



I. Call to Order, Adoption of Agenda

II. Approval of Minutes – December 15, 2017 Meeting

III. **Guests**

President St. Amand

Provost Sue Ott Rowlands

Faculty Regent Richard Boyce

Deana Karam, Staff Congress Liaison

Allen Cole, University Registrar, will introduce the recommendation to consider shortened semesters and take questions

IV. **Officer Reports**

President Matthew Zacate

Vice President Carol Bredemeyer

Secretary Laura Sullivan

Parliamentarian Tamara O'Callaghan

Faculty Advocate Phil McCartney

Graduate Council Chair Steve Crites

V. **Committee Reports**

University Curriculum Committee Richard Fox

Budget Committee Janel Bloch

Benefits Committee Debra Patten

Professional Concerns Committee Ken Katkin

TEEC Chris Lawrence

General Education Committee Steve Weiss

VI. **Unfinished Business and General Orders**

Voting item: Recommendation to revise the Faculty Handbook (see accompanying memo: Amended *Proposed Revisions to Faculty Handbook re Health Insurance Benefits for Short-Term Non-Tenure-Track Temporary (NTTT) Faculty Members* dated 11-JAN-2017).

VII. **New Business**

XIV. **Adjournment**

## FACULTY SENATE MEETING

January 29, 2018

**Members present:** Janel Bloch, Richard Boyce, Carol Bredemeyer, Robert Brice, Steve Crites, Christine Curran, Irene Encarnacion, Richard Fox, Yaw Frimpong-Mansoh, Kathleen Fuegen, Kebede Gemene, Steven Gores, Lisa Holden, Morteza Sadat Hossieny, Vanessa Hunn, Stephen Johnson, Ken Katkin, Francoise Kazimierczuk, JC Kim, Jennifer Kinsley, Eric Knechtges, Christopher Lawrence, Gisele Lorient-Raymer, Phil McCartney, Carrie McCoy, Jonathan McKenzie, Marcos Misis, Ljubomir Nacev, Tamara O'Callaghan, Deborah Patten, Jeanne Pettit, Toru Sakaguchi, Gabe Sanders, Ron Shaw, Erin Strome, Laura Sullivan, Sharon Vance, Lynn Warner, Steven Weiss, Matthew Zacate

**Members absent:** Rachel Banks, Kathleen Carnes, Jacqueline Emerine, Rich Gilson, Ellen Maddin, Ban Mittal, Jeanne Pettit, David Raska, Cory Sheadler

**Guests:** Gerry St. Amand (President), Sue Ott Rowlands (Provost), Richard Boyce (Faculty Regent), Deana Karam (Staff Congress Liaison), Allen Cole (University Registrar), Grace Hiles (Faculty Senate Office)

The meeting was called to order by Senate President Matthew Zacate at 3:02 pm with a quorum present.

The agenda was adopted as distributed. The minutes of the December 15, 2017 meeting were approved.

### Guest Reports:

- **President** (Gerry St. Amand):
  - The majority of his time has been spent on budget matters. The recent email he sent lays out the circumstances confronting NKU. His intention was to be forthcoming and to provide the campus with as much information as possible.
  - President St. Amand urged faculty and staff to continue to advocate on NKU's behalf as this advocacy does make a difference. He also thanked everyone for their efforts thus far. The NKU Invest in Success website (<http://investinsuccessky.com/>) provides a prepackaged email that faculty and staff can send to legislators. For further impact, President Amand urged the campus community to also make a phone call to legislators addressing the three key issues—1) Equity funding for NKU, appropriating the other half of the funding disparity--\$5.1 million; 2) Passing pension reform; 3) Pension relief by providing additional appropriation to cover the increased pension contribution costs. Small cards were distributed that provided a phone number and a template/short script for this phone message that covers the three key elements of the plea.
  - He has begun making visits to campus units to go over the budget in more detail. If your unit has not been scheduled, please contact Adam Caswell, Assistant Vice President for Government, Corporate and Foundation Engagement.
- **Provost** (Sue Ott Rowlands):
  - This semester's First Friday was cancelled due to snow and will not be rescheduled.
  - Academic Affairs Faculty and Staff Awards will be on April 26, 4 – 6 pm.

