requirements:

- Academic credit awarded for each internship program shall not exceed six credit hours.
- Limits are placed by the department offering the internships on the number of credit hours earned in this manner which may be applied toward graduation.
- Prior to the commencement of any work or study, a contract shall be negotiated by the faculty supervisor between the university and the participating agency. The contract must be approved by the department chairperson and the appropriate dean, each of whom will retain a copy on file, and it shall include the following:
 - The time, duration, credit hours, and location of study for the student.
 - The internship objectives, i.e., the skills or experience required for the student to complete the course of study.
 - The evaluation techniques for assessing student achievement of internship objectives, e.g., tests, term papers, on-site examination, etc. Although the evaluation of student achievement may be a collaborative effort between supervisory individuals, the faculty supervisor has full responsibility and accountability for the assignment of a course grade.
- A copy of the approved contract shall be forwarded by the dean to the office of the Registrar for inclusion in the student's file.

O. MINORS

P. ORAL COMMUNICATION COMPETENCY

Q. PERMANENT RECORD

The permanent record is the official educational record of the student's academic achievement and is maintained in the office of the [Registrar](#). A transcript is a copy of this record and is issued at the request of the student to communicate academic information about the student to another institution, to an agency, or to an individual. Institutions may provide transcripts of students to those designated school officials (advisors, department chairpersons, deans, etc.) within the institution who have a legitimate educational interest in the student.

In compliance with the [Family Educational Rights and Privacy Act of 1974](#), as amended, or the Buckley Amendment, faculty may not release a transcript or information from the transcript to another individual, agency, or institution without the written consent of the student.

R. PREREGISTRATION AND REGISTRATION

Information on preregistration and registration is published online each semester and is accessible to faculty via [SeaNet for Faculty](#) several weeks prior to preregistration. Students have access to their "degree audits" through [SeaNet for Students](#). Advisors have access to the same information through SeaNet for Faculty under the "Advisor Services" menu. The audit indicates courses completed, courses in progress, and courses that the student must complete to fulfill the degree requirements for a prescribed course of study. It also indicates the student's overall and major GPA. In addition to the degree audit, advisors have access to the following information regarding their advisees: institutional transcript, transfer transcript (with UNCW course equivalencies), class schedule, and addresses. Faculty also have the capability, as do students, to do a "what if" scenario with the degree audit. If a student is contemplating a major change, the "what if" link will reconfigure the course requirements and courses completed to the new program so students may get an idea of what the change will mean. Faculty may only view advisees assigned to them.

When viewing a student's transcript, the advisor may note the following terms which are defined as follows:

- *Attempted hours* (AHRS) = all hours attempted at UNCW including "W"s" and repeats
- *Earned hours* (EHRS) = UNCW passed hours + transfer credit
- *Retention hours* = quality hours + transfer hours
- *Quality hours* = total hours for which a final grade was assigned
- *Grade Point Average* (GPA) = total quality points divided by total quality hours

[SeaNet for Faculty](#) is the primary advising resource for all advisors. In addition, the Student Information System (SIS) is available to faculty for use via the VAX and is only recommended for faculty responsible for advising duties outside their assigned advisees, i.e., advising coordinators for departments, assistant department chairs, etc. For information about how to access SIS, contact Information Technology's [Client Technology Services](#); for demonstrations on how to use SeaNet/SIS/degree audit or questions about them, contact the office of the [Registrar](#).

An Authorization to SeaPort/SeaNet for each advisee is sent to the advisor prior to the scheduled dates for preregistration. This form provides information on preregistration and contains space for the dean's approval for a course load of more than 18 hours in the regular semester, or more than 8 hours in either summer session; and for the instructor's approval for enrollment in restricted courses. A new Authorization to SeaPort/SeaNet is issued each semester and those that are not picked up by the student should be destroyed after the drop/add period has ended.

S. REPEATING OF COURSES

T. RESIDENCY REQUIREMENT

U. RETENTION, DISMISSAL, & READMISSION

V. STUDENT ATHLETES

- Academic support
- Eligibility requirements

W. TRANSCRIPTS

X. TRANSFER OF CREDIT

Y. TUITION SURCHARGE FOR EXCESS HOURS

Z. TUTORING

AA. NATIONAL STUDENT EXCHANGE (NSE)

BB. STUDY ABROAD OPPORTUNITIES

UNCW offers a number of study abroad opportunities for students, and faculty should advise interested students of these. For a study abroad exchange experience at a university with which UNCW has such an agreement, a student must enroll in [INT 294 or 494](#) during the regular preregistration or registration period prior to the semester abroad, and pay tuition and fees to UNCW at the full-time rate. UNCW students who study abroad retain their active UNCW student status and will not have to re-enroll upon their return.

For further information and application procedures, advise students to contact the Office of [International Programs](#).

CC. WITHDRAWAL FROM CLASSES

3. GRADUATE ADVISING

The [Graduate School](#) administers numerous [programs of study](#) leading to graduate degrees.

Each of these areas has a graduate coordinator who reviews the applications and oversees their progress through the departmental evaluation and acceptance process. Upon acceptance to the Graduate School, the student is assigned or selects, by mutual consent, an advisor who will assist the student in planning a program of study. In the areas where a thesis is a part of the degree requirement, a thesis committee is also assigned to, or selected with the consent of the advisor and the committee members, the student to advise the student and monitor the progress of the thesis.

During registration, the Graduate School provides the graduate coordinators with the registration cards for the students eligible to register. The graduate coordinator is responsible for seeing that students are advised regarding courses in which they should enroll.

In preparation for preregistration the Graduate School provides the registrar with the preregistration letters and labels for currently enrolled students. The registrar distributes the information to the appropriate department approximately four weeks before preregistration is to begin. Closer to the actual preregistration time, the registrar distributes the "Authorization to Sealine," which is given to the student by the graduate coordinator/advisor during the scheduled advising time.

4. OFFICES

A. COUNSELING CENTER

B. HONORS SCHOLARS PROGRAM

C. INTERNATIONAL PROGRAMS

D. REGISTRAR

E. UNIVERSITY COLLEGE

RESEARCH

1. *FACULTY RESEARCH*

The University of North Carolina at Wilmington acknowledges the essential role of research, scholarship, and artistic achievement in vitalizing the teaching of its faculty. Competent teachers must be conversant with current developments in the field to anticipate future concerns of students and to inculcate in them, by their own example, the spirit and methods of inquiry. Faculty members' efforts to broaden their understanding through habitual inquiry and the publication of their findings enhance their power of articulation of ideas; similarly, student participation in a faculty mentor's research is an important part of the educational process. The university also recognizes the contributions of active and productive scholars toward attracting and holding an excellent faculty and student body.

To serve the members of both the university community and the broader community through the advancement of understanding, and to deepen its commitment to excellence in teaching, this university is committed to the encouragement and support of research and other creative and scholarly pursuits by its faculty and students.

2. *OFFICE OF RESEARCH SERVICES AND SPONSORED PROGRAMS*

[The Office of Research Services](#) (ORS) is the service unit on campus responsible for the oversight of externally sponsored programs.

ORS provides complete sponsored programs administration and support including (a) identifying funding sources, (b) assisting faculty in proposal development, and (c) monitoring funded projects. ORS also administers internal grant programs and the return of indirect cost monies to departments. It is the administrative unit responsible for seeing that the university remains in compliance with federal and state policies pertaining to research, serving as the coordinating office for human and animal compliance activities. The maintenance of federally required policies—misconduct in science, intellectual property, conflict of interest, etc.—resides in ORS.

Although the role for the principal investigator or project director is paramount in the performance of sponsored activity, the university is the recipient of the award and the responsible party to the related agreement. In accepting a grant or contract, the university assumes legal responsibility for observing the terms and conditions of the agreement and for delivering to the sponsor such assurance of compliance as may be required. Therefore, all proposals, including proposals submitted to funding agencies which award grants or fellowships directly to individual faculty members, are to be submitted to ORS with appropriate internal forms and signatures in time to assure review by university administration.

3. *GRANTS*

A. POLICIES/REPORTS: ACADEMIC AFFAIRS POLICY ON GRANT AWARDS MADE DIRECTLY TO FACULTY

Adopted March 13, 2001

To insure that departments and college/schools are cognizant of the academic and financial implications of all successful grant proposals, and to insure that all grants obtained by university faculty are included in the university's record of external funds received, all proposals submitted by university faculty to external funding agencies must be submitted through the appropriate department chair and dean to the Office of Sponsored Programs. This includes proposals to funding agencies that traditionally award grants or fellowships directly to individual faculty members, such as the National Endowment for the Humanities and the Fulbright Scholar Program. Such grants shall be considered as a direct buy-out of faculty services, and any additional university resources requested by a successful applicant, if honored, are to be provided from the budgeted resources of the department and college/school of the submitting faculty member, unless prior arrangements have been approved by the Vice Chancellor for Academic Affairs. The dean of the appropriate college has the prerogative to deny all requests for additional resources related to a grant award, and to deny requests for leaves of absence predicated upon grant awards.

B. POLICY FOR SUPPLEMENTAL FACULTY COMPENSATION

Adopted by the Faculty Senate January 2002

- *Purpose*

Establishes policy regarding summer salaries paid from grant and contract funds, salary supplements paid from grants during the regular academic year, and fees for consultative services paid to faculty.

- *Scope*

Applies to all grant and contract funds and all fees for consulting services paid to faculty through the university, regardless of the source of funds or associated reporting requirements. Although this policy is based on [OMB Circular A-21](#), which states that the federal requirements outlined in this publication do not apply to “awards under which the institution is not required to account to the Federal Government for actual costs incurred,” the University of North Carolina at Wilmington has adopted these principles to apply to all of the funding sources noted above.

- *Policy*

- *General Statement*

The following policy is separated into three parts:

- a. Salary rates paid to full-time faculty performing work under sponsored agreements during the regular academic year
- b. Salary rates paid to full-time faculty performing work under sponsored agreements outside of the regular academic year

- c. Salary rates paid to part-time faculty performing work under sponsored agreements

- *Policy Detail*

- a. Salary rates paid to full-time faculty performing work under sponsored agreements during the regular academic year

Charges for work performed on sponsored agreements by faculty members during the academic year will be based on the individual faculty member's regular compensation (excluding stipend amounts) for the continuous period which constitutes the basis of his or her UNCW salary. Charges for work performed on sponsored agreements during all or any portion of such period are allowable at the base salary rate. In no event will charges to sponsored agreements, irrespective of the basis of computation, exceed the proportionate share of the base salary for that period. [The proportionate share is the base annual salary (excluding stipends) divided by the length of the annual contract period in months (normally nine for a faculty member), and multiplied by the number of months of that contract period devoted to work performed on the sponsored agreement.] This principle applies to all members of the faculty at UNCW. Since intra-university consulting is assumed to be undertaken as a university obligation requiring no compensation in addition to full-time base salary, the principle also applies to UNCW faculty members who function as consultants or otherwise contribute to a sponsored agreement conducted by another UNCW faculty member. However, in unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is in addition to his or her regular departmental load, any charges for such work representing extra compensation above the base salary are allowable provided that such consulting arrangements are specifically provided for in the agreement or approved in writing by the sponsoring agency.

- b. Salary rates paid to full-time faculty performing work under sponsored agreements outside of the regular academic year

Except as otherwise specified for teaching activity in subsection 2, charges for work performed by faculty members on sponsored agreements during the summer months or other period not included in the base salary period will be determined for each faculty member at a monthly rate not in excess of the base salary divided by the length of the annual contract period in months (normally nine for a faculty member), and will be limited to charges made in accordance with other parts of this section. The base salary period used in computing charges for work performed during the summer months will be the number of months covered by the faculty member's official academic year appointment.

Charges for teaching activities performed by faculty members on sponsored agreements during the summer months or other periods not included in the base salary period will be based on the normal UNCW policy governing compensation to faculty members for teaching assignments during such periods.

- c. Salary rates paid to part-time faculty performing work under sponsored agreements

Charges for work performed on sponsored agreements by faculty members having only part-time appointments will be determined at a rate not in excess of that regularly paid for the part-time assignments. For example, suppose UNCW pays a faculty member \$5,000 for half-time teaching during the academic year, and that one-half of the faculty member's remaining time was devoted to a sponsored agreement. In this case, the additional compensation, chargeable by UNCW to the agreement, would be one-half of \$5,000, or \$2,500.

- *Procedures*

- a. Implementation of this policy is effective immediately; enforcement is the responsibility of the [Office of Research Services and Sponsored Programs](#).

4. *AWARD FOR FACULTY SCHOLARSHIP*

The UNCW Award for Faculty Scholarship is awarded annually to the faculty member who has made, and continues to make, a significant contribution to the university and the academic community through a commitment to scholarship, research, and creativity. The recipient of the \$1500 award is announced by the president of the Faculty Senate at the fall convocation.

Nominees for the Award for Faculty Scholarship must be current full-time members of the UNCW faculty and must have exhibited genuine interest in scholarship, research, and creativity; earned the respect of colleagues and peers; maintained high standards of quality and integrity; fostered interest and involvement of students and colleagues in scholarship and creative work; and demonstrated a significant contribution to scholarship, research, and creativity at UNCW.

A "call for nominations" is sent out to all faculty early in the spring semester and nominations may be submitted by any member of the UNCW faculty. A selection committee, designated by the chancellor, makes its final recommendation to the president of the Faculty Senate.

5. *RESEARCH STIPENDS*

A. CAHILL AWARDS FOR FACULTY RESEARCH & DEVELOPMENT

Charles L. Cahill awards for faculty research and development are grants of funding to faculty for the following purposes:

- to encourage new research or artistic endeavor
- to provide seed money to initiate a project that may subsequently attract funding from other sources

- to encourage the development of specific professional skills

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

B. SUMMER RESEARCH INITIATIVES

Summer research initiatives provide support during the month of June for faculty to engage in significant research or artistic initiatives.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

C. AWARDS FOR TRAVEL TO RESEARCH SPONSORS

The Office of Sponsored Programs provides funds for faculty to meet with program directors at funding agencies.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

D. MARINE SCIENCE RESEARCH STIPENDS

Marine science research stipends provide summer funding to faculty conducting research in marine biotechnology, marine biomedical and environmental physiology, coastal and estuarine studies, oceanography, or marine geology.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

6. TRAVEL TO CONFERENCES

Limited support is available for travel to conferences. Policies for the distribution of these funds are set by each professional school and, within the college by each department, and expenses are reimbursed at established [state rates](#). For information about these policies, contact the department chairperson or appropriate dean.

All reimbursed university travel must follow [university travel policies](#).

7. PATENTS & COPYRIGHTS

A. INSTITUTIONAL PATENT AND COPYRIGHT PROCEDURES

The University of North Carolina at Wilmington

Approved by Board of Trustees January 11, 1984

- *General*
 - As defined by the [patent and copyright policies of the Board of Governors](#), to which these procedures are expressly subject, The University of North Carolina at Wilmington has an interest in all inventions of university personnel that are conceived or first actually reduced to practice as a part of or as a result of university research, activities within the scope of the inventor's employment by the university, and activities involving the use of university time, facilities, staff, materials, university information not available to the public, or funds administered by the university.
 - The university may also have an interest in inventions under the terms of contracts, grants or other agreements. Faculty, staff, and students, whose inventions are made on their own time and without university facilities, materials, or resources and which inventions are, therefore, their exclusive property as specified by the Patent and Copyright Policies, may avail themselves of the opportunity to submit the invention to the university for possible patenting and/or commercial exploitation and management under terms to be agreed between the inventor and the university.
 - The provisions of the Patent Procedures are subject to any applicable laws, regulations or specific provisions of the grants or contracts which govern the rights in inventions made in connection with sponsored research.
 - Under the terms of certain contracts and agreements between the university and various agencies of government, private and public corporations and private interests, the university is or may be required to assign or license all patent rights to the contracting party. The university retains the right to enter into such agreements whenever such action is considered to be in its best interest and in the public interest. Ordinarily the university will not agree to assign rights in future inventions to private corporations or businesses.

- *Responsibilities of university personnel*
 - University personnel who, either alone or in association with others, make an invention in which the university has or may have an interest, shall disclose such inventions on forms provided for this purpose by the Office of the Vice Chancellor for Academic Affairs. On the same date that the inventor presents the disclosure to the Office of the Vice Chancellor for Academic Affairs, he/she shall notify the Chairman of the University Patent Committee of the University of North Carolina at Wilmington that a disclosure has been made. The Office of the Vice Chancellor for Academic Affairs will promptly acknowledge its receipt of completed disclosure forms and will distribute such forms to the University Patent Committee for consideration at its next meeting.

The Patent Committee will review each written disclosure promptly. The Inventor or his or her representative shall be allowed to examine all written materials submitted to the Committee in connection with his or her disclosure and to make a written and, where practicable, oral presentation to the Committee. The Committee will decide on the proper disposition of the invention to secure the interests of the university, the inventor, the sponsor if any, and the public. Its decision may include, but is not limited to, one or a combination of the following:

- a. To submit the disclosure for review by a patent or invention management firm;
- b. To make inquiries of potential licensees that may have an interest in the invention, including the financing of a patent application, where applicable;
- c. To study the practicality of applying for a patent with university resources (an option with limited application because of financial constraints);
- d. In proper cases, to release its rights to the inventor subject to an agreement to protect the interests of the university, the sponsor if any, and the public, including an obligation to pay to the university a percentage of future royalties; and
- e. To dedicate the invention to the public.

Within four weeks of the receipt of the disclosure, the inventor will be notified in writing of the decision of the Committee on (1) the equities involved including financial participation, (2) whether the university plans to file a patent application, or (3) whether the university will accept assignment of the invention for patenting, licensing and/or commercial handling as applicable. If the university chooses neither to file a patent application or otherwise make available commercially nor to dedicate to the public an invention in which it asserts its rights, the invention at the Committee's discretion may be released in writing to the inventor, with the permission of the sponsor, if any. If, after the university has filed a patent application, it decides to abandon the patent, the inventor will be promptly notified in writing, and all rights at the Committee's discretion may be released by written agreement to the inventor, with the permission of the sponsor, if any.

In those cases in which the university has obtained a patent without obligation to sponsors, if no arrangement has been made for commercial development within a reasonable period from the date of the issuance of the patent, the inventor(s) may request in writing a release of the university's patent rights. The Patent Committee will promptly either grant the request or will advise the inventor of the university's plans for the development of the invention.

As to any invention in which the university has an interest, the inventor, upon request, shall execute promptly all contracts, assignments, waivers or other legal documents necessary to vest in the university or its assignees any or all rights to the invention, including complete assignment of any patents or patent applications relating to the invention.

- University personnel may not: (a) sign patent agreements with outside persons or organizations which may abrogate the university's rights and interests as stated in the Patent Policy or as provided in any grant or contract funding the invention, nor (b) without prior authorization use the name of the university or any of its units in connection with any invention in which the university has an interest.

- *Publication and public use*

The university strongly encourages scholarly publication of the results of faculty and student research. Though the Patent and Copyright Policies do not limit the right to publish, except for short periods of time necessary to protect patent rights, publication or public use of an invention constitutes a statutory bar to the granting of a United States patent for the invention unless a patent application is filed within one year of the date of such publication or public use. Publication or public use also can be an immediate bar to patentability in certain foreign countries.

In order to preserve rights in unpatented inventions, it shall be the duty of the inventor, or of his supervisor if the inventor is not available to make such report, to report forthwith to the Vice Chancellor for Academic Affairs and to the Chairperson of the University Patent Committee any publication, submission of manuscript for publication, sale, public use, or plans for sale or public use, of an invention, if a disclosure has previously been filed. If an invention is disclosed to any person who is not employed by the university or working in cooperation with the university upon that invention, a record shall be kept of the date and extent of the disclosure, the name and address of the person to whom the disclosure was made, and the purpose of the disclosure.

After disclosure to the Patent Committee, the inventor shall promptly notify the Vice Chancellor for Academic Affairs and the Chairperson of the University Patent Committee of the acceptance for publication of any manuscript describing the invention or of any sale or public use made or planned by the inventor.

- *Inventor requests for waiver of university rights*

If the inventor believes that the invention was made outside the general scope of his university duties, and if he does not choose to assign the rights in the invention to the university, he shall, in his invention disclosure, request that the University Patent Committee determine the respective rights of the university and the inventor in the invention, and shall also include in his disclosure information on the following points:

- The circumstances under which the invention was made and developed;
 - The employee's official duties at the time of the making of the invention;
 - Whether he or she requests waiver or release of any university claims or acknowledgment that the university has no claim;
 - Whether he or she wishes a patent application to be prosecuted by the university, it should be determined that an assignment of the invention to the university is not required under the Patent and Copyright Policies; and
 - The extent to which he or she would be willing voluntarily to assign domestic and foreign rights in the invention to the university if it should be determined that an assignment of the invention to the university is not required under the Patent and Copyright Policies.
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- *Revenue sharing*

- The university shall share revenue which it receives from patents or inventions with the inventors. As noted in [Section A.4](#), specific provisions of grants or contracts may govern rights and revenue distribution regarding inventions made in connection with sponsored research; consequently, revenues the university receives from such inventions may be exclusive of payments of royalty shares to sponsors or contractors. Moreover, the university expects to contract with outside persons or organizations for the obtaining, managing and defending of patents, and any royalty shares of expenses contractually committed to such persons or organizations may be deducted before revenues accrue to the university.
 - The revenues (net, if applicable per the preceding paragraph) which the university receives from a patent or invention will be applied first to reimburse the university for any incremental expenses incurred by it in obtaining and maintaining patents and/or in marketing, licensing and defending patents or licensable inventions. After provision for such expenses, the inventor's share of such revenues received by the university shall be as follows: 50% of the first \$25,000, 35% of the next \$25,000, 20% of the next \$25,000 15% thereafter. In the case of co-inventors, each such percentage share shall be subdivided equally among them, unless the university in its sole discretion determines a different share to be appropriate. Applicable laws, regulations or provisions of grants or contracts may, however, require that a lesser share be paid to the inventor. In no event shall the share payable to the inventor or inventors in the aggregate by the university be less than 15% of gross royalties received by the university.
 - To the extent practicable and consistent with state and university budget policies, the remaining revenue received by the university on account of an invention will be dedicated to research purposes, including research in the inventor's department or unit, if approved by the chancellor upon recommendation of the University Patent Committee.
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- *Administration*

- The university recognizes that the evaluation of inventions and discoveries and the administration, development and processing of patents and licensable inventors involves
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substantial time and expense and requires talents and experience not ordinarily found in its staff; therefore, in most cases it expects to contract with outsiders for these services. It may enter into a contract or contracts with an outside organization covering specific inventions or discoveries believed to be patentable and patents developed therefrom, or covering all such inventions, discoveries and patents in which the university has an interest.

- The chancellor shall appoint a University Patent Committee consisting of no fewer than three members. The Committee shall review and recommend to the chancellor or his/her delegate changes in these procedures, decide upon appropriate disposition of invention disclosures, resolve questions of invention ownership, recommend to the chancellor the expenditure of invention royalties, and make such recommendations as are deemed appropriate to encourage disclosures and assure prompt and effective handling, evaluation, and prosecution of invention opportunities and to protect the interests of the university and the public.

- *Copyright procedures*

- As a general rule, all rights to copyrightable material are the property of the creator. The distribution of royalties, if any, is a matter of arrangement between the creator and his publishers or licensees. Different treatment may be accorded by the institution in case of specific contracts providing for an exception, in cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work, where different treatment is deemed necessary to reflect the contribution of the institution to the work, as in the case of software or audiovisual material, or where a sponsored agreement requires otherwise.
- An institute, center, or other unit of the university that is itself a publisher and that engages faculty members and other employees to write for publication by that unit as a part of their professional duty or produce other copyrightable materials, such as audiovisual materials or computer software, may, subject to the approval of the chancellor, adopt rules providing that copyright in materials prepared by such faculty members and other employees in the course of their professional work for that unit vests in the unit and not in the author.

B. GUIDELINES AND PROCEDURES FOR DETERMINING OWNERSHIP OF COMPUTER SOFTWARE

Approved by Chancellor Leutze February 12, 1991

- Introduction

Many faculty, staff and students at the University of North Carolina at Wilmington are creating computer programs. In many cases there is a demand for these works outside the university. There has been no procedure for authors of software to use in seeking help from within the university for distribution, licensing, or sale of these works. In order to support the creative development of innovative

software by university faculty, staff, and students, as well as to provide criteria relating to the ownership of such software, the following procedures have been developed.

[Section G](#) of the University of North Carolina at Wilmington Patent and Copyright Procedures contains the university's only copyright policy statement. That statement reflects the traditional approach that allocates copyright ownership to the author except in special cases. The full text of the policy is as follows:

As a general rule, all rights to copyrightable material are the property of the creator. The distribution of royalties, if any, is a matter of arrangement between the creator and his publishers or licensees. Different treatment may be accorded by the institution in case of specific contracts providing for an exception, in cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work, where different treatment is deemed necessary to reflect the contribution of the institution to the work, as in the case of software or audiovisual material, or where a sponsored agreement requires otherwise.

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- *No limitation on publication*

Nothing in these procedures and guidelines is intended or designed to restrict or limit in any way the freedom of faculty, students, and staff to publish. This document sets forth the procedures and guidelines for determining ownership of computer software and for licensing software developed at the university.

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- *Special treatment for computer software*

The University of North Carolina at Wilmington [Patent and Copyright Procedures](#) recognize that computer software may receive different treatment than other copyrightable material. The following guidelines and procedures describe the principles that will be used at the University of North Carolina at Wilmington in determining ownership of computer software, in licensing and selling such works, and in distributing royalties that may accrue from such activity. In all cases involving the use of university computing equipment to develop software that is subsequently marketed, the assumption is that development of such software is clearly related to the author's instructional, research, or service activities for the university.

The use of a computer assigned to an individual is not considered to be significant use of university resources, provided that such use does not interfere with the user's performance of duties and that such use has been approved by the department head or other appropriate administrator with the understanding that software may be developed as a result of the use of the computer.

- *Ownership*

- A computer program, like other copyrightable works, is presumed to be owned by its author unless it falls within one of the exceptions listed. Specifically, faculty, staff and students at the University of North Carolina at Wilmington are presumed to be the owners of software including computer programs, documentation, and related materials, provided such software is not covered by one of the exceptions.
- Computer software jointly authored shall be jointly owned, with the authors responsible for determining each of their relative contributions for purposes of sharing royalty income.
- It may be impossible or impractical to identify the authors of computer software developed and modified using the contributions of different faculty, staff, and students. In such cases the software shall be deemed to be owned by the academic department with the author's share of royalties to be directed to the departmental budget.

- *Exceptions to author ownership of computer software*

The following paragraphs list the situations in which the author of computer software is not deemed to be the owner of the software:

- *Work for hire:* When computer software is prepared by an employee as part of that employee's duties, the program belongs to the university by operation of the Federal copyright law. The software is considered to be a "work made for hire." At the University of North Carolina at Wilmington the creation of computer software is considered to be work for hire when a written statement is given to the employee indicating that software developed by that employee will be considered to be done within the scope of employment and thus belong to the university.
- *Commissioned work:* The university shall own the copyright to any computer software that is specifically ordered or commissioned by the university if there is a written agreement, executed prior to the creation of the software, in which the author and university agree that the copyright shall belong to the university.
- *Sponsored contracts and grants:* Computer software developed under grants from the Federal government or a private agency or corporation shall be subject to the conditions of the contract or grant with respect to ownership, distribution, use and other rights. Whenever a grant or contract requires the development of computer software, the agreement must include terms specifying the ownership of the software that are negotiated after consultation with the principal investigator. In the absence of contract or grant terms relating to the ownership of computer software, ownership shall be determined through the use of these guidelines and procedures.
- *Unit policy:* There are units at the University of North Carolina at Wilmington that publish software as part of their regular activities. The employees of these units are employed to develop computer software and other copyrightable material as a part of their regular duties. These units

may adopt rules providing that ownership of the software and other copyrightable material resides in the unit rather than the author. Approval of the chancellor is required before any unit may implement such rules.

- *Student projects, theses, and dissertations:* In order to receive credit for a thesis, dissertation, honors project, or other student project that requires a written public product, a student must grant to the university royalty-free permission to reproduce and publicly distribute on a noncommercial basis, copies of any software developed as a part of the thesis, dissertation, or project. The university must approve all exceptions to this stipulation that arise as a result of any sponsored contracts. In certain situations the thesis director, the student and/or the graduate committee may conclude that joint ownership by the university, faculty and student is appropriate for computer software developed as part of a student project, thesis or dissertation. In such cases the graduate committee shall enter into a written agreement with the graduate student as soon as practicable during the research project but prior to the final submission of the student project report, thesis, or dissertation. Unless it is covered by one of the exceptions in this Section, other computer software developed by students is owned by the students.

- *Licensing and sale of computer software*

- The university may pursue licensing or sale of computer software that it owns or co-owns. If the university decides not to pursue licensing or sale of its software in a timely fashion, the author(s) of such software may request that the university assign all of its rights to the author(s) in order to permit the author(s), to pursue marketing of the software. When it assigns its rights to the author(s), the university will retain the right to receive at least ten percent of the gross royalty that may accrue. Any assignment shall be subject to obligations which the university may have with respect to third parties who may have provided funds or equipment for development of the software.
- An author may enter into a written agreement with the university for the marketing of computer software through the university, through an agent selected by the university, or through an agent mutually agreed upon by the author and the university.
- The university may enter into agreements with agents to assist the university community in the licensing and sale of intellectual property generated at the university.

- *Maintenance and support of software*

- There will be no obligation on the part of the author(s) to support or maintain the software developed unless there is a written agreement concerning support and maintenance with the university or its agent.

- Unless there is a written agreement with the university for software support and maintenance, university resources may not be used for the support and maintenance of software owned by faculty, staff, and students.

- *Distribution of royalties*

- Royalties shall be divided in an equitable manner that recognized the contribution of the parties.
- The University of North Carolina at Wilmington believes that even when authors do not own the software because it was developed in the course of their employment, they should receive some additional reward for creative effort. As a general rule such authors should receive at least ten percent of the gross royalties generated by the licensing or sale of the software. In cases of joint authorship of a work owned by the university, the authors must have a written agreement among themselves to determine what portion of the author's share each is to receive.
- For software owned by the university, jointly owned by the university and authors, or owned by the author and licensed or sold by the university or its agent, the royalty distribution shall be determined by a written agreement between the author and the university or agent.
- An author who is an employee may waive in writing the receipt of a portion or all of the author's share and instead request that the funds be paid to a department or other unit.
- Royalty received from the licensing or sale of software developed pursuant to a sponsored grant or contract shall be distributed according to the terms of the grant or contract. If the grant or contract is silent on the question of royalty distribution, then the royalty shall be distributed according to these guidelines and procedures.
- The university or its agent may enter into licensing or sales agreements with outside agencies that provide for different arrangements for sharing of royalty, provided that such agreements are reviewed with and agreed by the authors and their departments.

- *Administration*

- These guidelines and procedures shall be administered by the Office of the Provost and Vice Chancellor for Academic Affairs.
- Questions of ownership of computer software that is either partially or solely owned by the university shall be referred to the Office of the Provost and Vice Chancellor for Academic Affairs.
- All agreements for licensing and marketing of software shall be approved by the Office of the Provost and Vice Chancellor of Academic Affairs.

- *Review*

The Faculty Senate shall periodically review these guidelines and procedures and recommend any appropriate modifications to the chancellor.

- *Use of university name*

The name of the University of North Carolina at Wilmington or reference to the university shall not be used in any form of publicity or marketing for the commercial use or sale of computer software without prior written approval from the University of North Carolina at Wilmington.

- *Effective date*

These guidelines and procedures shall be effective on February 12, 1991.

8. PROTECTION OF HUMAN SUBJECTS

A. GUIDELINES

- ⁱⁱⁱ In planning a study the investigator has the personal responsibility to make a careful evaluation of its ethical acceptability, taking into account these Principles for research with human beings. To the extent that this appraisal, weighing scientific and humane values, suggests a deviation from any Principle, the investigator incurs an increasingly serious obligation to seek ethical advice and to observe more stringent safeguards to protect the rights of the human research subjects.
- Responsibility for the establishment and maintenance of acceptable ethical practice in research always remains with the individual investigator. The investigator is also responsible for the ethical treatment of research subjects by collaborators, assistants, students, and employees, all of whom, however, incur parallel obligations.
- Ethical practice requires the investigator to inform the subject of all features of the research that reasonably might be expected to influence willingness to participate and to explain all other aspects of the research about which the subject inquires. Failure to make full disclosure gives added emphasis to the investigator's responsibility to protect the welfare and dignity of the research subject.
- Openness and honesty are essential characteristics of the relationship between investigator and research subject. When the methodological requirements of a study necessitate concealment or

deception, the investigator is required to ensure the subject's understanding of the reasons for this action and to restore the quality of the relationship with the investigator.

- Ethical research practice requires the investigator to respect the individual's freedom to decline to participate in research or to discontinue participation at any time. The obligation to protect this freedom requires special vigilance when the investigator is in a position of power over the subject. The decision to limit this freedom increases the investigator's responsibility to protect the subject's dignity and welfare.
- Ethically acceptable research begins with the establishment of a clear and fair agreement between the investigator and the research subject that clarifies the responsibilities of each. The investigator has the obligation to honor all promises and commitments included in that agreement.
- The ethical investigator protects subjects from physical and mental discomfort, harm, and danger. If the risk of such consequences exists, the investigator is required to inform the subject of that fact, secure consent before proceeding, and take all possible measures to minimize distress. A research procedure may not be used if it is likely to cause serious and lasting harm to subjects. In addition, [guideline #11](#) applies in all cases where subjects are at risk.
- After the data are collected, ethical practice requires the investigator to provide the subject with a full clarification of the nature of the study and to remove any misconceptions that may have arisen. Where scientific or humane values justify delaying or withholding information, the investigator acquires a special responsibility to assure that there are no damaging consequences for the subject.
- Where research procedures may result in undesirable consequences for the subject, the investigator has the responsibility to detect and remove or correct these consequences, including, where relevant, long-term after-effects.
- Information obtained about the research subjects during the course of an investigation is confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that this possibility, together with the plans for protecting confidentiality, be explained to the subjects as a part of the procedure for obtaining informed consent.
- When human subjects are at risk for physical, psychological, or social injury through participation in research, special procedures are necessary which cannot be violated. These procedures are in keeping with rules and regulations concerning protection of human subjects established by the United States Department of Health and Human Services.
 - Subjects are considered to be at risk when either of these conditions is in effect:
 1. Procedures used in the research are novel and may have unknown consequences which may result in injury.
 2. Procedures used in the research place the subject at risk beyond the ordinary risks of daily life.
 - The following procedures must apply:
 1. Fully informed consent must be obtained. Such consent consists of the knowing consent of the individual or his legally authorized representative. The consent must be given under conditions such that the individual can exercise free power of choice as to participation, without undue inducements or any element of force, fraud, deceit, or other forms of constraint or coercion.
 2. The basic elements of fully-informed consent include:

- a. A fair explanation of the procedures to be followed and their purposes including identification of any procedures that are experimental.
 - b. A description of any attendant discomforts reasonably to be expected.
 - c. A description of any benefits reasonably to be expected.
 - d. A disclosure of any appropriate alternative procedures that might be advantageous to the subject.
 - e. Offer to answer any inquiries concerning the procedures.
 - f. An instruction that the person is free to withdraw his consent and to discontinue participation in the project or activity at any time without prejudice to the subject.
3. The consent must be documented in one of the following three ways:
- a. Signature by the subject or his legally authorized representative of a consent form containing all of the above basic elements of informed consent. The document may be read to the subject or representative, but the subject or representative must be given adequate opportunity to read it. Sample copies of the document must be submitted to, approved by, and retained by the Institutional Review Board for the Protection of Human Subjects (IRB).
 - b. Signature by the subject or representative of a short form consent document indicating that the basic elements of informed consent have been presented orally to the subject or representative. The short form is to be signed by the subject or his representative and a witness to the oral presentation and the subject's or representative's signature.
 1. A written summary of what is to be said to the subject or representative is to be submitted to, approved by, and retained by the IRB.
 2. A copy of the approved summary is to be signed by the person obtaining the consent, typically the researcher and the witness.
 3. A modification of either of the procedures outlined above. Permission to use a modification must be approved by the IRB and the administration. The following conditions must be established:
 - i. Possible risk to any subject is minimal;
 - ii. Use of either of the primary procedures stated above would invalidate objectives of considerable immediate importance; and
 - iii. Any reasonable alternative means for obtaining these objectives would be less advantageous to the subject. The IRB's reasons for permitting use of any modified procedures must be individually and specifically documented in the board's minutes and reports.
 - c. All proposals where subjects are at risk for injury must be carefully evaluated by the IRB to ensure that the risk is justified, that all possible care has been taken to protect the subjects, and that all steps in Sections A and B are being followed.

- Endnotes

^[1] The first ten principles are modified versions of the ten principles from Ethical Principles in The Conduct of Research With Human Participants, American Psychological Association, 1973. Modifications reprinted with permission.

B. PROCEDURE FOR REVIEW OF RESEARCH PROPOSALS INVOLVING HUMAN SUBJECTS

- Proposals for use of human subjects are to be submitted to the IRB Chairperson. Depending on the nature of the research, a proposal may be: (1) exempt from IRB review; (2) appropriate for an expedited review by one member or a subcommittee of the IRB; or (3) subject to review by the full IRB. Only the IRB or its designate, typically the chairperson can determine which type of review is necessary.
- If exempt, the documentation form will be signed and returned to the researcher immediately.
- If expedited review is required, the chairperson or the chairperson's designate will evaluate the proposal. If the reviewer has questions concerning the proposal he or she will consult with other members of the IRB to determine whether or not full review is required. A research proposal can be approved by the expedited reviewer. However, full review is required for disapproval.
- If full review is required, a copy of the research proposal will be distributed to all IRB members prior to a convened meeting. A majority of the IRB members must be present at the meeting for a full review of any proposal to take place. The principle investigator may be invited to answer questions at this meeting. A majority of the members present may approve the research. Members of the IRB who vote to disapprove a proposal shall submit their reasons in writing to the chairperson.
- Following expedited review and full review researchers will be notified in writing as soon as possible of the results of the review.
- If a proposal is disapproved the researcher will be notified in writing of the reasons for the disapproval and will be given an opportunity to respond in person or in writing.
- Proposals covering a wide range of activities, conducted as classroom demonstrations or course requirements, may be submitted to the IRB as one proposal.
- Ongoing research must be reviewed each calendar year. Current ongoing research which has previously been approved must be resubmitted for review within one calendar year of its last approval. A new review form should be used for this purpose.

9. *SCIENTIFIC MISCONDUCT: POLICY ON ALLEGATIONS, INVESTIGATIONS, & REPORTING*

Adopted: April 1990. Revised: December, 1996

Questions on the interpretation of this policy should be directed to the Dean of Graduate School and Research.

- *Provider:* Office of Research Administration
University of North Carolina at Wilmington
- *Contact:* Office of Research Administration
- *Last updated:* December, 1996. Approved by Faculty Senate: December, 1996

- *Summary*

Presents procedures for reporting and investigating allegations of scientific misconduct, and for the required notifications to federal agencies of such allegations and investigations

- Authority: University Provost, reflecting requirements of federal agencies
- Contact Person: Dean of the Graduate School and Research

- *Introduction*

Each member of the University community has a responsibility to foster an environment which promotes intellectual honesty and integrity, and which does not tolerate misconduct in any aspect of research or scholarly endeavor. Scientific misconduct is extremely troubling — in spite of its infrequency — because when it occurs, it is very destructive of the standards we attempt to instill in our students, of the esteem in which academic science in general is held by the public, and of the financial support of the government and other sponsors for academic scientific enterprise. The importance of integrity in research cannot be overemphasized.

Some federal agencies currently have their own policies regarding scientific misconduct, and require notification to the agency in the event of such an allegation or investigation. At this time, those agencies are the U.S. Public Health Service (PHS) and the National Science Foundation (NSF). Where required, this notification will be made by the Dean of Graduate School and Research. See [Sections IV: Internal coordination/Reports to the Dean of Graduate School and Research](#), and [Section V: Notification to external agencies](#).

While both PHS and NSF recognize that the primary responsibility for the prevention and detection of misconduct, and for the conduct of inquiries and investigations, rests with the awarded institution, they both retain the right to initiate their own investigations at any time.

- *Definitions*

The University of North Carolina at Wilmington's definition of scientific misconduct, and procedures for investigating and reporting allegations of misconduct, conform to the definitions and regulations of those federal funding agencies which have policies on this subject.

- a. *scientific misconduct*

“Scientific misconduct” is defined as fabrication, falsification, plagiarism, or other practices that seriously deviate from those commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. Also included as “scientific misconduct” for this purpose is retaliation of any kind against a person who, acting in good faith, reported or provided information about suspected or alleged misconduct.

This policy addresses only scientific misconduct. University of North Carolina at Wilmington's statement on faculty discipline has been interpreted to include such other violations as reckless disregard for accuracy, failure to supervise adequately, and other lapses from professional conduct or neglect of academic duties. Allegations or suspicions of misconduct outside the scope of this policy should be directed to the cognizant dean or Provost for inquiry or investigation, although the process of investigation and reporting obligations may differ from those required for scientific misconduct cases.

b. *inquiry*

An inquiry consists of preliminary information-gathering and preliminary fact-finding to determine whether an allegation or an apparent instance of misconduct has substance. The outcome of an inquiry is a determination as to whether or not an investigation is to be conducted.

c. *investigation*

An investigation is a formal examination and evaluation of relevant facts to determine whether or not misconduct has taken place.

o *Individual Reporting Responsibility*

Any individuals who believe an act of scientific misconduct has occurred or is occurring should notify the dean of the appropriate school, who should immediately begin an inquiry and so inform the Dean of Graduate School and Research, who acts on behalf of the Provost. Reporting such concerns in good faith is a service to the University and to the larger academic community, and will not jeopardize anyone's employment.