- Academic Affairs completed their work on one-time budget reduction for FY18 (\$331,000), primarily from unspent salary dollars. The unit is currently planning for FY19 which will be considerably more challenging. Two open budget forums will be announced soon.
- Provost Rowlands praised Abdou Ndoeye, Interim Vice Provost for Undergraduate Academic Affairs, and his team for the work they are doing for SACS (Southern Association of Colleges and Schools). The report is due next fall and the site visit is April 2019.
- **Faculty Regent (Richard Boyce):**
  - The Board of Regents (BOR) met on January 10. The morning included presentations from College of Arts and Sciences faculty, faculty whose projects were funded through Faculty Development Awards, and students sharing on how campus involvement can make a difference.
  - The BOR will spend this spring determining a budget.
  - The incoming President was at NKU for faculty and staff forums. Each forum was taped and will be made available for viewing for those who could not attend.
  - The next meeting will be March 7.
  - A discussion followed as to why the Board is not enforcing the tobacco policy on campus. Some students had questioned Senator Weiss about this since the BOR passed the policy. Regent Boyce will bring this topic to the BOR. President Amand said that he was involved with this initiative and acknowledged that having the policy would have some benefits but the enforcement mechanisms were not as strong as they had hoped they would be. Early discussions centered on the difficulty of putting a policy in place that is basically unenforceable. NKU is similar to other universities, such as UK, in the challenges they experience with a campus tobacco policy. Senator Weiss said that some states, such as North Carolina, have a statute in place which means the policy can be enforced; signs are posted on campus with the associated fine for not abiding by the policy.
- **Staff Congress Liaison (Deana Karam):**
  - Staff Congress has established a committee to review the tobacco policy again; Erika Jay is chair. Faculty are welcome to join; if interested, contact Erica at x7827.
  - The American Heart Association's Heart Mini- Marathon and Walk is March 18; NKU's team is Victor's Ventracles. The team hopes to raise \$5,000.
  - The chili cook-off will take place in March.
- **University Registrar (Allen Cole):**
  - Registrar Cole introduced the recommendation to consider shortened semesters. An 11-member Work Group, that included two faculty members, examined this issue.
  - NKU would meet SACS and federal requirements with properly planned class times. Western Kentucky University (WKU) is the only peer institution that uses the shorter semester, although the University of Cincinnati (UC) and some other Ohio colleges do so.
  - Our Admission office has not seen a competitive disadvantage when recruiting students who may also be considering WKU or UC.
  - There does not seem to be a best practices to refer to on this issue.

- The rationale for shortening each of the two semesters in Fall and Spring by one week could provide for 1) more options for Winter Session; 2) consistency between all three semesters due to each having 15 weeks available for instruction time; and 3) a better alignment with the emerging seven-weeks sub-sessions that will occur over all semesters.
- He provided a possible scenario with this change—Fall semester could start a little later in August removing one week there; Spring semester could be shortened by one week with school starting mid-January, i.e., around Martin Luther King Day. There would still be no time off before summer session, and there would still be one week off before fall semester.
- Spring break would not be eliminated.
- As per SACS, class time would become 55 minutes, rather than 50 minutes.
- Registrar Cole stressed that the recommendation from the Work Group is to talk about this issue.
- Several Senate committees are reviewing this issue as well. UCC has already met with the Registrar.
- There will be time to review the issue thoroughly, within the next two years, as NKU's schedule is firmly in place through 2021.
- Concerns and questions from Senators included the following:
  - There is not adequate faculty representation on the committee; more is needed on the follow-up committees. The Provost said that after this first round of input that a very broad-based group would be put in place.
  - There does not seem to be a real need for this change, other than to accommodate the move to seven-week sessions. The Provost said that she has heard interest in exploring this from other faculty.
  - How shortened semesters would affect student success was expressed; certain subjects, such as math, require a longer period for learning.
  - The pedagogy of faculty may be affected due to teaching back-to-back classes and the shortened time for students and faculty to get from one class to the next class. The change would mean losing one time slot on M/W/F and if breaks increase to 15 minutes between classes, two times slots might be lost.
  - World Languages is concerned about student contact and securing the quality of their teaching so their students can achieve what they want to achieve. Losing a week may affect this.
  - Other senators had a more positive view. Senator Weiss suggested that faculty think creatively about this issue, especially in terms of what students want. Senator Patton said that her college did not necessarily see this as having a negative impact, that they question whether their students make good use of the review days they have at the end of the semester.
  - The English Department believes they need the extra time for their content due to students requiring process time and group meeting time.
  - Senator Katkin stated that the change would mean that students would be asked to add 150 minutes to out-of-class time, for a 48 or 49 hour school week. The concern is whether this expectation is reasonable.

- A shortened semester may also affect those students who are parents and their need to align their schooling with their children's schedules.
- The problem with the overlapping exam schedule (an overlap of 40 minutes) this past fall semester was discussed. Registrar Cole said that there are 32 different exam periods/slots. Two overlap by 40 minutes; this has been the case for four years. There were nine pairs of classes and 90 students that were in direct conflict, as well as conflict with rooms. This spring semester there will be 10 pairs of classes and 100 students affected, so the Registrar's office will reach out to potential students now to resolve the issue. The belief currently is that the situation is under control with this solution; a wait and see approach will be taken for the time being, addressing any problems on a case to case basis.
- Senate President Zacate said that any questions about the exam schedule can be taken to departments and Senate committees.