Applicability: This policy applies to all persons involved in the research endeavor under UNCW auspices, regardless of employment status.

o *Process and time frame for college/school dean's review*

The dean's inquiry and, if called for, the investigation may be carried out personally or through such standing or ad hoc arrangements as each dean deems best. (See [Section VII: Cautions and assistance](#).)

a. *Inquiry*

Upon receipt of an allegation of scientific misconduct, the college/college/school dean shall immediately begin an inquiry and shall so inform the Dean of Graduate School and Research, identifying any outside funding source(s) for the research which is the subject of the inquiry. This inquiry is to determine whether a formal investigation is warranted, and shall be guided by the following:

1. The accused individual shall be informed of the allegations, and be invited to comment on them. This individual should also be provided with a copy of the draft report of the inquiry, and be given an opportunity to comment on the findings.
2. Whether or not to withhold the identity of the individual(s) bringing forward the complaint must be determined on a case by case basis.
3. Any other relevant individuals, including the individual(s) who raised the concern, should be interviewed.
4. The final report, including a recommendation as to whether or not a full investigation is warranted, must be submitted by the college/school dean to the Dean of the Graduate School and Research within 60 days of receipt of the allegation. (If this time frame is not possible in a particular case, the reasons are to be documented and the Dean of the Graduate School Research so informed.) The final report shall include any comments provided by the accused in response to the draft report.
5. The documentation should include sufficient detail to permit a later assessment of the determination of whether or not a full investigation was warranted. It should describe the information reviewed, include a summary of the interviews conducted, state conclusions reached, and indicate whether or not the college/school dean believes an investigation is warranted.
6. The final report of the inquiry and documentation must be maintained in the school for three years.

Unless the Dean of the Graduate School and Research has further concerns, a dean's recommendation that an internal investigation is not warranted will be final.

○ *Investigation Procedures*

If the inquiry leads to the conclusion that an investigation is necessary, it will be guided by the following considerations:

- a. The formal investigation should begin within 30 days of the completion of the inquiry. The investigation should be completed and the final report sent to the Dean of the Graduate School and Research within 90 days. (If an investigation cannot be completed within this time frame, the Dean of the Graduate School and Research should be notified as soon as possible. In such cases, it may be necessary for the Dean of the Graduate School and Research to request an extension of time from federal funding agencies.)
- b. The investigative process must be thorough, fair and protective of the confidentiality and reputations of all participants.
- c. An investigation should normally include an examination of all documentation, including but not limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls.
- d. Those making accusations, those accused, and those who may have information related to the matter should be interviewed. Each individual being interviewed shall be provided a complete written summary of their interview. Any comments should be appended to the summary, or reflected in a revised summary if the interviewer agrees. The summaries must be retained by the college/school dean.

- e. All significant issues should be pursued until the investigator is reasonably certain that he or she has amassed all necessary and available information.
- f. A draft written report of findings should be made available to the accused, who may respond in writing and/or request a subsequent interview with the investigator. Those who made the allegations should also receive the portions of the draft report which concern the role or opinions they had in the investigation. Comments on the draft from the accused or the accusers should be appended to the final report.
Note: If there is more than one accused individual, and their involvement are found not to be identical, separate draft reports should be prepared if practical, in order to preserve confidentiality.
- g. In addition to the interview summaries and comments by the accused and accuser(s) on the draft report, the final written report should include:
 - 1. a description of the policies and procedures followed
 - 2. how and from whom relevant information was obtained
 - 3. the findings and basis for them.

If either the college/school dean or the Dean of the Graduate School and Research considers that sanctions may be warranted, the Dean of the Graduate School and Research shall refer the final report to the University official who makes that determination (see [Section VI](#)). The report should be sufficient for the Chancellor, or other appropriate University officers, to determine whether disciplinary action is called for. If any sanctions result, the Dean of the Graduate School and Research shall be informed, and shall append that information to the final report.

○ *Internal coordination / Reports to Dean of Graduate School and Research*

In order to assure compliance with external notification requirements, college/school deans must report the following circumstances to the Dean of the Graduate School and Research in a timely manner:

- a. commencement of an inquiry
- b. conclusion of an inquiry
- c. commencement of an investigation
- d. consultation if an investigation will take more than 90 days to complete
- e. conclusion of an investigation

If termination of an inquiry or investigation before its completion is contemplated for any reason, this should be reported and discussed with the Dean of the Graduate School and Research.

In addition, the Dean of the Graduate School and Research is to be advised at once if any of the following circumstances are discovered:

- a. an immediate health hazard
- b. an immediate need to protect federal or University funds or equipment
- c. an immediate need to protect those making the allegation, those accused or any of their associates
- d. likelihood that an alleged incident will be reported publicly
- e. a reasonable indication of a possible criminal violation.

Note: In emergency situations, the Director of the Office of Research Administration is authorized to notify external agencies directly, if conference with the Dean of Graduate School and Research is not possible in a timely manner. (See [Section V: Notification to external agencies.](#))

The director shall also take interim action as necessary to protect federal funds and the purposes of the federal grant or contract that may be involved. Such action is administrative and not disciplinary. The director shall inform the Dean of the Graduate School and Research of such actions.

If, during an investigation, facts come to light that could affect current or potential funding of the people under investigation, or that may, in the dean's judgment, need to be disclosed in order to ensure proper use of research funds or protection of the public interest, these facts should be reported to the Dean of the Graduate School and Research as they are learned.

- *Notification to external agencies*

Note: University of North Carolina at Wilmington will comply with the requirements and regulations of its funding agencies. The following section reflects those requirements as of May 1994. In any particular situation, college/school deans are advised to review current regulations and requirements.

Under circumstances not involving Public Health Service or other regulated funding agencies, the Chancellor will make the decision whether information about the charges and their disposition will be disclosed publicly or to specific parties, including the research sponsor. This decision will normally be made upon the conclusion of the final report. However, if required by urgent circumstances, such a disclosure may be made at any time. The Chancellor will consult with the Administrative Cabinet to the extent feasible and appropriate in such cases. Absent such urgent need, University of North Carolina at Wilmington will not make interim reports to outside agencies unless required by external regulation.

The Public Health Service requires annual assurances from University of North Carolina at Wilmington of compliance as well as aggregated information on allegations, inquiries, and investigations. Further, in accord with Public Health Service and National Science Foundation regulations, in cases involving research funded by either of those agencies, the funding agency will be informed in the following situations. Except as specifically described at the end of this section, the following notifications to external agencies will be made only by the Dean of the Graduate School and Research, acting on behalf of the Provost, and on the basis of the information provided by the college/school dean:

- *Outcome of an inquiry*

PHS and NSF will be notified of the outcome of an inquiry involving funds from their agency only if that outcome includes the recommendation to conduct a full investigation. (Documentation from inquiries, even those that do not recommend further investigation, will be made available by the Dean of the Graduate School and Research upon an agency's request.)

- *Commencement of an investigation*

Written notification will be provided to PHS or NSF upon determination that an investigation will be conducted. This notice is to be provided on or before the commencement of the investigation, and

must include all information required by the agency. In the case of PHS-funded research, this notice must include at least the following: name(s) of the accused individual(s); general nature of the allegation(s); and the PHS proposal or award number involved. Regulations provide that this information will be held in confidence to the extent permitted by law. Note, however, that although the information will not be disclosed to peer reviewers or PHS advisory committees, it may be used by the Secretary of Health and Human Services in making decisions about the award or continuation of funding.

- *Written request for a time extension*

Although PHS regulations permit 120 days for completion of the investigation and submission of the final report, University of North Carolina at Wilmington requires deans to consult with the Dean of the Graduate School and Research if it appears that the final report will take more than 90 days to complete. This allows 30 days for the disciplinary process, if it is decided to pursue one. The final report to PHS must include a statement about the sanction (if any) imposed by the institution.

If the investigation and determination of discipline are likely to take more than 120 days to complete, the Dean of the Graduate School and Research will so notify PHS, including reasons for the delay, interim progress reports, the estimated date of completion of the report, and any other necessary information. If an extension is granted, PHS may require the submission of periodic interim reports, or the agency may undertake its own investigation prior to the University's completion of its investigation.

NSF requires completion of the inquiry within 90 days, and completion of the investigation, including submittal of the final report, within 180 days. If completion of either is expected to be delayed, NSF may require submission of periodic status reports.

- *Interim reports*

PHS must be apprised during an investigation of facts that may affect current or potential PHS funding of the individual(s) under investigation, or that may need to be disclosed in order to ensure proper use of federal funds or protection of the public interest.

Similarly, NSF requires interim reports if the seriousness of the apparent misconduct so warrants; if immediate health hazards are involved; if NSF's resources, reputation, or other interests need protecting; or if federal action may be needed to protect the interests of a subject of the investigation or others potentially affected.

- *Early termination*

PHS must be notified of any decision to terminate an inquiry or investigation prior to the completion of all relevant requirements. This notice must include the reasons for such action. PHS retains the right to investigate the matter further on its own.

- *Final outcome*

PHS and NSF will be notified of the final outcome of an investigation involving their funded project(s), and provided with a complete copy of the final report. Documentation of an investigation must be retained in the Provost's Office for three (3) years and will be made available to ORI at their request.

- *Special emergency notifications*

In addition, the Public Health Service must be informed at any stage of an inquiry or investigation if any of the following are discovered:

- a. an immediate health hazard
- b. an immediate need to protect federal or University funds or equipment
- c. an immediate need to protect those making an allegation
- d. a likelihood that an alleged incident is going to be reported publicly
- e. a reasonable indication of possible criminal activity.

In the case of suspected criminal activity, PHS requires notification within 24 hours.

In special emergency circumstances as defined above, Director of the Office of Research Administration should attempt to reach the Dean of Graduate School and Research (by phone if necessary; in writing, if possible). However, the director is authorized to make such reports directly to the agency, and to so inform the Dean of Graduate School and Research afterwards, if, in the judgment of the director, such action is necessary.

- *Determination of discipline*

The determination as to whether discipline is to be imposed is governed by existing policies. In cases involving faculty, sanctions may only be imposed by the Chancellor, through the faculty disciplinary process. The Dean of the Graduate School and Research will refer cases of significant student misconduct to the Dean of Students. Cases involving staff members will be referred to the Human Resources Office.

Both PHS and NSF have the right to impose additional sanctions, beyond those applied by the institution, upon investigators or institutions, if they deem such action appropriate in situations involving funding from their respective agency.

- *Cautions and assistance*

The gathering and assessing of information in cases of alleged scientific misconduct can be extremely difficult. It is essential to protect the professional reputations of those involved, as well as the interests of the public and of any who might be harmed by the alleged misconduct. In the course of conducting inquiries or investigations, the following provisions are applicable:

- Expert assistance should be sought as necessary to conduct a thorough and authoritative evaluation of all evidence.
- Precautions should be taken to avoid real or apparent conflicts of interest on the part of those involved in the inquiry or investigation.
- The anonymity of accused individuals and, if they wish it, the confidentiality of those who in good faith reported the alleged misconduct, should be protected as much as possible, and care should be taken to protect their positions and reputations. Except as required in the reporting provisions above, only those directly involved in an inquiry or investigation should be aware that the process is being conducted or have any access to information obtained during its course. Where appropriate, efforts should be made to restore the reputations of those accused when allegations are not confirmed.

S E R V I C E

1. *SERVICE EXPECTATION*

The document [Criteria for Reappointment, Promotion, and Award of Tenure](#) states:

The university encourages and expects its faculty members to apply their talents and abilities in service to the university, to organizations and to the community at large.

Service within the university is expected of all faculty members. Such service normally includes participation on departmental, school or college, and university-wide committees, and willing assistance in supporting the functions and purposes of the university.

The university shall also recognize and encourage faculty service to professional and scholarly organizations. Examples of such service include leadership in professional and learned societies, evaluations of manuscripts and research proposals, editorial board work, and other professionally related activities with or without compensation.

It is also appropriate for faculty members to serve in an educational advisory or informational capacity at the local, regional, state, national, and international levels. This service should ordinarily be an outgrowth of professional training and/or one's affiliation with the university. Examples of such activities include conducting workshops, consulting, and serving on advisory boards with or without compensation.

2. *COMMITTEE WORK*

Service to the university through committee work is expected of all faculty members. To get a sense of the relative importance of service in each of the areas described below, consult with your department chairperson and other faculty.

A. THE FACULTY ASSEMBLY AND ITS COMMITTEES

The [Faculty Assembly](#) is the elected body representing the faculty of the sixteen campuses. UNCW's delegates serve on the various committees of the assembly. The assembly and its committees meet in Chapel Hill four times a year. In addition, faculty serve on ad hoc committees and task forces for the university system.

B. UNCW COMMITTEES

Within the university, committee work is available on [standing committees of the Faculty Senate](#), [standing committees of the Graduate Council](#), [autonomous faculty committees](#), [ad hoc committees](#), and [administrative committees](#).

Faculty are invited to express their committee preferences for standing committees of the Senate each spring. Elections of faculty to autonomous faculty committees are conducted each spring. The Senate's [Election Procedures for Autonomous Faculty Committees](#) describes the election process.

Faculty interested in the work of a particular committee should contact the chairperson of that committee. Membership lists for the different Senate committees and their chairpersons are available on the [Senate web site](#).

C. COLLEGE AND SCHOOL COMMITTEES

The college and professional schools have standing and ad hoc committees that deal with a variety of issues. Faculty are usually informed of these and are often asked to indicate interest in serving on them.

D. COMMITTEES OF UNCW DEPARTMENTS

Academic departments typically have committees for matters such as curriculum development, program planning, hiring processes, and personnel reviews. To serve on these committees, contact the departmental chairperson.

E. AD HOC AND ADMINISTRATIVE COMMITTEES

Ad hoc committees may be established by the Faculty Senate, administrators, departments, etc. to deal with specific issues. Faculty are usually informed of these and are often asked to indicate interest in serving on them.

Administrative committees include those that are established by administrators to accomplish certain tasks (e.g., review of courses by College and school curriculum committees), as well as those that are mandated or regulatory (e.g., Institutional Review Board, Radiation Safety Committee). [Administrative committees](#) of the chancellor and the provost and the charges of these committees are listed in this Handbook.

3. PROFESSIONAL ORGANIZATIONS

Participation in service functions to professional organizations, review of grant proposals, and manuscript review and editing for professional journals are also considered service.

A. STATE EMPLOYEES ASSOCIATION OF NORTH CAROLINA

The [State Employees Association of North Carolina \(SEANC\)](#) is a voluntary organization of state employees, including faculty members, which works to improve the salaries and fringe benefits for all state employees. The organization communicates with legislators and other government officials on behalf of state employees. Members receive a monthly publication which outlines organization activities. Special programs and services are available to members.

B. AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

The [American Association of University Professors \(AAUP\)](#), a national organization founded in 1915, represents the interests of all college and university faculties. Its primary concerns are academic freedom, regulations concerning promotion and tenure, other aspects of academic due process, faculty participation in institutional governance, and the economic status of the profession. AAUP also represents faculty interests in state and federal legislatures, participates in judicial cases involving academic freedom and tenure issues, and offers a variety of membership benefits and services (including professional liability insurance). National membership includes a subscription to the association journal *Academe* (which publishes the "Annual Survey of Faculty Salaries" every spring). For a copy of the [AAUP Red Book](#) (all the policy statements and reports of the AAUP) or for a [membership application](#), contact the organization.

4. COMMUNITY SERVICE

UNCW encourages its faculty and staff to participate in voluntary community service. Service expectations vary across schools and departments, and faculty should check with the department chairperson regarding these. Examples of community service are participation in local, regional, national or international community activities directly related to the faculty member's profession, such as lectures and presentations designed for the general public, news media interviews, and professional advice to nonprofit agencies.

V. Faculty Employment

A. FACULTY STATUS

1. THE FACULTY

The university's faculty, broadly defined, consists of all full-time and part-time members of the teaching, research, or administrative staff who hold an academic title, including those on special faculty appointment. Academic titles include professor, research professor, visiting professor, associate professor, research associate professor, visiting associate professor, assistant professor, research assistant professor, visiting assistant professor, lecturer, senior lecturer, lecturer/associate librarian, lecturer/senior assistant librarian, lecturer/assistant librarian, artist-in-residence, and writer-in-residence. Graduate students who hold the titles of teaching assistants and associates and research assistants and associates are also members of the university's faculty.

Tenured and tenure-eligible ranks are professor, associate professor, and assistant professor.

Adjunct and part-time members of the faculty do not receive benefits normally associated with full-time employment, nor does such service count toward the attainment of a tenured position.

Although the faculty includes both full-time and part-time employees, for voting purposes the Faculty Governance Document ([Article I: The Faculty](#)) defines "The Faculty" as "those persons employed full-time by the University of North Carolina at Wilmington who hold the rank of professor, associate professor, assistant professor, instructor, or lecturer."

UNCW uses the term "adjunct" in a more restrictive sense than some other universities. Adjunct appointments with the appropriate title are made for persons invited to participate without pay in instructional or research programs on a renewable term basis. See [the form for adjunct appointments](#).

[Research faculty](#) must have an affiliation with a department or academic unit but do not hold tenured or tenurable appointments, are not members of the voting faculty as defined in the [Faculty Governance Document](#), and are not counted toward a department's representation in the Faculty Senate. Since 1998 [library faculty](#) have not been eligible for tenured or tenurable appointments; library faculty are voting faculty and are represented in the Faculty Senate.

2. FULL-TIME FACULTY

Full-time faculty are members of the faculty who are employed full-time, who hold an academic title (titles are listed in the section on [the faculty](#)), and who receive benefits associated with full-time employment.

3. PART-TIME FACULTY

Adjunct and part-time members of the faculty do not receive benefits normally associated with full-time employment, nor does such service count toward the attainment of a tenured position.

4. RESEARCH FACULTY

The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units, centers and institutes of the university and who hold the title of research professor, research associate professor, or research assistant professor. They typically serve as principal investigators on grants or contracts administered by the university. Research faculty must have an affiliation with a department or academic unit but shall not hold tenured or tenure-earning appointments, and shall not be counted toward a department's representation in the Faculty Senate. The extent of voting privileges shall be determined by the host department or academic unit.

The criteria for each of the titles are as follows:

- *Research assistant professor.* Appointment to the title of research assistant professor requires completion of professional training, in most fields marked by the doctoral degree, and the clear promise of a successful career in research or artistic achievement.
- *Research associate professor.* Appointment to the title of research associate professor normally requires a record of substantial success in research or artistic achievements including grant funding and publications.
- *Research professor.* Appointment to the title of research professor requires a tangible record of research or artistic achievements and recognition as a scholar within her/his professional field.

Although research faculty support and conduct research for projects and programs that receive extramural funding, they may teach courses as needed and receive up to twenty-five percent of their salary from instructional sources if granted adjunct status by their academic unit or department. Department chairs may use flexibility when scheduling courses of research faculty so as to accommodate their research obligations.

Research faculty status will be recommended for those faculty who are needed to support research projects and programs sponsored by the university. The faculty sponsor or supervisor will submit recommendations for appointment to the department chair or director. Upon approval by the chair or director, the recommendation will be processed according to university and departmental or unit hiring policies. Appointments for research faculty will be issued for a definite period of time specified in the letter of appointment that will also specify title, salary, and full-time or part time status. The university

does not guarantee it will provide space, facilities or services beyond those approved for currently active grants. Annual review of research faculty will be conducted by the supervisor and chair or director. Research faculty may be considered for promotion following a timetable and policies to be established by the Faculty Senate.

Research faculty will be eligible to hold graduate faculty status based on the criteria of the host department or academic unit.

Research faculty members with a minimum of five uninterrupted years of service at UNCW are entitled to one month's notice with pay for each year of full-time continuous service as a research faculty member. The host department or academic unit or center will be responsible for arranging the bridge funding. A maximum of twelve months of pay for twelve or more years of service will be provided. Support will begin upon the termination of grant support. The research faculty member will be assigned duties during the notice period and such pay will cease upon the availability of other grant support at the university or acceptance of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

[The category of research faculty was created by the Faculty Senate 8/01.]

5. GRADUATE FACULTY

All full-time faculty members holding academic rank of professor, associate professor, or assistant professor who meet the criteria established by the department and the UNCW Graduate Council are eligible for membership in the Graduate Faculty. Appropriate exceptions may be approved from time to time, including persons holding the status of adjunct professor. Graduate faculty may also be eligible to be [graduate research faculty](#).

Persons employed for the first time at UNCW as tenure-track faculty, adjunct, or visiting faculty may be granted membership on the Graduate Faculty at the discretion of the graduate dean for an initial appointment not to exceed three years.

Faculty with full-time administrative appointments that include the administration of graduate programs are considered members of the Graduate Faculty in recognition of those duties and responsibilities. Whenever such administrative appointments are concluded, those persons are granted a five-year extension of membership, after which each is evaluated using the prevailing criteria. Minimum general criteria are described in Section 2 of the [Bylaws of the Graduate Faculty](#). Specific criteria, required for membership in the Graduate Faculty by each of the professional schools and the departments, are described in the [Graduate Faculty Criteria](#).

Faculty seeking further information on applying for graduate status should contact the department chairperson or appropriate dean.

6. LIBRARY FACULTY

Library faculty are hired at the rank of lecturer/assistant librarian, and may be promoted to the rank of lecturer/senior assistant librarian, and finally to the rank of lecturer/associate librarian. Except in the case of library faculty tenured before 1998, library faculty positions are not tenurable.

7. EMERITUS FACULTY

Emeritus status is an honor accorded to retired faculty in recognition of their distinguished and sustained service to the university. Tenured faculty members who retire at the rank of assistant professor or higher with a minimum of eight years of service at UNCW are eligible for emeritus status in the rank held and in the department served at the time of retirement. All recommendations for emeritus appointments must be initiated at the department level. Following consultation with and approval of the departmental faculty, the chairperson shall submit a recommendation to the appropriate dean who shall recommend to the Provost and Vice Chancellor for Academic Affairs. The Provost shall recommend to the Chancellor, who shall, in turn, recommend to the Board of Trustees for approval.

Emeritus faculty are (1) invited to formal convocations and general faculty events, (2) listed in the Undergraduate Catalogue and University Telephone Directory, (3) accorded library privileges, e-mail, free ID cards, and free parking, if requested, and (4) admitted to athletic and cultural events at faculty rates. Emeritus faculty are not eligible to hold office or to vote in faculty elections.

Faculty on phased retirement retain their professorial rank and are not eligible for emeritus status until their participation in the program is completed.

B. APPOINTMENT POLICIES

1. SEARCH & HIRING

Subject to approval by the Board of Trustees, the chancellor appoints new tenure-track faculty on the recommendation of the Provost and Vice Chancellor for Academic Affairs, the appropriate dean, and the department chairperson. The responsibility for the process leading to a recommendation is delegated to the dean. The procedure includes development of a position description, announcement of the position, establishment of a search committee whose responsibility it is to review applications and recommend final candidates to the department for interviews, interviewing of final candidates by the department faculty and the appropriate dean, and submitting a recommendation to the appropriate dean. All hiring processes and applicant pools are reviewed by the compliance officer.

A. PROOF OF CITIZENSHIP

Federal law (Public Law 99-603) enacted in 1987 requires that the university verify the citizenship of all employees within three days of employment.

2. NEPOTISM

By order of the Board of Governors, no university employee shall serve in a position involving direct supervision or evaluation of a related person. In cases where a person is assigned to a position that would normally entail supervision or evaluation of a related person, supervision and evaluation of the related person shall be transferred to another person.

The policy on [Employment of related persons](#) includes a list of the relationships that invoke the prohibitions against supervision or evaluation by related persons.

3. EQUAL EMPLOYMENT

[The Code](#) specifies that "admission to, employment by, and promotion in the University of North Carolina and all of its constituent institutions shall be on the basis of merit, and there shall be no discrimination on the basis of race, color, creed, religion, sex, national origin, age, or disability."

UNCW's [EEO/AA Policy Statement](#) states:

The University of North Carolina at Wilmington is committed to and will provide equality of educational and employment opportunity for all persons regardless of race, sex, age, gender, color, national origin, ethnicity, creed, religion, disability, sexual orientation, political affiliation, marital status, or relationship to other university constituents -- except where sex, age, or ability represent bona fide educational or occupational qualifications or where marital status is a statutorily established eligibility criterion for State funded employee benefit programs. Further, the university seeks to promote campus diversity by enrolling and employing a larger number of minorities and women where these groups have historically been and continue to be under-represented within the university in relation to availability and extends preference in staff employment to veterans and current State employees seeking promotion.

4. PERSONNEL FILES

Each faculty member has one official personnel file on campus. It is retained in the Office of the Provost and Vice Chancellor for Academic Affairs. The office of the dean or department chairperson (or both) may also retain files of information pertaining to their faculties. However the latter are unofficial and informal. Any material pertinent to personnel actions must be submitted to and retained by the Provost and Vice Chancellor for Academic Affairs.

Faculty members are required to submit annual reports of their professional activities to the department chairperson or supervisor. These are kept on file in the chairperson's office but are not made a part of one's official personnel file.

A. OFFICIAL PERSONNEL FILE

The official file, kept in the office of the Provost and Vice Chancellor for Academic Affairs, is legally defined as part of the public record and is available to the public as well as to the faculty member. The official file contains the following information: name, age, date of original employment, current position title, current salary, date and amount of most recent salary change, date of most recent promotion, demotion, transfer, suspension, or other change in position classification, agency and location to which the faculty member is currently assigned. Any other information in this file is not part of the official file, is confidential, and may be examined only by the following: the employee, the employee's supervisor, the dean, the Provost and Vice Chancellor for Academic Affairs, the Chancellor, members of the General Assembly, a person authorized by a court order, or an official of a state or federal government agency (or any political subdivision thereof) when inspection is deemed necessary by the Provost and Vice Chancellor for Academic Affairs upon the recommendation of the department chairperson and dean.

When information is requested from this file, a written record is made of who asked for the information, the information supplied, the date, and the purpose of the request. This record becomes a permanent part of the file. Upon request, a record of disclosure is made available to the employee to whom it pertains.

A faculty member may examine his or her own personnel record in this file in its entirety except for letters of reference solicited prior to employment and information concerning a medical disability (mental or physical) that a prudent physician would not divulge to a patient. Permission to see a personnel record must be requested in writing two days in advance.

B. UNOFFICIAL PERSONNEL FILE

Information kept in the dean's and/or department chairperson's unofficial personnel files relates primarily to the faculty member's activities relevant to departmental management. Procedures for gaining access to school or departmental personnel files vary. Faculty members should consult their deans or department chairpersons concerning access. These files are unofficial and do not substitute for the official file in the Office for Academic Affairs.

5. HUMAN RESOURCES

The Office of Human Resources provides comprehensive human resources services to UNCW including [employment](#) services, [position management](#), [salary and benefits](#) administration, staff [training and development](#), [HR & ITSD diversity training](#) and employee relations for an employee population of 2160 - including EPA, Faculty, SPA and temporary employees.

C. RTP:
REAPPOINTMENT,
TENURE, &
PROMOTION

1. GOVERNING DOCUMENTS

The basic governing documents that apply to all faculty at UNCW are briefly described here and available in their entirety through links.

A. UNIVERSITY CODE

Foremost among the documents describing the policies and procedures of the university and the rights of faculty is The Code of the UNC Board of Governors. Reappointment, tenure and promotion in any of the universities within the University of North Chapter system is governed by state law and policies as described in Chapter [VI of the Code](#), entitled "Academic Freedom and Tenure."

B. POLICIES OF ACADEMIC FREEDOM AND TENURE

UNCW's [Policies of Academic Freedom and Tenure](#) is a local interpretation of the Code. The document describes the following: the commitment of UNCW to academic freedom; academic tenure, eligibility for permanent tenure, and probationary service (length and number of appointments) preceding the conferring of tenure; procedures for evaluation and documentation; timely notice of reappointment and non-reappointment; non-reappointment hearings procedure, faculty committee to hear grievances, and policies regarding cessation of university employment; termination of faculty employment because of financial exigency or curtailment or elimination of a program; retirement; policy on leave; and implementation of the policies. Particularly relevant to the RTP process is [section IV: Policies on Appointment, Promotion, and Tenure](#).

2. CRITERIA FOR REAPPOINTMENT, PROMOTION, AND AWARD OF TENURE

Approved by the Faculty Senate, March 30, 1982.
Revised by the Faculty Senate April 1995, February 2001, and March 2004.

A. INTRODUCTION

It is essential that the university faculty be composed of individuals with superior personal and professional qualifications. The educational quality of the institution depends primarily on its faculty and,

therefore, is uniquely dependent upon a policy for promotion and tenure. A sound promotion and tenure policy should consistently define, recognize, and impartially reward excellence for professional contributions of the faculty. A university expresses its institutional goals most directly in the act of promoting and tenuring its faculty, and such a policy should be explicitly stated and made available to all faculty.

A public university has a responsibility to extend knowledge, and its application, beyond the traditional classroom and usual boundaries of the campus and “engage” aspects of the public and private sectors to enhance cultural, economic, and social development. Engagement describes the “collaboration between higher education institutions and their larger communities (local, regional/state, national, global) for the mutually beneficial exchange of knowledge and resources in a context of partnership and reciprocity.” However, engagement of whatever form must be knowledge based, meet the standards established at department levels, and be consistent with the represented academic disciplines at UNCW. The expectation for the level of involvement of engagement activities may vary across departments or hiring units depending on the subject matter and mission of departments and academic disciplines represented therein. Therefore, faculty whose work does not include engaged activities will not be penalized or denied tenure or promotion on those grounds unless such activities are part of the clearly articulated mission of the hiring unit or clearly stipulated as part of the terms of appointment. Although engagement as part of a comprehensive evaluation of faculty should be acknowledged and rewarded, such activity does not diminish, in any way, the importance and value of the university’s teaching and research missions. Therefore, engagement is not to be considered a substitute for faculty expectations in these other areas.

It is essential also that the university faculty be composed of individuals with a variety of strengths. Heterogeneity among faculty in contributions to the university is crucial. Guidelines for reappointment, tenure, and promotion should be seen in part as a means for fostering and rewarding individual strengths and competencies among faculty. Thus in the following guidelines the examples of the ways in which contributions to teaching, scholarship, research, faculty engagement, professional development, and service may be shown should be taken as indicating the variety of ways in which excellence may be demonstrated rather than as a fixed and exclusive set of common desired activities. Fixed weightings to be used in determining the relative importance of these different areas should be avoided in making reappointment, tenure, and promotion decisions.

Objective evaluation in these areas is difficult; however, it is imperative that means for evaluation be operationally defined. Evidence for evaluation will, where appropriate, include peer evaluation, chairperson's evaluation, student evaluations, self-evaluation and public documentation as well as other supporting material deemed relevant by the faculty member under evaluation. The information used in the evaluation of an individual will be shared with the individual in an open and constructive way. These evaluations should be used to determine the answer to what may be the overriding question, "In what way is this individual of importance to the university?" An important, if elusive, quality that should be spoken to in arriving at promotion, reappointment and tenure decisions is the extent and manner of the faculty member's commitment to furthering the goals of the university.

The following guidelines have been formulated to aid in the development of recommendations for promotion and tenure. These guidelines emphasize that promotions are made only on the grounds of merit. [Section 602 \(4\)](#) of the Code of The University of North Carolina states that "these considerations

shall include an assessment of at least the following: the faculty member's demonstrated professional competence, his potential for future contribution and institutional needs and resources."

Department chairpersons and senior faculty members must consider the long-range plans of the institution and, more especially, the continuing and projected departmental programs together with the faculty member's promise of future professional achievement.

B. EVALUATION AREAS

- *Teaching*

The primary concern of the university is teaching its students. Thus teaching effectiveness is the primary criterion for reappointment, promotion, and tenure. Faculty must be well-trained, knowledgeable, skillful, and enthusiastic presenters of knowledge. In addition, they should embody for their students the life of scholarship. Teaching involves not only the transmission of knowledge, but the development of the students' desire for knowledge, of the skills for acquiring knowledge and for critical evaluation, and of the factors that enable the student to assume a responsible position in society. Teaching, then, involves all aspects of the educative process including distance learning and outreach programs that extend teaching beyond the classroom. In addition to teaching courses, these aspects include revising old courses and developing new ones; developing teaching methods; and assisting, advising, and counseling students in academic matters. Commitments to learning, to fostering the intellectual development of students, and to improving educational programs mark the dedicated teacher. The nature of the university demands such commitment and performance from all its faculty members.

Evaluation should be made of as many aspects of teaching as possible. Formal evaluation of teaching shall include peer evaluation, student evaluations, and documentation of innovative teaching, curriculum development, grant-supported outreach, and other teaching-related activities.

- *Scholarship, faculty engagement and professional development*

Scholarship is expected of every faculty member. Besides a mastery of the fundamentals of a discipline it involves a thorough familiarity with its various areas, problems, and continuing investigations; it necessitates staying abreast of the relevant literature and includes the ability and insight to organize, synthesize, and evaluate effectively the work of others. It is a large component in the makeup of a good teacher and a necessary ingredient in the conduct of meaningful research and the presentation of research results. Thus it is a prime responsibility within the academic profession.

As a part of the comprehensive evaluation of faculty for RTP the faculty member's interactions and engagement with communities outside the traditional scholarly community should be included when such interactions and engagement are deemed relevant, i.e. they are scholarly, creative, or pedagogical activities for the public good, directed towards persons and groups outside UNCW. For faculty engagement to qualify as scholarly work, the activity must meet critical standards of excellence stipulated at departmental levels. Evidence of faculty engagement may take many forms such as external grants supporting community work, publications, technology transfer, funded outreach to public schools and

other artistic and humanistic activities publically recognized as significantly improving the lives of people in the community.

The university encourages faculty members to continue their education throughout their professional lives. Faculty members should seek appropriate advanced study which will (1) enhance their teaching effectiveness, (2) apprise them of developments in their academic fields, or (3) add new areas of expertise to the existing programs of the university. Examples of appropriate professional development include participation in formal coursework, interdisciplinary collaboration, seminars, workshops, and other specialized training programs.

- *Artistic achievement and research*

Artistic achievement is an appropriate responsibility of some faculty members. Depending on the medium and specialization involved, continuing efforts toward the creation, production, interpretation or criticism of works of art are expected in some disciplines. Such activity may take many forms: exhibits, concerts, performances, productions, readings, and writings. The academic artist has a responsibility to enlighten and enrich society at large with her/his artistic endeavors.

Besides artistic achievement, research understood as original investigation is also an important function of higher education. By continuously adding to the store of human knowledge, research enriches society at large while contributing greatly to vitality and depth in teaching. The university therefore encourages faculty members to engage in scholarly research.

Since the communication of knowledge is a central function of an educational institution, public rendition of a faculty member's research is highly desirable and may assume a variety of forms, which may be addressed to her/his professional colleagues or to society at large. Such renditions may include books, reviews, articles, reports, lectures, seminars, and papers presented at meetings.

In evaluating a faculty member's artistic achievement or research, attention will be directed to its vitality, integrity, originality, and overall quality, as judged by professional colleagues on and off campus.

- *Service*

The university encourages and expects its faculty members to apply their talents and abilities in service to the university, to organizations and to the community at large.

Service within the university is expected of all faculty members. Such service normally includes participation on departmental, school or college, and university-wide committees, and willing assistance in supporting the functions and purposes of the university.

The university shall also recognize and encourage faculty service to professional and scholarly organizations. Examples of such service include leadership in professional and learned societies, evaluations of manuscripts and research proposals, editorial board work, and other professionally related activities with or without compensation.

It is also appropriate for faculty members to serve in an educational advisory or informational capacity at the local, regional, state, national, and international levels. This service should ordinarily be an outgrowth of professional training and/or one's affiliation with the university. Examples of such activities include conducting workshops, consulting, and serving on advisory boards with or without compensation.

C. GUIDELINES FOR MENTORING JUNIOR FACULTY

The hiring of each faculty member is an investment in the university's future. The university hires promising faculty in the hope and expectation that they will successfully complete a probationary period, achieve tenure, and provide the university with years of estimable service. Accordingly, it is in the university's interest that each academic department provide continuous mentoring of its untenured assistant professors (junior faculty) from the time of hiring until a tenure decision is made. Departments are encouraged to assign one or more senior faculty mentors to each member of the junior faculty to advise them and guide their professional development in teaching and research.

The outcome of a reappointment or tenure decision should not be a surprise to either the department or the candidate. Department chairpersons are obligated to provide junior faculty, at the time of hiring, with clear indications of the criteria necessary for achieving tenure and promotion. As part of the annual evaluation process, the chairperson or other immediate supervisor must give each junior faculty member a candid written assessment of that person's progress toward meeting the requirements for tenure and promotion, as well as practical guidelines for meeting those requirements. The department's senior faculty play a central role in the mentoring of junior faculty, and the chairperson is required annually to provide the senior faculty with a summary of the assessments that the chairperson has given to junior faculty of their progress toward tenure and promotion. When the faculty member is subsequently considered for tenure and promotion, the chairperson's recommendation should normally be consistent with the assessments the faculty member has received in annual evaluations. When the chairperson's recommendation differs from those prior assessments, the chairperson shall explain what circumstances have arisen to cause the discrepancy.

D. GUIDELINES REGARDING LENGTH OF SERVICE AND MAINTENANCE OF FULL RECORDS

- *Length of service*

A faculty member hired as an assistant or associate professor must complete at least two years of probationary service before being considered for tenure. No other minimum time requirement for service at any level has been established. The decision shall be based entirely on the cumulative achievement of the faculty member.

It is to be emphasized that employment for a given time period at a particular level does not in and of itself imply automatic promotion and tenure. In fact, every consideration for advancement or tenure must involve analysis of the individual's complete record of achievement.

- *Full records to be maintained*

Records and reports are to be kept on file to serve as objective evidence in support of recommendations for reappointment, promotion, and tenure (and also salary increments). Each department will provide means for faculty members to report their achievements on an annual basis. Faculty members are urged to keep their own records of all activities which might support their advancement. Faculty members have the right to discuss their status with the department chairperson or the appropriate dean at any time. (See [Policies of Academic Freedom and Tenure, Sec. IV D.](#))

Annual written evaluations shall be made of each faculty member by the departmental chairperson. The evaluation shall be provided to the faculty member, who shall have the opportunity to reply in writing to the evaluation. Copies of the evaluation and reply shall be forwarded to the appropriate dean and maintained in the faculty member's departmental file.

E. GUIDELINES FOR TENURE AND ACADEMIC RANK

The overall goal of Guidelines is to ensure continued professional growth of the faculty. Guidelines should emphasize excellence in teaching and professional activity in order both to reward individual faculty and to further the university's goal of excellence.

- *Tenure*

Because of their long-term consequences for the university and its faculty, tenure decisions are more important than promotion decisions. To be granted tenure, a faculty member must have evidenced proficiency and a pattern of growth in areas of teaching; scholarship and research/artistic achievement; and service. Of these, teaching effectiveness is the primary criterion for the granting of tenure. When a faculty member who has served two years or longer at the rank of assistant professor is recommended for permanent tenure, he/she will also be recommended for promotion.

- *Academic rank*
 - *Assistant professor*

For appointment to the rank of assistant professor a candidate shall show promise as a teacher and evidence of progress in the area of research or artistic achievement.

- *Associate professor*

For appointment to the rank of associate professor a candidate shall show evidence of having developed into an effective teacher, of a continuing pattern of research or artistic achievement, of regular professional service, and of scholarship and professional development.

o *Professor*

For appointment to the rank of professor a candidate shall have exhibited during her/his career distinguished accomplishment in teaching, a tangible record of research or artistic achievement, and a significant record of service. An individual with the rank of professor should have a reputation as an excellent teacher and be recognized as a scholar within her/his professional field.

F. GUIDELINES FOR EDUCATIONAL ACCOMPLISHMENT AND ACADEMIC RANK

• *Term appointments*

Appointment to the positions of lecturer, visiting faculty, adjunct faculty, and writer- or artist-in-residence will require, at a minimum, a master's degree or equivalent. This requirement may be relaxed in exceptional cases.

• *Assistant professor*

Appointment at the level of assistant professor or higher will require a terminal degree; however, this requirement may be waived in exceptional cases.

• *Associate professor or professor*

Recommendation for promotion beyond the assistant professor level, for an individual without the terminal degree, will be made only in clearly exceptional cases.

3. *ADDITIONAL GUIDELINES*

In addition to the [university's criteria](#) for reappointment, promotion, and tenure, individual departments may also have supplemental department-specific guidelines; faculty should contact the department chairperson for access to the department policy. The professional schools and the [College of Arts and Sciences](#) may also have additional guidelines that are applicable only to that school or the college.

4. *RTP PROCESS*

A. TIMETABLE

Typically, candidates for tenure and promotion are reviewed in the fall, and candidates for reappointment are reviewed in the spring. However, a faculty member hired with a start date in January may be reviewed for reappointment in the fall or for tenure and promotion in the spring if that semester is the mandatory final semester for review. All mandatory reviews are scheduled as follows:

- An assistant professor with an initial 4-year contract must be reviewed for reappointment no later than early in the 6th semester of employment.
- An assistant professor with a second 3-year contract must be reviewed for tenure and promotion no later than early in the 3rd semester of that contract (11th semester of employment).
- An associate professor with an initial 5-year contract must be reviewed for tenure no later than early in the 7th semester of employment.
- Discretionary reviews, whether for tenure (with or without promotion) after the required two-year probationary period but prior to the mandatory time for review or for promotion of a tenured faculty member, may be conducted either fall or spring semester.

Academic Affairs distributes a description of the RTP process and a calendar of the process to all faculty at the beginning of the fall semester. Academic Affairs convenes and charges the Committee on Reappointment, Tenure, and Promotion (CRTP) during the first three weeks of the fall semester.

- *External reviews of candidates for tenure and/or promotion*

Departments have the option whether or not to require external reviews of candidates for tenure and/or promotion. Assessments of candidates, solicited by the department from reviewers who are external to UNCW, can be a valuable aid to the department's senior faculty and others as they make their recommendations. External reviews may be especially useful in cases where candidates have teaching and research interests that are atypical within the department. In its deliberations the senior faculty shall consider such reviews as one among many forms of documentation providing information on the candidacy. In cases where external reviews are not required, the absence of such reviews shall not be considered a detriment in any way to the candidacy.