#### **Officer Reports:**

- **Senate President** (Matthew Zacate):
  - This year is an election year for Faculty Regent, a three-year term that runs through 2021. Nominations may be made starting today. Grace will send out an email with the call for nominations and a link to a webpage with more information and a link to the electronic nomination form.
  - Eligibility to serve as Regent is defined in state statute KRS 164.321: "The faculty member of a comprehensive university shall be a teaching or research member of the faculty of his or her respective university of the rank of assistant professor or above."
  - A question about whether non-tenure-track, renewable faculty (NTTRs) are eligible to vote was raised at the last Faculty Senate meeting. As per clarification with NKU Legal Counsel and review of Faculty Regent Election Rules and Regulations, NTTRs are eligible to vote in the Faculty Regent election.
- **Faculty Advocate** (Phil McCartney):
  - A video will be available soon for those unable to attend the faculty forum with incoming President Vaidya.
  - Advocate McCartney continues to hear how Accelerated Programs (AP) seems to be driving campus decisions.

#### **Committee Reports:**

- **University Curriculum** (Richard Fox):
  - The new website is up, at <https://inside.nku.edu/ucc.html>.
  - UCC will discuss how a shortened semester (sixteen to fifteen weeks) may affect the curriculum.
  - There are two upcoming voting items that will eventually come to Senate—the proposed BA in Law and a substantive program change to the MS in Nursing.
  - The end of February is the deadline for new program approvals for the fall catalog; the deadline for all other approvals is the end of March.

- **Budget** (Janel Bloch):
  - Mike Hales, Chief Financial Officer (CFO), spoke to the Budget Committee about the Governor's budget proposal, stating that it is the beginning of the process. NKU's budget is currently on hold. President Amand is asking the campus community to consider cost-saving ideas and there will soon be an email and mechanism in place by which anyone can submit his/her ideas. He will continue to update the committee at future meetings and all faculty will be invited to attend.
  - Kim Scranage, Vice President for Enrollment & Degree Management, will provide an enrollment update to the committee, probably in March. Senator Bloch will keep Senate posted on specifics. The NKU Foundation may also be included in an upcoming meeting.
  - The committee continues to discuss budget aspects of AP as well as ongoing policy issues, and the shortened semester recommendation.
  
- **Benefits** (Deborah Patten):
  - The first meeting of the semester will be next week.
  
- **Professional Concerns** (Ken Katkin):
  - There is one voting item today on proposed revisions to the Faculty Handbook regarding health insurance benefits for short-term non-tenure-track temporary (NTTT) faculty members.
  - The issue about whether it is possible to withdraw an application for promotion before it moves through the entire administrative process is still being discussed. The committee has not yet reached a consensus.
  - There is a subcommittee working on a new intellectual property policy.
  - The previous discussion item about whether to retain tenure during phased retirement is still under review. Human Resources has said it will modify NKU's agreement with TIAA to specify that drawdown can be continued during phased retirement. The issue is on hold until HR changes the agreement.
  - The Acceptable Use Policy was posted on Notice and Comment. A five year sunset provision triggers a review of the policy and Tim Ferguson, Chief Information Officer, proposed a new policy with several changes. PCC filed a comment before the proceeding closed. CIO Ferguson is open to PCC input and has worked very well with the committee.
  
- **TEEC** (Chris Lawrence):
  - TEEC is developing surveys to see what chairs and deans look for in teaching evaluations.
  
- **General Education** (Steve Weiss):
  - The committee continues to work through new General Education course proposals. A week from this Tuesday will be the last day this semester that new courses can be reviewed for next fall.
  - A workshop on Student Learning Outcomes (SLOs) for the next assessment will be scheduled for after spring break.
  - He expressed appreciation for those involved in the current assessment; faculty showed great compliance in providing artifacts which produced good results.

## Unfinished Business and General Orders

- **VOTING ITEM:** PCC brought forth a recommendation to revise the Faculty Handbook (see accompanying memo: Amended *Proposed Revisions to Faculty Handbook re Health Insurance Benefits for Short-Term Non-Tenure-Track Temporary (NTTT) Faculty Members* dated 11-JAN-2017). To bring the Faculty Handbook into conformity with the current practice required under the Affordable Care Act related to health insurance benefits for NTTTs, it is proposed that the relevant language in the fourth paragraph of Section 1.4 of the Faculty Handbook be clarified and amended by adding the following words:

“health insurance is provided by the University if the appointment is full-time for the complete academic year. **If the appointment is full-time for less than one complete academic year, health insurance is provided by the University as needed to comply with local, state, or federal laws or regulations.**”

**APPROVED.**

## Adjournment

The meeting was adjourned at 4:33 p.m.