Each department shall establish a formal policy on external reviews, approved by the department and the appropriate dean, stating (1) whether the department shall seek external reviews in all cases for tenure and promotion to associate professor and (2) whether it shall seek external reviews in all cases for promotion to professor. Departments that do not require external reviews in all such cases shall establish a procedure whereby (1) the department's senior faculty may, by majority vote, request external reviews in individual cases and (2) the candidate may request departmental solicitation of external reviews.

The department policy shall also establish explicit and consistent guidelines for the solicitation and use of external reviews that include the following:

- the number of reviews to be sought (which shall be no fewer than two nor more than five)
- the criteria by which reviewers are to be selected, including whether any are to be chosen from a list of potential reviewers provided by the candidate
- the information and guidelines to be provided to the reviewers
- the role of external reviews in the overall decision process
- for departments not requiring external reviews for all candidates for tenure and promotion, the process by which, in specific cases, either the senior faculty or the candidate may request external reviews in a timely manner consistent with evaluation deadlines

External reviews, where used, shall be solicited by the department. The anonymity of reviewers is essential in assuring candid reviews, and reviewers shall be asked to submit a cover letter identifying

themselves, their affiliation, and any personal or professional connection to the candidate. Reviews are to be submitted as attachments to the cover letter and should contain no information identifying the reviewers. Senior faculty and others making decisions on the candidacy shall have access to both the reviewers' identities and evaluations, but only the content of the reviews shall be made available to the candidate.

- *Process for faculty RTP applications*

Except in the case of an RTP application of a department chairperson or of Randall Library, recommendations for reappointment, tenure, or promotion are initiated by the department chairperson after consultation with the assembled senior faculty of the department involved. Procedures vary across departments and schools, but in each case, the chairperson, prior to writing an evaluation, must assemble, consult with, and take an advisory vote of the senior faculty. Along with writing a detailed evaluation of the candidate, the chairperson must report the numerical results of the vote and state the chairperson's recommendation for or against the RTP action. At least five business days prior to forwarding the candidate's dossier to the dean, the chairperson must notify the senior faculty, by either written or electronic means, whether the recommendation is for or against the action. If a majority of the department's senior faculty disagree with the recommendation of the chairperson, they have the option to submit a separate elaborated recommendation. Only one such recommendation from senior faculty may be submitted, and it must be signed by a majority of the department's senior faculty. The chairperson's recommendation and a separate senior-faculty recommendation, if any, are forwarded as part of the faculty member's RTP dossier.

Neither the faculty member nor any person related to or having a romantic relationship with the faculty member may deliberate or recommend on an RTP action. Other persons may also recuse themselves if they believe their relationship with the faculty member prevents them from fair and objective consideration of the application.

The faculty member's RTP dossier consists of the application, supporting documentation, and the recommendations of the deliberative entities. Dossiers are evaluated and recommendations made in the following sequence: the faculty member's chairperson; the appropriate dean; the university-wide faculty Committee on Reappointment, Tenure, and Promotion (CRTP); the Provost and Vice Chancellor for Academic Affairs; the Chancellor; and the Board of Trustees. Prior to evaluation by the CRTP, the dean transmits all materials to Academic Affairs, which is responsible for ascertaining that the applications are complete, that the required format has been used, and that dossiers are present for all faculty mandated for review. Academic Affairs then transmits copies of the dossiers to the CRTP.

All recommendations, whether positive or negative, are forwarded to the next deliberative entity. However, if the majority vote of the senior faculty and the recommendations of both the chairperson and the dean are all negative, the process stops and the faculty member's RTP application is denied. This decision is reported to subsequent deliberative entities, but the application does not go forward. All other recommendations, whether positive or negative, are forwarded to the next deliberative entity. The faculty member may withdraw the application at any stage of the process. The department chairperson and dean must elaborate the reasons for their recommendations, but subsequent deliberative entities may forward their recommendations with or without elaboration, except that any negative recommendation that follows a positive recommendation at the previous level must be elaborated. The department chairperson,

the dean, the chairperson of the Faculty Committee on Reappointment, Tenure, and Promotion, and the Provost and Vice Chancellor for Academic Affairs shall each transmit written notification of their recommendations to the faculty member within ten business days of the recommendation. All written notifications and recommendations become part of the candidate's RTP dossier. Authors of such communications must insert them into the candidate's dossier before forwarding it to the next deliberative entity.

- *Process for Randall Library faculty promotion applications*

Applications for promotion of a tenured faculty member of Randall Library follow the same process as for other faculty except that recommendations are initiated by a Randall Library promotion committee, which shall consist of the tenured faculty of Randall Library and such other senior assistant librarians and associate librarians as the university librarian shall appoint. The numerical results of a vote of the Randall Library promotion committee must be reported along with its recommendation, whether positive or negative, to the university librarian. If a majority of the Randall Library promotion committee disagrees with the recommendation of the university librarian, they have the option to submit a separate elaborated recommendation to the university-wide faculty committee on Reappointment, Tenure, and Promotion (CRTP). However, if the majority vote of the Randall Library promotion committee and the recommendation of the university librarian are both negative, the process stops and the faculty member's promotion application is denied.

- *Process for Cameron School of Business faculty RTP applications*

Applications for reappointment, tenure, or promotion of a faculty member of the Cameron School of Business follow the same process as for other faculty except that at the school level the dean, prior to writing an evaluation, must assemble, consult with, and take an advisory vote of the committee of senior Cameron faculty elected by tenured Cameron faculty. The dean shall report the numerical results of any vote. If a majority of the school's committee disagrees with the recommendation of the dean, they have the option to submit a separate elaborated recommendation to the university-wide faculty committee on Reappointment, Tenure, and Promotion (CRTP). The school will establish and publish a process to assure completion of this additional step within the time frame set for submission to the CRTP.

- *Process for department chairperson RTP applications*

Applications for tenure or promotion of a department chairperson follow the same process as for other faculty except that recommendations are initiated by the chairperson's dean after consultation with the assembled senior faculty of the department involved. The dean must report the numerical results of the senior-faculty vote along with the dean's recommendation. A majority of the department's senior faculty may, at their option, submit a separate elaborated recommendation, according to the procedure stated above. Recommendations, whether positive or negative, then follow the same route as for other faculty. However, if the majority vote of the senior faculty and the recommendation of the dean are both negative, the process stops and the chairperson's RTP application is denied.

- *Final action*

Following recommendations by the Provost and the Chancellor, all recommendations for reappointment, tenure, or promotion are forwarded to the Board of Trustees for final action. The Chancellor transmits written notification of his or her recommendation to the faculty member within ten business days. The Provost provides the faculty member with timely written notification of the final action.

5. APPLICATIONS FOR RTP: INSTRUCTIONS

[Approved by the Faculty Senate April 1998; revised April 2004, Sept 2011]

A. ELIGIBILITY AND TIMING

- A faculty member hired as an assistant or associate professor must complete at least two years of probationary service before being considered for tenure. No other minimum time requirement for service at any level has been established. Applications for tenure before a decision is mandatory must demonstrate that special circumstances or exceptional productivity have provided sufficient evidence that the faculty member has met the qualifications for that action.
- An untenured assistant or associate professor may not apply for promotion without also applying for tenure.
- A faculty member may not be tenured at the rank of assistant professor.⁽¹⁾
- Typically, candidates for tenure and promotion are reviewed in the fall, and candidates for reappointment are reviewed in the spring. However, a faculty member hired with a start date in January may be reviewed for reappointment in the fall or for tenure and promotion in the spring if that semester is the mandatory final semester for review. Discretionary reviews, whether for tenure (with or without promotion) after the required two-year probationary period but prior to the mandatory time for review or for promotion of a tenured faculty member, may be conducted either fall or spring semester.
- An assistant professor with an initial 4-year contract must be reviewed for reappointment no later than early in the 6th semester of employment.
- An assistant professor with a second 3-year contract must be reviewed for tenure and promotion no later than early in the 3rd semester of that contract (11th semester of employment).
- An associate professor with an initial 5-year contract must be reviewed for tenure no later than early in the 7th semester of employment.

B. CONTENT

- *Instructions to the RTP candidate.*
 - Compose the application to include the first six Roman-numbered sections specified in the [prescribed format](#). Beginning with section IV, all required subcategories must be included as numbered.

- Whenever it is appropriate to list items by date, use reverse chronological order (most recent first).
 - There are typically two parts to an RTP candidate's dossier: the application (to which is appended the chairperson's⁽²⁾ recommendation) and the supporting documentation.
 - a. The **APPLICATION** format should consist of (1) a narrative specifically prepared for the personnel action being applied for and (2) lists of accomplishments. The application should be self-contained, since it is typically read in its entirety by RTP Committee members before supporting documentation is consulted. The application must be prepared in the [prescribed format](#).
 - b. **SUPPORTING DOCUMENTATION**
 - 1. Supporting documentation must include:
 - i. all of the candidate's SPOT summaries—the printouts summarizing results of all 16 evaluation questions—over at least the most recent two-and-one-half years, as well as copies of the Question 16 Section Summaries and frequency graphs over the same period. All SPOT results should be organized in reverse chronological order. (See [Guidelines for the Administration, Use, and Interpretation of the "Student Perception of Teaching" \(SPOT\) Evaluation](#), especially Section B4.)
 - ii. all refereed publications published since the candidate was appointed at the present rank. A "selected" sub-collection of those publications is not sufficient, nor is a collection of photocopies of titles pages or tables of contents. Copies of publications will be returned to the candidate when the review process is completed.
 - 2. A table of contents or explanation of the organization of the supplementary documentation is helpful.
 - 3. The supporting documentation normally can be presented in one, or perhaps two, three-ring binders. It is not necessary or desirable to submit boxes of voluminous files.
- **INSTRUCTIONS TO THE ADMINISTRATOR RESPONSIBLE FOR MAKING THE INITIAL RECOMMENDATION.**⁽²⁾
 - No later than four weeks prior to forwarding an application, request from the Office of Institutional Research a "Report of SPOT Question 16 by semester" for each RTP candidate in time to include that report with Section IV of the application.
 - Assemble, consult, and take an advisory vote of the senior faculty of the school or department.
 - Prepare, sign and date the Chair's Evaluation (Section VII of the application).
 - Complete the Certification section (Section VIII of the application).
 - Verify that the application includes the eight Roman-numbered sections specified in the [prescribed format](#). Beginning with section IV, all required subcategories must be included as numbered. Any optional subcategories may be omitted, but those included should be numbered sequentially.
 - Verify that all courses taught by the RTP candidate during the preceding two and one-half years are listed on that report, and sign the report to that effect.
 - Notify the senior faculty of how the chair is recommending and append a separate senior-faculty recommendation, if any [see the [process for such recommendations](#) in the RTP Process document].
 - Number the pages of the application.
 - Submit 10 copies, each stapled or bound in some manner.

- Append one copy of the document checklist ([.pdf format](#), [Word document](#)) as the dossier cover page.

Footnote

⁽¹⁾This policy does not apply to faculty tenured as assistant professors prior to April 2004.

⁽²⁾ Normally, this is the department chairperson.

- In the case of Randall Library, it is the chair of the Randall Library Promotion Committee.
- In cases where the department chair is being recommended, the administrator responsible for making the initial recommendation is the college or school dean.

6. *Application for Reappointment, Tenure, and/or Promotion*

View: http://uncw.edu/fac_handbook/employment/RTP/rec_format.htm

7. *APPEAL FROM NON-REAPPOINTMENT*

A subset of the Faculty Hearings Panel—the Hearings Committee—reviews decisions of non-reappointment, suspension, discharge, or termination at the written request of the faculty member receiving such notice, in order to determine whether the decision was based upon any of the grounds stated to be impermissible. A decision not to reappoint may not be based upon:

- the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution;
- discrimination based upon the faculty member's race, sex, religion, national origin, age, disability, or honorable service in the armed services of the United States;
- personal malice; or
- material procedural irregularities.

Should the committee determine that the decision may have been based upon any of these impermissible grounds, it grants the faculty member a hearing and either confirms the previous decision or forwards a recommendation for corrective action to the appropriate academic officer.

The procedures and grounds for appealing a non-reappointment decision are described in [Section 603](#) and [Section 604 B](#) of the Code of the University of North Carolina and in [Section VI](#) of Policies of Academic Freedom and Tenure.

D. RETIREMENT
AND
RESIGNATION

1. *PREPARING FOR RETIREMENT*

A. RETIREMENT PLANS

Full-time and three-quarter-time faculty are required to join one of two retirement plans. The decision is the individual's and must be made during the initial month of employment. The two plans are (1) [North Carolina Teachers' and State Employees' Retirement System \(TSERS\)](#) and (2) the [Optional Retirement Plan \(ORP\)](#).¹ Faculty should consult the UNC document [Choosing a Retirement Program](#) when making the decision. Once the selection is made, it cannot be changed.

¹ UNC policy states that a faculty member must have the rank of "instructor or above" to be eligible for ORP. The UNCW Board of Trustees has determined that "for the purposes of determining eligibility for the Optional Retirement Plan (ORP), the faculty title Lecturer is equivalent to the faculty title Instructor."

B. TAX-SHELTERED SAVINGS PLANS

Faculty are eligible to participate in [401\(k\)](#), 403(b), and [NC 457](#) plans. For further information, contact Human Resources at 962-3006 or 962-3713.

2. *ANNOUNCING RETIREMENT*

Human Resources recommends the following:

A. STATE RETIREMENT (TSERS) PARTICIPANTS

- About a year before retirement the faculty member should call [Human Resources](#) for an appointment with the faculty benefits representative. Human Resources will provide the latest information on retirement benefits and help the faculty member decide the most beneficial date for retirement.
- A faculty member who has made a definite decision to retire should notify the department chairperson as soon as possible.
- Faculty close to retirement can benefit from attending the spring conference sponsored by the state retirement system.
- About ninety days prior to the retirement date, the faculty member should call Human Resources to set up an appointment to file the appropriate retirement applications.

B. OPTIONAL RETIREMENT PLAN (ORP) PARTICIPANTS

- About a year before retirement the faculty member should call [Human Resources](#) for an appointment with the faculty benefits representative. The representative will provide the latest information on retirement benefits and help the faculty member decide the most beneficial date for your retirement.
- A faculty member who has made a definite decision to retire should notify the department chairperson as soon as possible.
- The faculty member should notify the ORP vendor(s) of the intended retirement date. The vendor will provide information on benefit payment options.
- The faculty member should notify Human Resources to set up an appointment to discuss final salary payments and to enroll in the retirees' group for medical insurance.

3. PHASED RETIREMENT

A. UNCW'S PHASED RETIREMENT POLICY

Adopted July 1, 2002; Amended March 24, 2009

- *Purpose*

The University of North Carolina at Wilmington Phased Retirement Program (the "Program") provides an opportunity for eligible faculty members, who meet certain age and service conditions, to retire and change from a full-time to half-time employment at the university for three (3) years. The goals of the Program are to promote renewal of the professoriate in order to ensure institutional vitality and to provide additional flexibility and support for individual faculty members who are nearing retirement. The Program is completely voluntary and is available when agreed to and entered into by a mutual written agreement between an eligible faculty member and the University of North Carolina at Wilmington ("UNCW"). UNCW's Phased Retirement Program has been developed in accordance with the phased retirement policy approved by the UNC Board of Governors.

- *Eligibility*

- The Program is available only to full-time tenured faculty members. Non-tenured and tenure-track faculty are not eligible for participation in the Program.
- Except as set forth in this Section II, the Program is available to all full-time tenured faculty members who:
 - a. Have at least five years of full-time service at UNCW;
 - b. Be age 62 or older for members of Teachers' and State Employees' Retirement System (TSERS) or be at least age 59 ½ for participants in the Optional Retirement Program (ORP); and
 - c. Are eligible to receive retirement benefits through either TSERS or the ORP.

- A full-time administrator or EPA professional who also holds faculty tenure is eligible to participate in the Program after vacating his or her administrative or EPA professional position and returning full-time to his or her tenured faculty position. Department chairs should consult with the dean to convert an administrative salary to an academic or fiscal year faculty salary per UNCW retreat policies. Reference UNCW Policy 03.220, Separation and Retreat Policy for Senior Academic and Administrative Officers (SAAO), and UNCW Policy 03.225, Terms and Conditions for Faculty Serving in Administrative Positions.
- *Limiting Participation in the Program*
 - Eligible faculty members do not have an absolute right to participate in the Program. UNCW may limit participation in the Program based on various conditions. One condition is the finding that financial exigencies prohibit enrollment in the Program, as that term is defined *The Code of the Board of Governors of the University of North Carolina* (The Code). Another condition is that further enrollment in the Program will substantially weaken academic quality or disrupt program sequence. For the purposes of financial exigency and employment termination, employees participating in the Program will have the same standing as full-time, fixed-term faculty. The university will provide a Program participant as much advanced notification as possible of any change in her or his employment status.
 - Enrollment is subject to participation limits equal to 10 percent of total tenured and tenure-track faculty within UNCW and 20 percent of such faculty within the relevant department. Should interest by eligible faculty exceed these limits, priority will be given to eligible faculty with the greatest length of service with UNCW.
- *Duration of Program Participation.*

Upon entering the Program, a faculty member relinquishes permanent tenure and in exchange receives a contract for half-time employment, 50 percent of full-time salary received immediately prior to entering PRP (minus any administrative supplement, if applicable); paid over the fiscal year (twelve month) period, and half-time workload for each of the next three (3) years. By mutual agreement, the parties may terminate the agreement at any time.

- *Program Notice*
 - Program materials can be found on the UNCW website at the Human Resources' subsection link (see 'Related Links' above). Each year by September 1, all faculty members who will be eligible to participate in the next academic year will receive a letter from Human Resources outlining the Program. The letter will provide the date, time, and location of information session on the UNCW Phased Retirement Program. At the information session, Human Resources shall provide a chart of the university-sponsored deduction and benefit programs available, which Human Resources is obligated to prepare. In addition, Human Resources shall also supply a copy of this policy, and copies of UNC Policy 300.7.2.1[G] (see 'Related Links' above), the Model Program Application and Reemployment Agreement, the Model Program Release, and Chart reflecting information regarding persons who are eligible and those who are ineligible for potential participation

in the Program.

- It is the faculty member's responsibility to become informed about the Program. For those unable to attend an information session, Human Resources will offer a personal information session.
 - It is the individual faculty member's responsibility to ensure that UNCW has all information necessary for it to determine the eligibility of the applicant as to age, service at UNCW, and retirement benefit eligibility within either TSERS or the ORP. For these purposes, UNCW shall determine an applicant's age and service longevity with reference to the August 1 that follows submission of an application for participation.
- *Program Application Process*
 - An application to enter the Program must be submitted to the eligible faculty member's department chair. It is subject to the conditions noted in Section III above, development of a mutually agreed upon "work plan," and final written approval by the chief academic officer. However, if the limitations do not apply and a final "work plan" is agreed upon, the final decision to enter or not enter the Program rests with the eligible faculty member. Once eligible faculty members have met with officials designated by UNCW to answer questions about the Program, they may approach their respective department chair or dean to negotiate participation and their half-time work plan for the phased retirement period. Once the duties and arrangements with the eligible faculty member are fully determined, the agreement to participate in the program must be stated in writing in a formal Phased Retirement Application and Reemployment Agreement.
 - The eligible faculty member must submit the Phased Retirement Application and Reemployment Agreement (see 'Related Links' above) to the eligible faculty member's department chair at least six (6) months but not more than eleven (11) months before the commencement of the first semester of an eligible faculty member's requested participation in the Program, to begin at the start of the next academic year.
 - In conjunction with the Agreement to be executed under the Program, an eligible faculty member must also execute a waiver of rights and claims under the Age Discrimination in Employment Act (the "ADEA") and other laws (this document is known as "Release" and can be located in 'Related Links' above). The ADEA requires that for the release of age discrimination claims to be valid, the Release must include the job titles and ages of all individuals eligible for the Program and the ages of all individuals in the same job classification who are not eligible. A table of eligible and ineligible positions is provided to all eligible faculty members at the time the Agreement and Release package is delivered to the eligible faculty member for review and signature.
 - After the Agreement and Release are finalized, the Agreement is signed by the appropriate administrators, and the Agreement and Release are delivered to the eligible faculty member, the eligible faculty member shall have forty-five (45) days within which to consider the Agreement and Release. Eligible faculty members are encouraged to carefully review the terms of the Agreement and the Release and to consult an attorney prior to executing such materials. However, eligible faculty members may sign the Agreement and Release before the end of the 45-day period, if they so choose.
 - Once the eligible faculty member has executed and returned the Agreement and Release, it shall not become effective for seven (7) calendar days, during which time the eligible faculty member may unilaterally revoke the Release. Revocation must be in writing and

delivered to the office or officer to which the prior application was submitted.

- If an eligible faculty member elects to revoke the Agreement and Release within the 7-day revocation period, the Agreement is void. Moreover, in such circumstances, the eligible faculty member will continue in his or her same full-time employment status as the faculty member held immediately prior to the execution of the Release.
 - If the Release is not revoked, it becomes effective after the seven (7) day period. The eligible faculty member is then bound to commence participation in the Phased Retirement Program the next following fall semester.
 - Once made, a decision to enter the Program (signified by the eligible faculty member's signing and non-revocation of the Phased Retirement Application and Reemployment Agreement and Release) is binding.
- *Changes or Renegotiation of Work Plan.*

A faculty member participating in the Program may seek to renegotiate his or her work plan duties with his or her department chair. Likewise, should University needs change, the department chair, with the approval of the dean and vice chancellor for academic affairs, may make reasonable changes in assignments that are consistent with departmental needs and the participant's abilities. Any changes resulting from the renegotiations must be in writing and signed by the Program participant, department chair, dean and the provost with an effective date. Any renegotiations should be completed at least one semester in advance of the effective date of the desired change(s).