Respectfully Submitted,

Laura A. Sullivan  
Secretary

# ACCEPTABLE USE

**POLICY NUMBER:** RESERVED FOR FUTURE USE

**POLICY TYPE:** HYBRID

**RESPONSIBLE OFFICIAL TITLE:** SENIOR VICE PRESIDENT, ADMINISTRATION & FINANCE

**RESPONSIBLE OFFICE:** OFFICE OF INFORMATION TECHNOLOGY

**EFFECTIVE DATE:** UPON APPROVAL

**NEXT REVIEW DATE:** APPROVAL PLUS FOUR YEARS

**SUPERSEDES POLICY DATED:** [CLICK HERE TO ENTER A DATE.](#)

**REQUIRES BOARD OF REGENTS APPROVAL:** ☐ YES ☒ NO

## I. POLICY STATEMENT

### Overview:

A trusted and effective information technology environment is vital to the mission and core values of Northern Kentucky University. NKU provides a wide variety of institutional electronic systems, computer services, networks, databases, and other resources. These are intended to support the educational, research, and work activities of members of the university's academic community and their external collaborators, to support the operations of the university, to provide access to services of the university and other publicly available information, and to ensure a safe and secure IT operating environment to all members of the university community.

This policy is to define and promote the responsible use of information technology at NKU. Access to and usage of information technology resources necessitates certain expectations and responsibilities for all users.

Within NKU's IT environment, additional rules will apply to specific computers, computer systems, software applications, databases or networks or to college/departmental rules and activities. Departmental rules must be consistent with this policy, but may also impose additional, or more specific requirements or responsibilities on individuals. This policy will supersede any inconsistent provision of any departmental policy or rule.

Computing resources covered by this policy include, without limitation:

- All university owned, operated, leased or contracted computers, networking, telephone, mobile devices, copiers, printer, media, and information resources, whether they are individually controlled, shared, standalone or networked
- All information and data maintained in any form and in any medium within the university's computer resources including managed server ("J" / "K") drives, or the Microsoft OneDrive service, provided through NKU.
- All university voice and data networks, telephone systems, telecommunications infrastructure, communications systems and services, and physical facilities, including all hardware, software, applications, databases, cellular devices, mobile devices, and storage media.

Three general principles underlie eligibility and acceptable-use policies for information technology:

- University information technology is for university faculty, students, and staff to use for core university purposes
- Some applications of University information technology may be unacceptable even if they serve core purposes
- Unauthorized access or use of university computing resources or data is strictly prohibited.

## II. ENTITIES AFFECTED

### Scope / Applicability:

This policy applies to all persons using and/or attempting to access or use Northern Kentucky University computing resources regardless of whether these resources are accessed from NKU's campus or from remote locations. This includes but is not limited to University students, faculty and staff, authorized University guests, alumni, affiliates, agents of the administration, organizations accessing network services, and all individuals authorized for access or use privileges by the University.

## III. RESPONSIBILITIES

### Policy: Confidentiality

All individuals with access to confidential data are to utilize all appropriate and accepted precautions to maintain the accuracy, integrity, and confidentiality of the data and ensure that no unauthorized disclosures occur. Individuals are responsible to take appropriate action to insure the protection, confidentiality, and security of the University's information. Individual student records are subject to special protection as specified in the Family Educational Rights and Privacy Act (FERPA) of 1974

(<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>). Such data (e.g.SSN's) must be handled with a high degree of security and confidentiality in compliance with policies, regulations, and laws, and must only be collected and stored when it is essential for approved business processes or to meet legal requirements. Violation of usage may be cause for dismissal from employment, disciplinary actions, and civil or criminal penalties.

- Refer to the Information Security Policy ([http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED\\_InformationSecurity7-2-2016.pdf](http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED_InformationSecurity7-2-2016.pdf)) for specific details to ensure confidentiality and integrity of university data.
- The university will access IT resources as necessary for system maintenance, including security measures. The Network Operations Center (NOC) and formally designated IT managers are authorized to monitor network traffic for malicious activity or suspicious patterns.
- The University's routine operation of IT resources may result in the creation of log files and other records about usage. This information is necessary to analyze trends, balance traffic, and perform other essential administrative tasks. IT may store incident related data as required. IT may store aggregate data and usage logs for operational, compliance, and statistical purposes.
- The university may be compelled by a court of competent jurisdiction or a request for public records, to disclose individuals' electronic records in response to various legal requirements, including subpoenas, court orders, search warrants, discovery requests in litigation and requests for public records under the Kentucky Public Records Law or by request of the Office of General Counsel.

### Individual Rights:

Northern Kentucky University provides electronic resources to individuals to effectively perform their job duties. The university will not routinely monitor an individual's electronic data, software, or communication files, unless warranted by probable cause.

All individuals have the following rights:

- All individuals, including faculty, staff, students, authorized university guests, alumni, affiliates, agents of the administration and community members are granted access to and permitted use of the

university's electronic resources as related to specific purposes based on the individual's particular business needs or classification

- Individuals have the authority to read, write, edit, or delete information in files or databases, as established by the designated roles and responsibilities of the individual, and according to the University Records Management policies (<http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/Administrative-Regulations/Records%20Management%20Policy.pdf> ).
- All individuals are provided with the university's on-campus network access, including electronic mail ("email") and internet access.