- *Terms and Conditions*
 - Upon entering the Program, eligible faculty members give up tenure. Participants terminate full-time employment and contract for a three year period of half-time service to UNCW. Half-time responsibilities may vary among departments. In addition, half-time service may consist of full-time work for one-half of a year (e.g., full-time work for one semester of an academic year) or half-time work for a year (e.g., half-time work in each of the two semesters of an academic year). However, half-time work plans do not include summer school duties.
 - The enrollment period for the Program begins with the fall semester with actual participation to commence at the start of the next academic year (provided an Eligible faculty member's application is approved). Teaching, research and service assignments during the period of phased retirement are individually negotiated by the eligible faculty member and the appropriate supervisors and/or personnel committee(s). The details of such half-time service (a "work plan") must then be set forth in a University of North Carolina Phased Retirement Program Application and Reemployment Agreement (the "Agreement").
 - Participating faculty members initially receive a salary equal to fifty percent (50 percent) of the full-time salary they received immediately prior to phased retirement (e.g., based on 08 440_Phased_Retirement_Policy.doc Page 5 of 6 the faculty member's prior nine- or twelve-month contractual term, as applicable). Department chairs should consult with the dean to convert an administrative salary to an academic or fiscal year salary per the UNCW retreat policies referenced in Section II, Eligibility. In addition, compensation paid during phased retirement is paid in equal

installments over twelve (12) months irrespective of the pattern of duties under the faculty member's work plan. Subject to any limitations imposed under the State Retirement System and the legislative appropriations process, participating faculty members are eligible for salary increases and merit pay in subsequent years of Program participation based on annual evaluations.

- Participating faculty members will remain subject to *The Code and Policies of The University of North Carolina* and UNCW's policies. In addition, without expressly or constructively terminating any Agreement, UNCW may place a participating faculty member on temporary leave with pay and/or reassign a participating faculty member's duties during or as a result of any investigation or disciplinary action involving the participating faculty member. Such authority shall be invoked only in exceptional circumstances when the participating faculty member's department chair determines that such action is in the best interests of UNCW. Further, nothing in the Program or these guidelines shall in any way be interpreted to provide a participating faculty member with greater rights, claims or privileges against UNCW regarding continued employment than otherwise provided in The Code and policies of the University and UNCW.
 - Eligible faculty members who elect into the Program will retain their professorial rank and the full range of responsibilities, rights, and general benefits associated with it, except for tenured status or as otherwise modified pursuant to an eligible faculty member's agreed-to "work plan." UNCW will keep records of participation so as to note those faculty members who are in phased retirement.
 - Participating faculty members are expected to maintain high levels of professional commitment to UNCW.
- *Benefits, Privileges, and Services*
 - Eligible faculty members participating in the Program do not enjoy the benefits of tenure. They may not serve on committees that require members be tenured. Otherwise, participants have the same academic freedoms and responsibilities as other faculty members and have access to all grievance and appeal procedures available to non-tenured members of the faculty who are not participating in the Program.
 - Tenured full-time faculty who served for eight (8) or more years at UNCW are eligible to seek emeritus status.
 - Eligible faculty members participating in the Program remain eligible for participation in University-sponsored deduction and benefit programs available to regular half-time employees; with the exception of leave accrual.
 - Enrolling eligible faculty members may elect to begin receiving the benefits they have accrued under either the TSERS or the ORP, but they are not required to do so. However, so long as an eligible faculty member does not receive a monthly retirement benefit, he or she will not receive university paid State Health Plan benefits. If a faculty member does not elect to receive a monthly retirement benefit from TSERS or ORP, upon entering phased retirement he/she may continue participation in the State Health Plan as a permanent halftime employee on a fully contributory basis. In that case, the faculty member would not be eligible to receive the University contribution.

B. HUMAN RESOURCES PHASED RETIREMENT WEB PAGE

View: <http://www.uncw.edu/hr/PRP.html>

4. *HEALTH CARE FOR RETIREES*

A. MEDICAL INSURANCE

Retired UNC employees can continue, up until age 65, under the State Health Plan Retiree Group at the same cost as active members. The state will continue to pay for the individual coverage under the State Health Plan. Employees will be required to pay for dependent coverage.

B. MEDICARE (SOCIAL SECURITY)

At the age of 65, every employee should contact the local Social Security Administration (1528 South 16th Street) for information concerning Medicare coverage. For employees who continue to work, the State Health Plan remains the primary carrier. Only upon retirement at the age of 65 or older does Medicare become primary. In order to maintain the same level of coverage the retiree should enroll in Medicare parts A and B.

When approaching retirement, an individual should contact the Social Security Administration to obtain information on benefits available to a retiree.

5. *EMERITUS FACULTY*

Emeritus status is an honor accorded to retired faculty in recognition of their distinguished and sustained service to the university. Tenured faculty members who retire at the rank of assistant professor or higher with a minimum of eight years of service at UNCW are eligible for emeritus status in the rank held and in the department served at the time of retirement. All recommendations for emeritus appointments must be initiated at the department level. Following consultation with and approval of the departmental faculty, the chairperson shall submit a recommendation to the appropriate dean who shall recommend to the Provost and Vice Chancellor for Academic Affairs. The Provost shall recommend to the Chancellor, who shall, in turn, recommend to the Board of Trustees for approval.

Emeritus faculty are (1) invited to formal convocations and general faculty events, (2) listed in the Undergraduate Catalogue and University Telephone Directory, (3) accorded library privileges, e-mail, free ID cards, and free parking, if requested, and (4) admitted to athletic and cultural events at faculty rates. Emeritus faculty are not eligible to hold office or to vote in faculty elections.

Faculty on phased retirement retain their professorial rank and are not eligible for emeritus status until their participation in the program is completed.

6. REEMPLOYMENT AFTER RETIREMENT

Employees receiving an income from either the state retirement system or the optional retirement plan may return to work in a part-time (.74 FTE or less) or temporary status with the university or with another employer who participates in the State Retirement System. There is an earnings limit for State Retirement participants of \$24,180 or half their salary (whichever is greater) for twelve months prior to retirement. There is no earnings limit for Optional Retirement Program participants. Earnings from any source may affect social security benefits for retirees from age 62 to their social security retirement age.

7. RESIGNATION

A faculty member who decides to resign shall, as soon as possible, notify the appropriate dean of the decision in writing. The dean shall notify the Provost and Vice Chancellor for Academic Affairs, who shall then forward the notice to the chancellor.

E. TERMINATION,
DISCHARGE, &
SUSPENSION

1. TERMINATION OF EMPLOYMENT

In contrast with [discharge](#), "termination of employment" is unrelated to disciplinary penalties.

[Section 605](#) of The Code of the Board of Governors and [Section IX](#) of UNCW's Policies of Academic Freedom and Tenure state that the employment of faculty members with permanent tenure or of faculty members appointed to a fixed term may be terminated by the university because of:

- demonstrable, bona fide institutional financial exigency or
- major curtailment or elimination of a teaching, research, or public-service program.

For complete information on termination, including procedures and requirements for timely notice, see [Section 605](#) of The Code and [Section IX](#) of UNCW's Policies of Academic Freedom and Tenure.

A. APPEAL FROM TERMINATION

A faculty member who alleges that the termination was arbitrary or capricious may appeal the decision to the Faculty Hearings Committee, in accordance with the procedure specified in [Section IX.B.6](#) of Policies of Academic Freedom and Tenure.

2. DISCHARGE, SUSPENSION, & REDUCTION IN RANK

In contrast with [non-reappointment](#) and [termination of employment](#), discharge, suspension from employment, and reduction in rank are disciplinary penalties.

[Section 603](#) of The Code of the Board of Governors states:

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.

For complete information on disciplinary sanctions, including procedures and requirements for due process and the right of appeal, see [Section 603](#) of The Code and [Section VIII](#) of UNCW's Policies of Academic Freedom and Tenure.

A. APPEAL FROM DISCIPLINARY SANCTIONS

A faculty member may request a specification of reasons for the sanction and may appeal the sanction to the Faculty Hearings Committee, in accordance with the procedure specified in [Section 603](#) of The Code.

GRIEVANCES

The [Faculty Professional Relations Committee](#) (FPRC) is authorized to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty. Grievances within the province of the committee's power include matters directly related to a faculty member's employment status and institutional relationships within the constituent institution.

The FPRC is not authorized to hear grievances regarding the [non-reappointment](#), [suspension](#), [discharge](#), or [termination](#) of a faculty member, which are the province of the Hearings Committee.

A description of the grievances that fall within the province of FPRC and the procedures for redress are described in [Section 607](#) of The Code and in [Section VI](#) of Policies of Academic Freedom and Tenure.

EVALUATION OF FACULTY

1. *PURPOSE & CRITERIA*

The evaluation of a faculty member's performance is recognized as integral to the development of the institution, is used to make decisions about promotion and the awarding of tenure, and serves as a basis for recommendations for merit salary increases. The criteria that are used in evaluating faculty performance are those in Criteria for Reappointment, Promotion and Award of Tenure, [Section II](#), as well as criteria developed by departments and the college/schools. However, since the policies and procedures may be amended from time to time, non-tenured faculty members should consult with the departmental chairperson or the appropriate supervisor concerning current guidelines and criteria.

2. *ANNUAL EVALUATION*

Annual written evaluations are made of each faculty member by the departmental chairperson or appropriate supervisor. This evaluation is done in conjunction with a review of the faculty member's professional development plan. Copies of the evaluation and professional development plan for each member of the faculty are kept on file in the respective department chairperson's or supervisor's office, and a copy of each must be provided to the faculty member. The faculty member shall have the opportunity to reply in writing to the evaluation. Evaluations must be completed by July 1 of each year. Recommendations for merit salary increases rely heavily on the written evaluation document, but recommendations for reappointment, tenure, and promotion do not necessarily rely on the annual cumulative reports.

The chairperson's evaluation draws from peer evaluations, student evaluations, and subjective assessments—each to varying degrees across departments.

A. PEER EVALUATION

A variety of methods of peer evaluation are in use throughout the campus. There is no single instrument for peer evaluation, but typically faculty are requested to include in their review materials syllabi, course tests and examinations, statements about new courses developed, reprints of publications, and reviews of performances. Departments include the senior faculty and/or peers in the review of faculty performance. For new and non-tenured faculty and graduate teaching assistants, peer review includes direct observation of classroom teaching.

3. *TEACHING EVALUATIONS*

The [SPOT guidelines document](#) states, "Because numerous studies have indicated that both peer and student evaluations are necessary for the equitable evaluation of teaching effectiveness, it is strongly suggested that peer and student evaluations be given similar emphasis in personnel recommendations."

A. PEER EVALUATION

A variety of methods of peer evaluation are in use throughout the campus. There is no single instrument for peer evaluation, but typically faculty are requested to include in their review materials syllabi, course tests and examinations, statements about new courses developed, and results of student evaluations. For new and non-tenured faculty and graduate teaching assistants, peer review includes direct observation of classroom teaching.

B. STUDENT EVALUATION (SPOT)

Every faculty member is evaluated by students every semester in all courses (including summer courses) using the institution-wide Student Perceptions of Teaching (SPOT) questionnaire. This questionnaire and the instructions for administering it were developed by the Faculty Senate. The use of the SPOT is mandatory, although some departments also have additional student evaluation questions which are appended to the SPOT. The department chairperson or appropriate supervisor receives the results of the SPOT from the Office of Academic Computing and shares them with the faculty member every semester. SPOT results are considered, along with other measures and instruments of evaluation, in annual evaluation; in evaluation for reappointment, promotion, and tenure; and in post-tenure review.

The reliability of data gathered by way of student evaluation instruments depends, in part, on the establishment of a set of common practices for administration and use. The Faculty Senate has adopted a set of [guidelines for the administration and use of SPOT](#).

4. SPOT GUIDELINES

Guidelines for the administration, use, and interpretation of the “Student Perception of Teaching (SPOT) evaluation

Revised by the Faculty Senate spring 2000 and spring 2004

The reliability of data gathered by way of student evaluation instruments depends, in part, on the establishment of a set of common practices for administration and use. The following statements constitute a set of guidelines for the administration and use of SPOT.

A. ADMINISTRATION

- Administration of the instrument shall ordinarily be conducted during the last ten class days of the semester (last five class days in a summer session) at a time convenient to the instructor. Administration at other times will be determined by agreement of the dean, the department chairperson and the faculty member. Days when tests are being given or returned shall be avoided when possible.

- SPOT shall ordinarily be used by all instructors in all courses every semester including summer sessions. Paper versions of SPOT will be used in traditional classroom settings, and online courses will use an online version of SPOT. Recognizing, however, that some courses rely heavily on specialized, non-classroom learning experiences (e.g., field-based; hospital-based; laboratory-based; performance-based), exceptions may be established at the departmental level by mutual consent of a faculty member and the appropriate chairperson. In such cases, some method of student evaluation shall be implemented by the department chairperson.
- Should departments wish to use additional evaluation instruments, these departmental instruments shall be administered after the administration of SPOT.
- Administration of the paper SPOTs shall be delegated to an individual other than the instructor. That individual may be a student or another faculty member.
- A brief standardized statement of instruction shall be presented to each class prior to the administration of SPOT.
- During the administration of the paper SPOTs, the instructor shall leave the classroom and its vicinity.
- Departments shall avoid practices which compromise student anonymity (i.e., student names and/or identification numbers shall not appear on evaluation forms).
- Following administration of the paper SPOTs, the evaluation forms shall be sealed in an envelope and returned immediately to the departmental office. Department chairpersons will keep these secure and will forward them for processing. No analysis or interpretation is to be made by anyone prior to processing of the SPOT forms by Computing Services.

B. ANALYSIS AND REPORTING

- Academic departments/units shall deliver the administered forms, with blank forms removed, to Computing Services by the last working day of final exams (within one week of final exams for summer sessions) for analysis. The analysis will not be done until after all grades have been submitted to the registrar.
- Three copies of a course section summary (for each instructor, if team-taught) shall be prepared; one for the instructor, one for the department chairperson, and one for the instructor's dean. This summary shall contain, for each item Q1 through Q16 and for any optional supplemental items the percentage of responses in each response category. For Q16 the summary shall contain the individual's response mean, the individual's response standard deviation, the individual's minimum and maximum responses, the number of students enrolled in the section, the number of students responding, the departmental response mean, and the departmental response standard deviation. In addition, the instructor shall receive one copy of the response frequencies of all SPOT items, including the demographic information.
- Computing Services shall also provide to each instructor and his or her department chairperson and dean a Question 16 Section Summary for each section evaluated by SPOT. That summary shall contain:
 - course and section number, instructor's name, and semester (or summer session);
 - the section mean on Question 16;
 - a histogram of the responses to Question 16 by students in this section.

- Every personnel action recommendation for reappointment, promotion, tenure, or post-tenure review should contain a summary, in a standard format, of the individual's SPOT results for Q16 (at least) over the most recent two-and-one-half years, together with a visual representation of trends. (An accumulation of Question 16 Section Summaries over that period would accomplish this.) All RTP recommendations shall include a qualitative interpretation of SPOT results by the department chairperson, and may include—at the individual's discretion—the individual's own qualitative interpretation. All statistical calculations and quantitative analysis processed by anyone other than Computing Services (which is discouraged) must be clearly identified as such.

C. GUIDELINES FOR APPROPRIATE USE OF SPOT RESULTS

- Data from individual faculty gathered through the use of SPOT shall be treated with confidentiality and with recognition of the need for continued study of the meaning and validity of these data. The data shall not be released by anyone other than the faculty member to anyone who is not directly involved with evaluation for the purpose of reappointment, promotion, tenure, post-tenure review, or annual departmental review, or to anyone who is not directly involved with the development of norms, without the written permission of the faculty member. Each department shall use a release form that will enable instructors to designate other individuals or groups who may have access to evaluation information. In addition, quantitative data shall not be released from the department, or comparable administrative unit, without an accompanying written interpretation of the data by the appropriate evaluating officer and, if he/she chooses, by the faculty member. The evaluating officer's interpretation shall explain how an instructor's scores compare with peers in the same department, discipline, or course assignment, as appropriate. Because numerous studies have indicated that both peer and student evaluations are necessary for the equitable evaluation of teaching effectiveness, it is strongly suggested that peer and student evaluations be given similar emphasis in personnel recommendations.
- The [Evaluation Committee](#) of the Faculty Senate is charged with regularly reviewing both student and peer evaluation procedures, and with reporting and making recommendations for improvement to the Senate.
- Instructors shall be given no access to individual response forms prior to submission of grades and completion of processing by Computing Services.
- In the case of a formal appeal of a reappointment, promotion, tenure, or post-tenure-review recommendation, all parties involved directly in the appeal process shall be allowed access to the archived data pertinent to that case.
- Individual SPOT results, when combined with qualitative interpretation by the department chairperson and with peer evaluations of teaching, can contribute to measuring an individual's teaching effectiveness and to identification of areas of strength and areas where improvement is possible. Under those conditions, SPOT results are appropriately used for annual merit evaluation summaries, consideration for salary raises, RTP, and post-tenure-review decisions.

D. WARNINGS AGAINST INAPPROPRIATE USE OF SPOT RESULTS

- Standard deviations that are reported by section (resp., department) for each item measure the extent to which student responses are "scattered" within that section (resp., department). They do not measure the manner in which instructor means are distributed, hence should not be used to conjecture what percentile an instructor's mean score represents (or even how good or how bad a mean score is).
- Means for the sixteen SPOT items must not be "averaged" to produce a "combined SPOT score."
- Mean scores for two or more courses must not be averaged to obtain a "semester SPOT score" for an individual.
- Averaging SPOT scores from several different courses across several semesters to obtain an "overall individual SPOT score" is improper.
- Direct comparisons of ratings from the version of SPOT used from fall 1992 through summer 2004 to ratings from the revised version implemented in fall 2004 are not appropriate.

E. GUIDELINES FOR INTERPRETATION OF SPOT RESULTS

- *Guidelines for SPOT ratings collected 1992-2004:*
 - There is strong evidence that the SPOT questions as a whole give a valid measure of characteristics of effective teaching, and that the results are reliable. Moreover, there are ample reasons to support the use of the Question 16 section mean as the best single measure of student perception of teaching.
 - SPOT scores should, whenever possible, be viewed in the context of the immediately preceding five semesters. Comparisons should be general and should not ascribe meaning to the precision with which means are reported. (For example, a mean of 4.22 on Question 16 for a certain course might properly be described as lying in the second highest quintile of UNCW Question 16 scores, but should not be viewed as different from a score of, say, 4.18.)
 - The receipt of a Q16 section mean in the lowest quintile is not necessarily an indication of poor teaching. Only 2.6% of student responses campus-wide to Question 16 are "poor", and if every student were to answer "average" to Question 16, the mean (3.00) would lie in the lowest quintile. However, receipt of Question 16 means in the lowest quintile over a period of several semesters may indicate an opportunity for improvement. Examination of results of other SPOT items, consultation with the department chairperson, and peer evaluations may reveal ways to improve student perception of an individual's teaching.
- *Guidelines for SPOT ratings collected from the revised version implemented in fall 2004:*

Revised SPOT questions have been selected from reliability-tested instruments at UNCW and other institutions, and have been edited by the best judgment and experience of UNCW faculty. Revisions

to the 1992-2004 SPOT instrument have been made in every case to improve the philosophy of the survey as a whole, the survey questions themselves, and the quality of the information collected.

5. *POST-TENURE REVIEW*

The policy was adopted by the Faculty Senate in 1998 and implemented during the 1998-99 academic year. It was revised by the Senate in 2001 for 2002-03 implementation.

A. INTRODUCTION

Post-tenure review (PTR) is a comprehensive, formal, periodic evaluation of cumulative faculty performance to ensure faculty development and to promote faculty vitality. The purpose of PTR is to support and encourage excellence among tenured faculty by recognizing and rewarding exemplary faculty performance; providing for a clear plan and timetable for improvement of faculty found deficient; and for those whose performance remains deficient, providing for the imposition of appropriate sanctions, which may, in the most serious cases, include a recommendation for discharge.

Just as an institution's policies governing the award of tenure must reflect the institution's mission, policies for PTR must also be guided by institutional mission, and the performance of each tenured faculty member must be evaluated in the context of the mission of the individual's college or school and department. While PTR is not a revalidation of the award of tenure, many characteristics of an institution's tenure policies remain relevant in judging the performance of tenured faculty. UNCW's [Criteria for Reappointment, Promotion, and Award of Tenure](#) states:

The primary concern of the university is teaching its students. Thus teaching effectiveness is the primary criterion for reappointment, promotion, and tenure.

It follows that teaching effectiveness should be the primary evaluation area in the post-tenure review of a faculty member. The "Criteria" also states:

It is essential also that the university faculty be composed of individuals with a variety of strengths. Heterogeneity among faculty in contributions to the university is crucial... Fixed weightings to be used in determining the relative importance of these different areas should be avoided in making reappointment, tenure, and promotion decisions.

The most effective way to ensure that the importance of individual contributions is appropriately recognized, and to account for differences in the nature and mission of varied academic disciplines, is to base the post-tenure evaluation on peer review by departmental colleagues, and to have the department chair determine the quality of faculty performance and, when necessary, to guide the creation and implementation of a development plan. To effectively link the annual evaluation of faculty to PTR, the post-tenure review must take place at the departmental level, as do the annual evaluations.

PTR is an addition to an already elaborate process of faculty evaluation. Care must be taken to focus on the new features of evaluation that PTR brings, and to avoid redundancy of evaluation. The

objective of PTR is to identify and reward exemplary faculty performance, and to identify and correct deficient faculty performance. PTR provides a new opportunity to identify sustained exemplary performance of faculty that may not be recognized over a period of only one year, and for which there has heretofore been no means of recognition. PTR provides a new constructive mechanism to correct deficient performance of faculty, in the rare event that it occurs. PTR should not be used to suggest ways that competent, conscientious faculty may merely improve their satisfactory performance—annual reviews already have that function.

B. FACULTY TO BE REVIEWED

PTR is required of all tenured faculty whose primary responsibilities (50% or more) are teaching and/or research and/or service. Tenured librarians shall be subject to PTR. For each chair or administrator within a college or school, the dean shall determine whether that person meets the criteria for mandatory review.

C. TIMETABLE

Faculty of whom PTR is required must undergo a review no later than the fifth academic year following the most recent of these review events:

- award of tenure at UNCW
- departmental recommendation for promotion
- prior post-tenure review
- other equivalent comprehensive review of performance at UNCW
- return to faculty status following administrative service of two years or more

Exceptions shall be made in the following cases:

- A period when a faculty member is on leave from professional duties shall not be included as part of the five years between mandatory review events; in such cases, the maximum interval shall be extended accordingly.
- A period when a faculty member has reassigned time shall be included as part of the five years between mandatory review events; however, a faculty member who is temporarily assigned to duties away from the Wilmington area during the period when a review is required shall undergo review during the academic year when duties in the area are resumed.
- PTR is not required of a faculty member who has officially set an irrevocable retirement or resignation within the next 12 months.

A tenured faculty member may elect to undergo PTR during any academic year. No faculty member shall be compelled to undergo PTR as described in this policy earlier than as required by this timetable. At the beginning of each academic year, each dean shall provide a list of those faculty required to be reviewed during that year.

D. PROCEDURES

Performance shall be reviewed for the period since the prior review event or for the preceding five years, whichever period is less. A faculty member being reviewed shall provide a succinct report, for the period being evaluated, on professional activities in teaching, research/artistic achievement, and service. Each department shall establish the format for the report, except that it must include (where applicable) courses taught, theses directed, and all evaluations of teaching; publications, performances, and presentations; service activities; and all annual evaluations for the years under review.

PTR must include peer review of faculty professional performance. Each department shall establish a procedure for peer review, which must include an evaluation by at least three tenured colleagues of the faculty member's record in teaching, research/artistic achievement, and service. Peer reviewers shall present their evaluations in writing as advice to the chair, who will then write the evaluation relative to the mission of the university, college/school, and program. The chair's evaluation shall state whether the faculty member's overall professional performance has been *satisfactory*, *exemplary*, or *deficient*. The chair shall provide a copy of the evaluation to the faculty member and shall meet with the faculty member to discuss the review. The faculty member has the option of attaching a written response. The chair shall forward a list of the peer evaluators, a copy of the evaluation, and the faculty member's response, if any, to the dean for information. The faculty member and chair shall sign the evaluation in acknowledgment of its receipt by the faculty member. In the case of a finding of *deficient*, the faculty member has the right to appeal the finding on the basis of the four grounds stated to be impermissible (see [Appeal from a finding of deficient or from a finding of non-compliance with a development plan](#) below).

Each year the Provost shall establish deadlines for the completion of the PTR process.

E. CRITERIA

Criteria for *satisfactory* faculty performance are professional competence; conscientious discharge of duties, taking into account distribution of workload as assigned by the department chair; and efforts to improve performance. Criteria for *exemplary* faculty performance are sustained excellence in teaching, research/artistic achievement, and service; and professional performance that is substantially above expectations and that significantly exceeds the performance of most faculty. *Deficient* faculty performance is performance that does not meet the criteria for being judged satisfactory, as stated above. Annual evaluations for the period under review shall be given great consideration during PTR; faculty whose annual reviews have indicated satisfactory performance or better during that period shall normally be expected to receive a satisfactory evaluation or better under PTR.

F. OUTCOMES

In the case of performance judged to be *exemplary*, the results shall be documented for university award consideration. Documentation of such performance shall also be forwarded by the chair to the dean, the Provost, and the Chancellor for appropriate recognition.

In the case of performance judged to be *deficient*, the chair shall forward to the faculty member a copy of the evaluation by the deadline set by the Provost. Within ten working days of receipt of the evaluation or within ten working days following the denial of an appeal of the finding of *deficient*, the chair and faculty member shall meet and, in consultation, begin to create a development plan. The plan shall include the following:

- specific strategies and steps designed to lead to improvement,
- delineation of specific outcomes which constitute improvement,
- resources to be committed, if any,
- a specified timeline, not to exceed three years,
- a statement of the process by which performance under the plan will be evaluated and feedback provided to the faculty member, including a clear specification of who will conduct the evaluation, and
- a clear statement of consequences should the improvement not occur.

The faculty member and the chair shall sign the development plan, and the chair shall forward a copy to the dean, who must approve any resources to be committed.

A development plan shall not be required of a faculty member who has received a *satisfactory* review.

G. DUE PROCESS

The Code states: "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" ([VI: 603](#)). Due process and the right of appeal as specified in [The Code](#) and UNCW's [Policies of Academic Freedom and Tenure](#) shall be guaranteed. The outcome of evaluation should be confidential—that is, confined to the appropriate university persons or bodies and the faculty member being evaluated—and released only at the discretion or with the consent of the faculty member.

A faculty member may appeal a finding of *deficient*, a finding of non-compliance with a development plan, or the imposition of sanctions other than discharge, suspension from employment, or diminishment in rank to the Faculty Professional Relations Committee (FPRC). A faculty member may

appeal the imposition of serious sanctions (discharge, suspension from employment, or diminishment in rank) to the Hearings Panel as specified in [Chapter VI](#) of The Code.

H. APPEAL FROM A FINDING OF DEFICIENT OR FROM A FINDING OF NON-COMPLIANCE WITH A DEVELOPMENT PLAN

A faculty member may appeal a finding of deficient or a finding of non-compliance with a development plan, by letter to the chair of the [Faculty Professional Relations Committee](#), within ten working days after the faculty member has received the written evaluation from the department chair. The FPRC reviews the request of the faculty member in order to determine whether the decision may have been based upon any of the grounds stated to be impermissible. A finding of *deficient* or a finding of non-compliance with a development plan may not be based upon (1) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's personal characteristics, such as age, color, handicap, national origin, race, religion, sex, or sexual orientation; (3) personal malice; or (4) procedural irregularities that cast reasonable doubt upon the validity of the decision and which may include but are not limited to the following:

- a process not in compliance with the policies and procedures set forth in this document
- a process not in compliance with the policies and procedures set forth in the departmental PTR policy
- a process not in compliance with existing policies of faculty evaluation published in The Code or the UNCW Faculty Handbook
- a finding of *deficient* that is inconsistent with the faculty member's annual evaluations for the period under review, unless reasons for the finding are both extraordinary and also clearly and reasonably articulated in writing
- a finding of non-compliance with a development plan that is inconsistent with the terms stated in the development plan.

Should the committee determine that the evaluation may have been based upon any of these impermissible grounds, it grants the faculty member a hearing and either sustains the appeal or else confirms the previous evaluation. The committee's decision is a recommendation to the Provost or the Provost's designee, whose decision is final.

I. FAILURE TO AGREE ON A DEVELOPMENT PLAN

If a mutually acceptable plan is not reached within one month after the initial meeting, the currently existing mediation process of the Faculty Professional Relations Committee shall be utilized. If a mediated settlement cannot be achieved under the auspices of the FPRC, the FPRC shall advise adjustment by the dean as the committee considers appropriate and the dean shall act as arbitrator in the development of a plan.

J. POLICY REVIEW AND REVISION

UNCW's PTR policy was initially developed by a committee of faculty, adopted by the Faculty Senate in the spring of 1998, and approved by the Board of Trustees of UNCW and by the Board of Governors of the University of North Carolina. The first academic year of its implementation was 1998-99.

Revisions in this PTR policy may be initiated at any time by action of the Faculty Senate. Non-editorial revisions require approval by both the Board of Trustees of UNCW and by the Board of Governors. Such revisions shall become effective in the academic year following their approval by the Board of Governors.

The policy was revised by the Senate in the fall of 2001 with implementation during the 2002-03 academic year.

BENEFITS

1. COLLEGE SAVINGS PLANS

All 50 states offer college savings (529) plans with significant tax advantages. Contributions to the [North Carolina College Savings Program](#) may be made through payroll deduction. However, faculty are not limited to the North Carolina plan. Faculty can consult their financial advisor for advice about which plan is best for them.

2. CREDIT UNIONS

University employees are eligible to participate in two credit unions:

- [State Employees' Credit Union \(SECU\)](#)
- [New Hanover Federal Credit Union](#)

3. DIRECT DEPOSIT OF SALARY

During the regular semester, direct deposit is available to all permanent faculty. Direct payroll deposit authorization forms are available in the [Payroll Office](#) and also [online](#). Pay stubs are distributed to full-time faculty on the last work day of the month except for December, when they are distributed during the week prior to the holidays. Pay checks are not sent through campus mail; faculty who do not participate in direct deposit must pick up checks at the Cashier's Office in James Hall.

Direct deposit is also available for summer school payroll checks. Faculty who are employed to teach summer school receive payment on June 30 (Summer I) and July 31 (Summer II).

4. *DISABILITY*

A. NC DISABILITY INCOME PLAN

B. SALARY CONTINUATION

View document: http://www.northcarolina.edu/shared_login.php?page=/hr/unc/benefits/UnivWide-BenArchives.htm#DIP

C. SUPPLEMENTAL INSURANCE

5. *FLEXIBLE SPENDING ACCOUNTS (NCFLEX)*

Through the NCFlex Flexible Spending Accounts, faculty have the opportunity to pay for certain out-of-pocket health care and dependent care expenses with pre-tax dollars. All contributions to the FSAs are deducted from faculty pay before federal and Social Security taxes are calculated.

The NCFlex Benefit Program offers two separate flexible spending account choices:

- [Health Care FSA](#) — lets faculty pay for certain medical, dental or vision expenses that are not covered by insurance plans.
- [Dependent Care FSA](#) — lets faculty pay for certain child or elder care expenses.

Each year, faculty can elect how much they wish to contribute to either or both of these accounts, up to the FSA maximums.

6. *INSURANCE*

A. ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE

The university offers voluntary [accidental death and dismemberment insurance](#) through NCFlex.

B. DENTAL PLAN

The university offers an optional [dental plan](#) through NCFlex.

C. HEALTH INSURANCE

Medical insurance is provided through the North Carolina Teachers' and State Employees' Comprehensive Major Medical Plan. For all 3/4 to full-time permanent state employees, the state pays the

full cost of the state health plan for the individual employee. The employee must pay the additional cost for any family coverage.

A permanent employee working less than 3/4 time may be covered by this plan; however, the individual must pay the full cost of the premium.

If an employee does not enroll or does not add dependents when they are first eligible, the employee and/or dependents will be subject to a 12-month waiting period for pre-existing conditions. Health care services which are not related to preexisting conditions are covered upon enrollment. To avoid a waiting period for preexisting conditions for new dependents, the employee must complete a "Change Request Form" and submit it to the Office of Human Resources within 30 days of a qualifying event such as a marriage, adoption or birth of a child. If an employee drops an eligible dependent, who at a later time becomes eligible again, the dependent must re-enroll within 30 days of becoming eligible in order to avoid the waiting period for pre-existing conditions.

D. LIFE INSURANCE

The university funds a life insurance program for full-time, permanent faculty members with the rank of assistant professor or higher and with a three-or-more-year contract. The benefits are \$25,000 for life coverage and an additional \$25,000 for accidental death and dismemberment.

Additional amounts of life insurance may be purchased at \$.18 per thousand per month. This is a composite rate that does not increase based on age. New faculty and staff may purchase up to \$100,000 in the first thirty days of employment without providing evidence of insurability. Amounts in excess of \$100,000, or insurance applied for after the initial enrollment period require evidence of insurability. Call Human Resources for more information.

Faculty members who are under the Teachers and State Employees Retirement System are also covered by a death benefit under that program. After paying into the system for one year, the employee's beneficiary would receive a lump-sum payment equal to the last year's salary with a minimum of \$25,000 and a maximum of \$50,000.

E. LONG-TERM CARE INSURANCE

Effective January 1, 2005, State Health Plan participants and their qualified family members will have the opportunity to purchase long-term care insurance at group rates through a STATE HEALTH PLAN agreement with The Prudential Insurance Company of America.

Long-term care insurance helps cover the costs of custodial care needed due to a chronic illness, injury, or the natural effects of aging. Long-term care typically consists of services not covered by most medical insurance plans, disability plans or Medicare, whether at home, in a nursing home, an assisted living facility or adult day care center.

Our new long-term care insurance plan is an optional benefit. Employees and their family members who choose to enroll are responsible for the full cost of premiums.

For additional information please call Prudential at 1-800-284-9648 or visit www.prudential.com/gltc (group name: stateplan and password: stateplanltc).

Disclaimer: The information contained on this website is general in nature. Applicable laws and regulations are complex and subject to change. Information on this website cannot alter, modify, or otherwise change the controlling documents of any plan. For legal and tax advice employees should consult an attorney or tax adviser.

F. PREPAID LEGAL INSURANCE

[Prepaid legal insurance](#) is available to employees under payroll deduction at full cost to the employee. Continuation coverage is available at group rates upon separation from the university.

Faculty should contact [Human Resources](#) for additional information.

G. SUPPLEMENTAL DISABILITY INSURANCE

View: <http://www.northcarolina.edu/hr/unc/benefits/financial/index.htm>

H. VISION-CARE PLAN

The university offers an optional [vision-care plan](#) through NCFlex.

7. LEAVE OF ABSENCE

Faculty who wish to take a leave of absence with partial pay or without pay for professional or personal reasons should contact the department chairperson and the appropriate dean to initiate the process, and the office of Human Resources for information about continuation of benefits while on leave. Arrangements may be made for faculty to pay for the continuation of benefits while on leave.

Faculty on an academic-year (nine month) appointment do not earn annual leave or sick leave, but they are entitled to the official holidays that are listed in the "Calendar of Events".

Faculty are eligible for benefits under the Family Medical Leave Act (FMLA). For information on these benefits, contact [Human Resources](#).

8. PROFESSIONAL LIABILITY COVERAGE

Free coverage is provided to university employees by the Office of the President. The program is designed to pay specific types of judgments which may be rendered against any employee as a consequence of conduct undertaken within the course and scope of employment. The maximum payable under this plan, which is a part of the Tort Claims Law, is \$100,000. The university system

also has purchased a supplemental plan for coverage of university employees and officers up to a maximum of one million dollars.

9. *SALARY*

A starting salary is determined by the dean and the Provost and Vice Chancellor for Academic Affairs in consultation with the department chairperson and is influenced by the qualifications of the appointee, availability of funds, and market conditions in the specific field. Annual salaries for incoming full-time faculty members are paid in twelve monthly installments.

In years when the legislature has provided funds for salary increases, department chairpersons review salaries of their faculty and recommend increases based on the annual review of faculty performance. Procedures and criteria for merit salary increases vary across departments. The need for salary adjustments to address inequities should be reported to the dean by chairpersons as appropriate. Salary increments for promotion in rank are fixed. The chancellor, following consultation with the provost and the deans, approves the cost-of-living and/or merit increases as available from actions of the legislature and from the Board of Governors and the Office of the President of the University of North Carolina system.

At the same time that salary letters are prepared each year, the Provost and Vice Chancellor for Academic Affairs furnishes to all faculty a [statement on salary](#) which includes, among other things, the maximum, average, and minimum salaries and the maximum, average, and minimum salary increments for that year in dollars and percentage increases. This information is provided for each rank and separately for the college and each school.

10. *SOCIAL SECURITY*

View: <http://www.ssa.gov/>

11. *SUMMER SCHOOL TEACHING*

Faculty on nine-month appointments may teach in one or both of the UNCW summer sessions and earn additional income. Assignment is not automatic but is based upon such factors as the scope of the departmental summer course offerings, size of budget allocated to the department by the Summer Session administration for faculty salaries, and potential enrollment in courses to be offered. The method for assigning courses taught by a faculty member varies from department to department.

A written contract stipulating the course(s) to be taught and the rate of compensation is binding upon both the appointed faculty member and the Summer Session administration. Faculty members on nine-month appointments may teach summer school or accept other employment outside UNCW without restriction (see [External professional activities for pay](#)). Persons on twelve-month appointments are not eligible for summer school pay in addition to their regular salaries.

Rates of compensation are provided annually by the summer school office. Pay is based on a percentage of the instructor's nine-month salary, although with a set minimum and maximum salary.

12. TRAVEL

A. TRAVEL ON UNIVERSITY BUSINESS

All reimbursed university travel must follow [university travel policies](#).

B. OPERATION AND USE OF STATE-OWNED VEHICLES

When travel for university business is feasible by car, a state car (if available) should be used instead of a private car. State-owned vehicles shall be used for official state business only. Requests for the use of state vehicles must be authorized prior to the beginning day of travel by appropriate signature(s) on the "Travel Authorization and Advance" form. Vehicles will not be released unless a properly completed and approved "Vehicle Request and Invoice" form is received by UNCW Motor Fleet at least one day prior to the planned trip. A copy of a valid North Carolina driver's license for the vehicle driver must be on file with the UNCW Motor Fleet Office at least one day prior to the release of any state vehicle. (Insurance regulations allow incoming faculty/staff to drive Motor Fleet vehicles during their first 30 days of employment on their prior states' licenses.)

C. VEHICLE OPERATION IN NORTH CAROLINA

New faculty members coming from other states should immediately update their driver's license and automobile registration. Some states have reciprocity agreements for certain periods of time with North Carolina; others do not. The local Division of Motor Vehicles Office at 791-4292 or at 763-1139 can answer most questions regarding vehicle operation in North Carolina. Penalties can be assessed for non-compliance.

Vehicles operated on campus must be registered with Parking Administration within 48 hours after the employee begins work. The employee may obtain a temporary decal for 30-days at no cost. Upon the expiration of the temporary decal, it will be necessary for the employee to purchase a permanent parking decal.

The duration of the permanent parking decal is based on the academic year. The cost to the employee is established by a committee and approved by the UNCW Board of Trustees. Permanent parking decals are renewable at the beginning of each academic year.

13. TUITION WAIVER

All permanent employees (3/4 time or more) are eligible to receive a waiver of tuition and fees for one course per academic term on a space-available basis, if enrollment does not interfere with normal employment obligations. Applicants must meet all of the university's requirements for admission as well as

the requirements of the school or program and the course prerequisites, and must pay course fees. The privilege of tuition-free enrollment may be exercised at any of the constituent institutions of the UNC system. This benefit applies only to employees; family members of employees are not eligible for tuition waivers.

For additional information on tuition waiver, see the [Human Resources policy and procedures](#). Forms for requesting the waiver are available from Human Resources.

North Carolina General Assembly Session Law 2009-451, Senate Bill 202, Section 8.11.(b) repealed the waiving of tuition for North Carolina citizens age 65 and older.

14. UNEMPLOYMENT COMPENSATION

All university employees, except student workers, are eligible for unemployment compensation benefits if loss of employment occurs through no fault of the employee. Voluntary separations and discharges for cause are not normally covered by unemployment compensation. Eligibility is determined by the [North Carolina Employment Security Commission](#) (ESC).

15. WORKER'S COMPENSATION

All university employees are covered by the [North Carolina Worker's Compensation Act](#). Job-related accidents and occupational diseases are compensable under this legislation. Persons may be eligible for payment of all medical expenses, disability income, and death benefits as a result of such accidents or diseases.

See the Human Resources [policy and procedures on reporting job-related incidents](#).

The Safety Department will provide the appropriate forms to the supervisor for filing the accident report. The report must be filed within five working days.

VI. Professional Development & Opportunities

LEAVE AND REASSIGNMENT

1. LEAVE OF ABSENCE

Although the university recognizes the value of further study and travel in increasing the effectiveness of the faculty, the North Carolina General Statutes and present limitations on the budget do not permit the granting of sabbaticals. However, faculty may apply for a leave without pay or for a [Faculty Reassignment Award](#).

In cases in which a faculty member applies for a leave without pay early enough to enable the university to find a suitable replacement, he or she may be granted a leave of absence up to one year. Absences for a semester or more require the prior approval of the provost, the chancellor, and the Board of Trustees. During the leave, the university ceases to contribute to benefit programs. Faculty members contemplating such a leave should consult the appropriate dean and the Office of Human Resources. The university is constantly seeking funds which will aid faculty members in their professional advancement.