### **Individual Responsibilities:**

Data that is considered critical/sensitive or regulated/operational or copyrighted must be securely housed within the IT data center or within approved safe electronic storage media. Per Northern Kentucky University's Information Security Policy, [http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED\\_InformationSecurity7-2-2016.pdf](http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED_InformationSecurity7-2-2016.pdf) the university forbids the storage of highly sensitive data on any data storage device or media other than a centrally managed server ("J" / "K" drives), or the Microsoft OneDrive service, provided through NKU. Storing such data on hard drives (laptops, desktops, tablets, etc.) can subject the data to breach by viruses, malware, hacking, physical loss of device, etc.

If an individual is required to store highly sensitive data for a business need that is outside NKU managed networks, that individual must obtain permission from the Office of the CIO and the area Vice President. The written request for authorization must state the unique business need, the type of data that will be stored, the type of data storage device that will be used, and the mitigating controls that will be employed to protect the highly sensitive data. Each individual shall be responsible for the security and integrity of information stored on his or her personal desktop system, laptop, storage, and mobile devices. This includes:

- Maintaining current operating system, software, and firmware, as supported by the university
- Strictly following all data protection guidelines, including FERPA guidelines (<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>)
- Installing, using, scanning, and regularly updating virus protection software (see NKU Anti-Virus Policy <http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/Antivirus%20Policy.pdf> )
- All Individuals accessing or storing university data on personally owned devices, such as mobile phones, tablets, computers, are responsible to ensure security of the data through strong passwords and encryption to minimize risks of data leaks. Protected data may not be stored on personally owned devices unless effective security controls have been implemented to protect the data.
- Making regular backups of information and files
- Controlling and securing physical and network access to electronic resources and data
- Abiding by password protection practices, by choosing appropriate passwords, protecting the security of passwords, and changing passwords as needed
- Using only the access and privileges associated with his or her computer account(s) and utilizing those account(s) for the purposes for which they were authorized
- Respecting and honoring the rights of other individuals, with regard to intellectual property, privacy, freedom from harassment, academic freedom, copyright infringement, and use of electronic resources
- An individual suspecting that his or her access has been compromised is to report it to IT Security via [abuse@nku.edu](mailto:abuse@nku.edu) or the IT Help Desk and change passwords and access modes immediately.

### **Individual Restrictions**

Individuals may NOT do the following:

- Provide access or passwords to any individual not authorized for such access

- Make use of accounts, passwords, privileges or electronic resources to which they are not authorized
- Tamper with, modify, or alter restrictions or protection placed on their accounts, the university system, or network facilities
- Extend the network by introducing a hub, switch, router, wireless access point, or any other service or device that provides more than one device to the university network without consent and approval from IT network and security management
- Use the university's internet access or network in a malicious manner to alter, destroy, or improperly access any information available on the internet or on any network accessible device
- Share remote access authentication with other individuals
- Introduce, create or propagate computer viruses, worms, Trojan horses, or other malicious code to university electronic resources
- Use knowledge of security or access controls to damage computer and network systems, obtain extra electronic resources, or gain access to accounts, data or information for which they are not authorized
- Eavesdrop or intercept transmissions, emails or messages not intended for them
- Physically damage or vandalize electronic resources
- Attempt to degrade the performance of the system or to deprive authorized individuals of electronic resources or access to any university electronic resources
- Alter the source address of messages, or otherwise forge email messages
- Send email chain letters or mass mailings for purposes other than official university business
- Use internal or external systems to relay mail between two non-university email systems
- Communicate or act on behalf of the university via any computing or internet form unless they have the authority to do so
- Install physical or virtual servers that have not been identified to and approved by the office of the CIO
- Install network game servers, either virtual or physical, unless authorized by the office of the CIO
- Install and/or download music, video, other copyright media or software per copyright laws
- Obtain access to NKU networks and computing devices if not an authorized individual
- Copy or distribute sensitive data regarding students, faculty or staff without proper and approved safe storage devices, and only as required by the job duties

**University Processes/ Privacy** Individuals should be aware that centralized data, software, and communications files are regularly backed up to a storage area network (SAN) and stored for potential recovery. All activity on systems and networks may be monitored, logged, and reviewed by system administrators and/or governmental agencies, or discovered in legal proceedings or open records procedures. In addition, all documents created, stored, transmitted or received on university computers and networks are considered university property, and may be subject to monitoring by systems administrators. The university will never disclose contents of communications to an outside entity unless formally instructed to do so by the Office of Legal Affairs and General Counsel and:

- When required by law. If necessary to comply with the applicable legal requirement, such disclosures may occur without notice to the individual or without the individual's consent, as determined by the Office of Legal Affairs and General Counsel.
- In connection with an investigation by the university or an external legal authority into any violation of law or of any university policy, rule or ordinance. When the investigational process requires the preservation of the contents of an individual's electronic records to prevent their destruction, the Office of Legal Affairs and General Counsel may authorize such an action.
- If appropriate university personnel determines that access to information in an employee's electronic account or file is essential to the operational effectiveness of a university unit or program and the employee is unavailable or refuses to provide access to the information.