A faculty member on official leave of absence retains the right to participate in faculty meetings and departmental deliberations if he or she is physically present on the campus. One may not vote by proxy, nor are the university and its various divisions, departments and agencies obligated to use extraordinary means to notify such a faculty member of meetings. Notification will be considered to be sufficient when the same method is used for the faculty member on leave as for the faculty members on active status.

2. FACULTY REASSIGNMENT AWARDS

Faculty reassignment awards provide faculty with a semester in which all other duties are reassigned so that they may devote full time to a significant research or artistic project.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

3. *FACULTY COMMUNITY SERVICE LEAVE*

In recognition of the State's diverse needs for volunteers to support schools, communities, citizens, and non-profit charitable corporations, each constituent institution shall establish a program for awarding Community Service leave to faculty, with appropriate policies, rules, procedures and criteria for the administration and reporting of such leave, subject to the basic requirements set forth below. Community Service Leave may be granted to (1) parents for child involvement in the schools, (2) any employee for volunteer activity in the schools or in a Community Service organization, or (3) any employee for tutoring and mentoring in the schools. In addition, there are special guidelines providing for Emergency Service, Blood and Bone Marrow Donorship, and Disaster Service Volunteer with the American Red Cross. All faculty are encouraged to volunteer in support of North Carolina's schools, communities, citizens and non-profit organizations.

A. COMMUNITY SERVICE LEAVE

Faculty who are permanent halftime (50% FTE) or more and in leave earning status shall be awarded twenty-four (24) hours of Community Service Leave annually which may be used for volunteer participation in the programs, services and organizations indicated below, or elect to receive an award equivalent to one (1) hour each week that a public school is in session. The latter award is to be used exclusively for mentoring or tutoring students in North Carolina schools.

- Leave for Child Involvement and School Volunteerism: Faculty may use all or part of their annual allotment of Community Service Leave to volunteer time in support of programs and services in public and private elementary, middle and high schools, and licensed public and private day care and pre-school settings. A parent may use this leave to meet with a teacher or administrator concerning the parent's child or may attend any educational function sponsored by the school in which the child is participating.
- Leave for Non-Profit Organization Volunteerism: Faculty may use all or part of their annual 24-hour allotment of Community Service Leave to volunteer time in non-profit, non-partisan community organizations which are designated as 501(c)(3) agencies under the Internal Revenue Code, or human services organizations licensed or accredited to serve citizens with special needs including children, youth, and the elderly.
- Leave for Tutoring and Mentoring in North Carolina Schools: In lieu of the 24-hour award as noted above, employees may elect to receive one (1) hour of volunteer leave for each week that public schools are in session, up to a maximum of 36 hours, as documented by a local Board of Education. This leave award shall be used exclusively for tutoring or mentoring a student in accordance with established standards, rules and guidelines for such arrangements as determined and documented by joint agreement with the employee's agency or university and the school. A "school" is one that is authorized to operate under the laws of the State of North Carolina and is an elementary school, middle school, high school, or childcare program.

B. BLOOD AND BONE MARROW DONORSHIP

A faculty member should be encouraged to use the privilege and opportunity to participate in life giving through blood and bone marrow donorship. Faculty who are permanent halftime (50% FTE) or more and in leave earning status shall be given reasonable time off with pay for whole blood donation, pheresis procedure and bone marrow transplant.

C. EMERGENCY SERVICES

Each institution must establish a policy to provide time off with pay to faculty who are appointed for nine months or more and work halftime (50% FTE) or more and who are participating in volunteer emergency and rescue services if a bona fide need for such services exists within a given area. A bona fide need is defined as real or imminent danger to life or property. Each policy should require sufficient proof of the faculty member's membership in an emergency volunteer organization and that the performance of such emergency services will not unreasonably hinder university activity for which the faculty member is responsible. In emergency situations, which are not covered by an emergency volunteer organization, an institution may determine whether the emergency service to be provided can justifiably be designated as a work assignment, based on the expertise of the faculty member. If so, short-term work assignments may be authorized when requested by an official party requesting the assistance.

D. AMERICAN RED CROSS DISASTER SERVICE LEAVE

A constituent institution may grant leave with pay not to exceed 15 workdays in any 12-month period to participate in specialized disaster relief services. To qualify for leave, the faculty member must be appointed for nine months or more and work halftime (50% FTE) or more, be a disaster service volunteer of the American Red Cross, and be requested by the American Red Cross to participate. The decision to grant leave rests in the sole discretion of the constituent institution based on the work needs of that institution. Leave shall be granted only for services related to a disaster occurring within the United States. While on disaster leave, the faculty member shall not incur any loss of pay and, if the faculty member is covered under campus annual and sick leave policies, continue to accumulate annual and sick leave.

4. FACULTY MILITARY LEAVE

The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 and North Carolina General Statute 127A-116 specify the employment and reinstatement rights of employees called to involuntary active duty in the Uniformed Services. This policy implements those statutes for faculty of the University of North Carolina. Each constituent institution shall adopt policies and regulations in accordance with federal and state law and consistent with this policy.

A. DEFINITION OF FACULTY

As used in this policy, “faculty” means faculty who are appointed for nine months or more and work halftime (50% FTE) or more and who are not covered under the “Senior Academic and Administrative Officer” policy or the policy on “Employees Exempt from the State Personnel Act.”

B. SALARY

In accordance with federal and state laws, the University of North Carolina Board of Governors directs that for each period of involuntary service, a faculty member who is involuntary called to State or Federal active military duty shall receive up to 30 calendar days of pay. For periods in excess of 30 days, the faculty member shall be entitled to receive differential pay for any period of involuntary service. Differential pay is the difference between military basic pay and the faculty member’s regular university earnings for that period of time, if military pay is the lesser. If a faculty member is subject to a term contract, the pay or differential will be limited to the term of the contract. Upon return to the University, the faculty member’s salary shall be reinstated and shall include cost-of-living adjustments (if any) that were awarded while the faculty member was on military leave. Merit pay shall also be awarded upon reinstatement if the faculty member received a performance evaluation for at least one semester during the academic year and would have otherwise been eligible to receive a merit increase.

C. BENEFITS

During the period of active military duty, whether receiving full pay, differential pay or no pay from the university, a faculty member shall not incur any loss of benefits accorded to other faculty who are on a leave of absence. A faculty member covered under campus annual and sick leave policies shall continue to accumulate annual and sick leave during the period of active duty for use upon return to the University.

D. REAPPOINTMENT, TENURE AND PROMOTION

In advance of leaving work to perform military duty, a faculty member may initiate a request, consistent with campus policy, for an extension of the time during which an institutional decision must be made regarding reappointment, tenure or promotion.

E. OTHER TYPES OF MILITARY LEAVE

For faculty, campus policies should be consistent with the military leave policy for employees subject to the State Personnel Act providing for:

- up to a maximum of 120 hours of military leave with pay each Federal fiscal year (October – September) for members of the uniformed services for active duty training and inactive duty training;
- up to a maximum of 120 hours of military leave with pay during any calendar year, for members of the Civil Air Patrol while performing missions or encampments for the U.S. Air Force or emergency missions for the State at the request of the Governor or the Secretary, Department of Crime Control and Public Safety;
- up to 120 hours of military leave with pay during any calendar year for members of the State Defense Militia when called up by the Governor for infrequent special activities in the interest of the State, usually not exceeding one day, and State duty for missions related to disasters, search and rescue, etc;
- military leave with pay for a required physical examination relating to membership in the uniformed services.
- military leave without pay for all uniformed service duty that is not covered by military leave with pay.

F. NOTICE

Institutions must ensure that all faculty members receive information about their rights under this policy and USERRA.

Effective date: This policy shall take effect upon adoption by the Board of Governors and shall apply to any faculty member called into active military duty status beginning September 1, 2001.

TEACHING

OPPORTUNITIES

1. *TEACHING STIPENDS*

A. CTE SUMMER TEACHING INITIATIVES

CTE summer teaching initiatives assist faculty to develop and improve innovative teaching by providing support for the improvement of teaching skills.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

B. SUMMER CURRICULUM-DEVELOPMENT INITIATIVES

Summer curriculum-development initiatives provide support for faculty to engage in significant and extraordinary curriculum development on behalf of the department, school, or college.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

2. *SUMMER SCHOOL TEACHING*

Faculty on nine-month appointments may teach in one or both of the UNCW summer sessions and earn additional income. Assignment is not automatic but is based upon such factors as the scope of the departmental summer course offerings, size of budget allocated to the department by the Summer Session administration for faculty salaries, and potential enrollment in courses to be offered. The method for assigning courses taught by a faculty member varies from department to department.

A written contract stipulating the course(s) to be taught and the rate of compensation is binding upon both the appointed faculty member and the Summer Session administration. Faculty members on nine-month appointments may teach summer school or accept other employment outside UNCW without restriction (see [External professional activities for pay](#)). Persons on twelve-month appointments are not eligible for summer school pay in addition to their regular salaries.

Rates of compensation are provided annually by the summer school office. Pay is based on a percentage of the instructor's nine-month salary, although with a set minimum and maximum salary.

3. *TEACHING AWAY FROM CAMPUS*

A. FACULTY EXCHANGE

UNCW has faculty exchange arrangements with many foreign universities throughout the world. These may provide opportunities for faculty to teach and conduct research abroad. Exchanges range from short-term (two to four weeks) to one year, and all academic areas may be considered. Exchange arrangements must be approved by the appropriate chairperson and dean in consultation with the assistant provost for International Programs.

Faculty participating in exchanges retain their salary and benefits during the exchange period. Housing arrangements vary from exchange to exchange and must be negotiated individually. Assistance with airfare is provided if funds are available.

Faculty interested in a faculty exchange arrangement abroad should contact [International Programs](#) for details.

4. *RESOURCES*

View: <http://www.uncw.edu/cte/>

RESEARCH
OPPORTUNITIES

1. *RESEARCH STIPENDS*

A. CAHILL AWARDS FOR FACULTY RESEARCH & DEVELOPMENT

Charles L. Cahill awards for faculty research and development are grants of funding to faculty for the following purposes:

- to encourage new research or artistic endeavor
- to provide seed money to initiate a project that may subsequently attract funding from other sources
- to encourage the development of specific professional skills

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

B. SUMMER RESEARCH INITIATIVES

Summer research initiatives provide support during the month of June for faculty to engage in significant research or artistic initiatives.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

C. AWARDS FOR TRAVEL TO RESEARCH SPONSORS

The Office of Sponsored Programs provides funds for faculty to meet with program directors at funding agencies.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

D. MARINE SCIENCE RESEARCH STIPENDS

Marine science research stipends provide summer funding to faculty conducting research in marine biotechnology, marine biomedical and environmental physiology, coastal and estuarine studies, oceanography, or marine geology.

[Information on the awards](#), including eligibility, deadlines, and application forms, is available through Academic Affairs.

2. TRAVEL TO CONFERENCES

Limited support is available for travel to conferences. Policies for the distribution of these funds are set by each professional school and, within the college by each department, and expenses are reimbursed at established state rates. For information about these policies, contact the department chairperson or appropriate dean.

All reimbursed university travel must follow [university travel policies](#).

3. POLICY FOR SUPPLEMENTAL FACULTY COMPENSATION

Adopted by the Faculty Senate January 2002

A. PURPOSE

Establishes policy regarding summer salaries paid from grant and contract funds, salary supplements paid from grants during the regular academic year, and fees for consultative services paid to faculty.

B. SCOPE

Applies to all grant and contract funds and all fees for consulting services paid to faculty through the university, regardless of the source of funds or associated reporting requirements. Although this policy is based on [OMB Circular A-21](#), which states that the federal requirements outlined in this publication do not apply to “awards under which the institution is not required to account to the Federal Government for actual costs incurred,” the University of North Carolina at Wilmington has adopted these principles to apply to all of the funding sources noted above.

C. POLICY

- *General Statement*

The following policy is separated into three parts:

- Salary rates paid to full-time faculty performing work under sponsored agreements during the regular academic year
- Salary rates paid to full-time faculty performing work under sponsored agreements outside of the regular academic year
- Salary rates paid to part-time faculty performing work under sponsored agreements

- *Policy Detail*

- Salary rates paid to full-time faculty performing work under sponsored agreements during the regular academic year:

Charges for work performed on sponsored agreements by faculty members during the academic year will be based on the individual faculty member's regular compensation (excluding stipend amounts) for the continuous period which constitutes the basis of his or her UNCW salary. Charges for work performed on sponsored agreements during all or any portion of such period are allowable at the base salary rate. In no event will charges to sponsored agreements, irrespective of the basis of computation, exceed the proportionate share of the base salary for that period. [The proportionate share is the base annual salary (excluding stipends) divided by the length of the annual contract period in months (normally nine for a faculty member), and multiplied by the number of months of that contract period devoted to work performed on the sponsored agreement.] This principle applies to all members of the faculty at UNCW. Since intra-university consulting is assumed to be undertaken as a university obligation requiring no compensation in addition to full-time base salary, the principle also applies to UNCW faculty members who function as consultants or otherwise contribute to a sponsored agreement conducted by another UNCW faculty member. However, in unusual cases where consultation is across departmental lines or involves a separate or remote operation, and the work performed by the consultant is in addition to his or her regular departmental load, any charges for such work representing extra compensation above the base salary are allowable provided that such consulting arrangements are specifically provided for in the agreement or approved in writing by the sponsoring agency.

- Salary rates paid to full-time faculty performing work under sponsored agreements outside of the regular academic year:
 1. Except as otherwise specified for teaching activity in subsection 2, charges for work performed by faculty members on sponsored agreements during the summer months or other period not included in the base salary period will be determined for each faculty member at a monthly rate not in excess of the base salary divided by the length of the annual contract period in months (normally nine for a faculty member), and will be limited

to charges made in accordance with other parts of this section. The base salary period used in computing charges for work performed during the summer months will be the number of months covered by the faculty member's official academic year appointment.

2. Charges for teaching activities performed by faculty members on sponsored agreements during the summer months or other periods not included in the base salary period will be based on the normal UNCW policy governing compensation to faculty members for teaching assignments during such periods.

- Salary rates paid to part-time faculty performing work under sponsored agreements:

Charges for work performed on sponsored agreements by faculty members having only part-time appointments will be determined at a rate not in excess of that regularly paid for the part-time assignments. For example, suppose UNCW pays a faculty member \$5,000 for half-time teaching during the academic year, and that one-half of the faculty member's remaining time was devoted to a sponsored agreement. In this case, the additional compensation, chargeable by UNCW to the agreement, would be one-half of \$5,000, or \$2,500.

- *Procedures*

- Implementation of this policy is effective immediately; enforcement is the responsibility of the [Office of Sponsored Programs](#).

EXTERNAL
PROFESSIONAL
ACTIVITIES

1. *EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY*

The Board of Governors' Policy on External Professional Activities of Faculty and Other Professional Staff, last revised on April 16, 1993, defines and establishes reporting procedures concerning external professional activities for pay undertaken by full-time members of the university faculty and professional staff. Such procedures ensure that external professional activities for pay will not create a conflict of commitment or interest, will not involve any inappropriate use of University resources, will not make any use of the name of the University of North Carolina for any purpose other than professional identification, and will not claim any university or institutional responsibility for the conduct or outcome of such activities. The following highlights are of special note:

- Failure to comply with policy requirements may result in disciplinary proceedings.
- A separate written application to engage in external professional activities for pay must be filed for each such proposed activity.
- If the approved activity will extend beyond the end of the fiscal or academic year in which it was begun, permission to continue the activity must be obtained in a timely manner.

- An employee who files a notice of intent to engage in external professional activities for pay must complete a form that summarizes all such activities in which he or she engaged during the immediately preceding fiscal year.
- For those on academic year contracts, professional activity for pay performed between the day following spring commencement and the first day of registration for the fall semester need not be reported if the activity does not conflict with the Board of Governors' policy and it is not conducted concurrently with a contract service period for teaching, research, or other services to the institution during a summer session. Pay is defined as compensation other than a small honorarium or the reimbursement of expenses. Generally, royalties from scholarly books are not covered.

A [Notice of Intent](#) form is to be filled out by all faculty and professional staff who wish to engage in external professional activities for pay. Forms are available from the department chairpersons or the appropriate dean.

2. *POLITICAL CANDIDACY & OFFICE HOLDING*

The University of North Carolina Board of Governors has set forth rules and procedures governing the political activities of university employees. See the [UNC Policy Manual](#), chapter 300.5.

VII. Policies Affecting Faculty

POLICY
MANUALS

1. *THE UNIVERSITY OF NORTH CAROLINA*

View: <http://www.northcarolina.edu/policy/index.php>

2. *UNCW ACADEMIC AFFAIRS*

View: <http://uncw.edu/aa/policies.html>

3. *COLLEGE/SCHOOLS*

A. COLLEGE OF ARTS & SCIENCES

View: <http://www.uncw.edu/cas/documents/CombinedPP.pdf>

B. CAMERON SCHOOL OF BUSINESS

C. SCHOOL OF NURSING

D. WATSON SCHOOL OF EDUCATION

View: http://uncw.edu/ed/pdfs/faculty/procedman_current.pdf

E. GRADUATE SCHOOL

View: http://uncw.edu/grad_info/manuals.htm

4. *CODE OF STUDENT LIFE*

View: <http://uncw.edu/stuaff/odos/documents/cosl-current.pdf>

FEDERAL
POLICIES

1. *BUCKLEY AMENDMENT*

The Family Educational Rights and Privacy Act of 1974 is an amendment to the Elementary and Secondary Education Act of 1965. This amendment, most often referred to as the "Buckley Amendment," became law on November 19, 1974. Simply stated, the law provides college students with the right to seek access to their school records and the right to inspect the same institutional records.

In this regard, the law requires that students be informed of their rights within the stated provisions of the law. All UNCW students are to be informed that in compliance with the Family Educational Rights and Privacy Act of 1974 the following student rights will be adhered to on this campus:

- The right of the student to "inspect and review" his or her institutional records.
- The right of "an opportunity for a hearing to challenge the content of their school records."
- The right of privacy for student records.

Parents who provide more than half of a student's financial support may have access to academic information if the "Parent's Request for Academic Eligibility Information" form is on file in the appropriate dean's office or in the Center for Academic Advising. Students may authorize access to other individuals only through a written consent form signed by the student. These forms remain in the student's file. Faculty should not discuss a student's performance with anyone unless the form is signed.

It follows from this Amendment that a faculty member should not post grades by using students' names, social security numbers, or any other symbols that could divulge the identity of the students. It also follows that faculty should not announce the names of students and the grades they made on tests in class or leave graded material in public areas (e.g., halls) for student pick-up.

A statement concerning student records, including procedures for inspecting, reviewing and amending records, is provided in the [UNCW Student Handbook and Code of Student Life](#).

2. *EQUAL EMPLOYMENT OPPORTUNITIES POLICY*

The University of North Carolina at Wilmington emphatically states that it will provide equal employment opportunities for all persons regardless of race, color, national origin, creed, religion, sex, age, handicapping condition, or political affiliation, except where religion, sex, or age are bona fide job related employment requirements. This is in keeping with Title VII of the Civil Rights Act of 1964 as amended, Executive Order 11246, the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, NC G. S. 126-16 and 126-17, and other applicable federal and State laws.

In furtherance of this policy, UNC Wilmington prohibits retaliatory action of any kind taken by any employee of the university against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding, or investigation of employment discrimination.

To ensure that equal employment opportunity exists throughout the university, a results oriented equal employment opportunity/affirmative action program will be implemented to overcome the effects of past discrimination and to eliminate any artificial barriers to employment opportunities for all qualified individuals that may exist in any of our programs.

This program shall ensure greater utilization of all persons by identifying the under-utilized groups in the work force (especially minority, female, and handicapped workers) and making special efforts to increase their participation in recruitment, selection, training and development, upward mobility programs, and any other term, condition, or privilege of employment.

Goals and timetables shall be established to reduce and eliminate the underutilization of all groups through the equal employment opportunity/affirmative action plan and program. Responsibility for the development of this plan and program is hereby assigned to the EEO/AA Officer and Director of Human Resources. However, responsibility for the implementation of and compliance with the plan and program will be shared by all managers and supervisors.

The equal employment opportunity/affirmative action program will be evaluated and monitored continuously. Periodic reports on the progress of this program will be presented to the chancellor by the EEO/AA Officer and to the Board of Trustees by the chancellor.

The University of North Carolina at Wilmington is committed to this program and is aware that with its implementation, positive benefits will be received from the greater utilization and development of previously under-utilized human resources.

3. *OSHA*

The North Carolina Occupational Safety and Health Act of 1973, (OSHA) which relates to federal legislation having the same title, became effective for all state agencies on August 1, 1974. This act makes

it mandatory that all state agencies provide a place of employment free from recognized hazards and in compliance with safety and health standards promulgated under this legislation. All employees who work in state agencies have a duty to comply with regularly established safety and health standards, to abide by duly established rules and regulations and to carry out directives issued pursuant to this act which are applicable.

At the direction of University General Administration, the University of North Carolina at Wilmington, during October 1974 organized an OSHA Office and employed a [safety director](#) to direct its activities toward compliance with the above mentioned act.

STATE AND
UNC POLICIES