- If the university receives an appropriately prepared and presented written request for access to information from the lawful representative of a deceased or incapacitated individual.

**University Rights** After obtaining approval from the area vice-president appropriate to the circumstances, or when compelled by court order, or when there is deemed to be an urgent and compelling need to do so. The university reserves the right to:

- Access, monitor and disclose the contents of an individual's account(s)
- Access any university-owned technology resource and any non-university owned technology resource, on university property, connected to university networks.
- Take this action:
  - To maintain the network's integrity
  - To maintain the rights of others authorized to access the network
  - To maintain the security of a computer or network system
  - To prevent misuse of university resources
  - To support the business of the university if impacted due to the sudden death, leave of absence, or incapacitation of an employee.
- Terminate access upon misuse.

### **Non-Organizational Use**

Users may not use electronic resources for:

- Compensated outside work, except as authorized by the Provost/Vice President for Academic Affairs pursuant to an approved grant or sponsorship agreement
- The benefit of organizations not related to the University, except those authorized by a University dean, or the director of an administrative unit, for appropriate University-related service
- Personal gain or benefit
- Political or lobbying activities not approved by the Office of the Provost/Vice President for Academic Affairs
- Private business or commercial enterprise
- Illegal activities.

University electronic resources may not be used for commercial purposes, except as specifically permitted under other written policies of the University.

Any such commercial use must be properly related to University activities and provide for appropriate reimbursement to the University for taxes and other costs the University may incur by reason of the commercial use.

### **Enforcement: Misuse of Electronic resources**

In any case where Acceptable Use comes into question, university management reserves the right to determine what is appropriate and acceptable and what is not. Violations of university policies will result in one or more of the following actions:

- Individual will be notified that the misuse must cease and desist.
- Individual will be required to reimburse the university or pay for electronic resource(s).
- Individual will be denied access to the electronic resource(s), temporarily or permanently.
- The appropriate university disciplinary action will be initiated. Actions may include sanctions, up to and including, termination of employment or expulsion, legal actions, fines, etc.
- Civil and/or legal action may be initiated.

- Law enforcement authorities may be contacted to initiate criminal prosecution.

All individuals are encouraged to report to [abuse@nku.edu](mailto:abuse@nku.edu) or the IT Help Desk any suspected violations of university computer policies, such as unauthorized access attempts.

Individuals are expected to cooperate with system administrators during investigations of system abuse. Failure to cooperate may be grounds for disciplinary action, expulsion, legal actions, fines and other actions as deemed necessary. If persuasive evidence exists of the misuse of electronic resources and that evidence points to a particular individual, the Office of the CIO must be notified immediately.

The university retains final authority to define what constitutes proper use and may prohibit or discipline improper use the university deems inconsistent with this or other university policies, contracts and standards.

### **Copyrights and Licenses**

Software and media may not be copied, installed or used on university electronic resources except as permitted by law.

- Software installations must be communicated to and approved by IT Services.
  - Proof of License, outlining the type and number of installations must be provided to the Office of Information Technology.
- Software, subject to licensing, must be properly licensed, and all license provisions (including installation, use, copying, number of simultaneous users, terms of the license, etc.) must be strictly adhered to.
- Creating or using unauthorized copies of software or media is a violation of this university policy. Such conduct may be in violation of the law and could subject the user to disciplinary action, fines, and/or imprisonment.
- All copyrighted information retrieved from electronic resources, or stored, transmitted or maintained with electronic resources, must be used in conformance with applicable copyright and other laws.
- Copied material, used legally, must be properly attributed in conformance with applicable legal and professional standards. See U.S. Copyright laws (<http://www.copyright.gov/title17/>).

### **Technical Maintenance and Administrative Rights**

#### **University System Administrators and Authorized IT Staff**

All system administrators (those individuals charged with the daily administration of computer resources within a unit of the university) will preserve individuals' privileges and rights of privacy consistent with this and other applicable university policies. Access privileges will be used only to the extent required by the performance of job responsibilities. Administrators will take all reasonable steps necessary to preserve the availability and integrity of electronic resources, including:

- Reject or destroy email messages and email attachments that are suspected of containing malicious code, phishing, viruses or worms.
- Eliminate sources of malware, viruses, phishing, or other forms of security threats, including shut down of ports, user names, passwords, and equipment, until it is safe to reconnect to network.
- Investigate and report suspected violations of university policies or viruses or other malfunctions.
- Ensure conformance with legal obligations as they pertain to the administration of electronic resources.

#### **Physical Access Control**

- Direct physical access to certain electronic resources such as servers, data networking devices, and telecommunications switches is restricted to authorized personnel only. If university personnel believe that an unauthorized person gained or attempted to gain access to a server or network equipment room, they must contact the Office of Information Technology and/or University Police immediately.

- Rooms containing critical electronic resources must be secured, and access to those rooms must be limited to authorized individuals only. All entrances to such rooms must be closed and locked at all times. Alarms, sensors and other types of physical security systems must be utilized to further secure these facilities and to detect and report emergency conditions that might occur.
- Appropriate fire suppression systems must be in place. Authorized personnel may be granted access to server or network equipment rooms through the issuance of ID cards or keys or through the use of passwords or other access codes, and access is restricted to role-based authority.

#### **Policy Amendments:**

- Northern Kentucky University reserves the right to change the policies, information, requirements and procedures, announced in this policy, at any time. Changes required by university contractual commitments shall be effective and binding to individuals upon execution of any such contract by the university.
- An individual shall be deemed to have accepted and be bound by any change in university policies, information, requirements or procedures, announced in this policy, at any time following announcement or publication of such change.

### **IV. EXCEPTIONS**

### **V. REFERENCES AND RELATED MATERIALS**

#### **REFERENCES & FORMS**

*Link any forms or instructions needed to comply or implement this policy. If links are unavailable, attach forms to this policy as examples.*

Data Governance website <http://datagovernance.nku.edu/>

FERPA guidelines (<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>)

U.S. Copyright laws ( <http://www.copyright.gov/title17/>

#### **RELATED POLICIES**

*Link any currently existing policies related to this policy. If unable to obtain a link, simply list the names of the related policies.*

NKU Anti-Virus Policy <http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/Antivirus%20Policy.pdf>

NKU Data governance Policy [http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED\\_DataGovernance7-2-2016.pdf](http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED_DataGovernance7-2-2016.pdf)

NKU Information Security Policy ([http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED\\_InformationSecurity7-2-2016.pdf](http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/APPROVED_InformationSecurity7-2-2016.pdf)

NKU Records Management policies (<http://policy.nku.edu/content/dam/policy/docs/a-through-z-policy-finder/Administrative-Regulations/Records%20Management%20Policy.pdf>)

DRAFT

## MEMORANDUM

To: Tim Ferguson, Chief Information Officer, NKU

From: Ken Katkin, Chair, Faculty Senate Professional Concerns Committee (PCC)

Re: PCC Comments in Response to NKU's "Acceptable Use Policy" Proposal

Date: Jan 23, 2018

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I am the Chair of the Professional Concerns Committee (PCC) of the NKU Faculty Senate. At its meetings of December 7, 2017 and January 18, 2018, the PCC discussed the proposed revisions to NKU's "Acceptable Use Policy" that have been released for public comment. On behalf of the PCC, I hereby offer the following comments on the draft Policy proposal entitled "Acceptable Use Policy."

(1) On Page Two, just above the header "Individual Rights," the generic phrase "Kentucky Public Records Law" should probably be replaced with the more specific phrase "Kentucky Open Records Act," which is the name of the Kentucky statute that governs access to public records.

(2) On Page Two or Three, in the list of "Individual Rights," an additional bullet point should be added that provides: "Individuals have the right to receive training that will facilitate compliance with all responsibilities and restrictions set forth in this policy."

(3) On Page Three, just below the header "Individual Responsibilities," the words "operational or copyrighted" should be deleted. The word "operational" is too vague to have any meaning. The word "copyrighted" could apply to substantially all content on all university computers, including faculty members' teaching materials or published articles—or even to Web content such as course descriptions or student handbooks that should be readily available to the public.

(4) On Page Three, just below the header "Individual Responsibilities," the second sentence (which begins with the words "Per Northern Kentucky University's Information Security Policy. . .") should be replaced with a sentence that simply states "Highly sensitive data must be stored in compliance with Northern Kentucky University's Information Security Policy," followed by a hyperlink. This change is needed because NKU's Information Security Policy will presently be changing. After the change, the detailed prescriptions in the present draft Acceptable Use policy may no longer reflect the revised Information Security Policy.

(5) On Page Three, the first bullet point below the header "Individual Responsibilities" begins with the words "Maintaining current operating system. . . ." Under the same header, the third bullet point begins with the words "Installing, using, scanning, . . . ." Both of these bullet points should be deleted, because the responsibility to install software, firmware, and virus protection lies with the University, and not with the individual user.

(6) On Page Three, the eighth bullet point below the header “Individual Responsibilities” begins with the words “Using only the access and privileges. . . .” In this bullet point, the following additional language should be added to clarify:

However, Incidental personal use of university technology resources is not prohibited by this policy. Incidental personal use is an accepted and appropriate benefit of being associated with NKU’s rich technology environment. Appropriate incidental personal use of technology resources does not result in any measurable cost to the university, and benefits the university by allowing personnel to avoid needless inconvenience. Incidental personal use must adhere to all applicable university policies. Under no circumstances may incidental personal use involve violations of the law, or interfere with the fulfillment of an employee's university responsibilities.

This language is adopted from language set forth in Indiana University’s Acceptable Use Policy, <<https://policies.iu.edu/policies/it-01-appropriate-use-it-resources/index.html>>, and in the policy of many other universities. It also reflects current salutary practice at NKU, as set forth on Pages 148-149 of the NKU Faculty Handbook (“the use of personal office space, local telephone, library resources and personal computer equipment incidental to outside activities . . . are permitted under the University’s Ethical Principles and Code of Conduct . . . and the Faculty Handbook”). This principle should be stated explicitly in our Acceptable Use policy.

(7) On Page Four, the third bullet point prohibits users from extending the network via services or devices. The PCC does not understand why this restriction is necessary or desirable.

(8) On Page Four, the sixth bullet point prohibits users from introducing viruses to the network. The word “intentionally” should be added as the first word of the bullet point, which would now begin with “Intentionally introduce. . . .”

(9) On Page Four, the third-from-last bullet point concerns copyright infringement. Its use of the word “per” seems to be a typographical error that may reverse the intended meaning of the provision. The phrase “per copyright law” should be replaced with the phrase “in violation of copyright law.”

(10) On Page Four, in the third sentence below the header “University Processes/Privacy,” the words “are considered university property” should be deleted. The sentence would thus read: “In addition, all documents created, stored, transmitted, or received on university computers and networks may be subject to monitoring by systems administrators.” Because Intellectual Property is governed by other policies that generally do NOT vest ownership of faculty members’ work in the University, it is inaccurate and undesirable to characterize the university’s right to surveil users’ files as a “property” interest in the contents of documents stored on university computers.

(11) On Page Four, in the second bullet-point, the words “bona fide” should be inserted before the word “investigation,” so that the bullet-point would now begin with the words: “In connection with a bona fide investigation by the university. . . .”

(12) On Page Five, following immediately following the header “University Rights,” the long sentence should be divided into two sentences as follows. First, before the list of bullet points, the sentence should simply read: “When compelled by court order. . . .” This list of bullet points should then follow those five words. After the list of bullet points, a concluding sentence should state: “In the absence of

a court order, any such actions shall be taken only after the area vice president appropriate to the circumstances makes a written determination that there is an urgent and compelling need to do so.” These changes would clarify that these actions may not be taken without a court order or VP determination, and to impress upon each individual VP the seriousness of granting such a determination.

(13) On Page Five, under the header “University Rights,” the first bullet-point governs “Compensated outside work.” A second sentence should be added to this bullet-point to clarify that: “Work completed in satisfaction of a faculty member’s obligation to produce teaching materials, scholarly or creative activity, or service to the community is not considered ‘outside work,’ even if such work is compensated.” This sentence is needed to clarify that faculty members may use NKU resources to write scholarly books, or commissioned journal articles, for example. These works are compensated by outside entities, but are part of the ordinary scholarly work that is expected from NKU faculty members.

(14) On Page Five, under the header “Enforcement: Misuse of Electronic Resources,” the final bullet point states that “civil and/or legal action may be initiated.” Because this provision is triggered by “violations of university policies” rather than by “violations of law,” this bullet point should be deleted or amended. The University would not be justified in bringing a civil or legal action in an instance where no law has been violated. For the same reason, the word “fines” should be deleted from the preceding and succeeding bullet points. Without prevailing in a civil action, the University has no authority to levy “fines” against its employees, and should not idly threaten to do so.

(15) On Pages Five and Six, under the header “Enforcement: Misuse of Electronic Resources,” the draft policy threatens that faculty members found to have violated this policy may be subject to termination of employment. The draft policy does not address the procedures by which guilt might be assessed or penalties meted out. To avoid any ambiguity, language should be added immediately following the list of bullet points at the top of Page Six—and before the three subsequent paragraphs—to clarify that:

Such penalties shall be levied through ordinary disciplinary procedures set forth in other official University personnel policy documents, such as the NKU Personnel Policies and Procedure Manual, the NKU Faculty Policies and Procedures (the “Faculty Handbook”), or the Chase College of Law Faculty Policies and Procedures (the “Chase Faculty Handbook”).

(16) Throughout the document, a number of the hyperlinks are broken or incorrect. The PCC recommends that all hyperlinks be checked (and corrected as needed) before the policy is finalized.

Thank you for taking these comments into consideration.

Best,  
--Ken Katkin, PCC Chair (2015-16 & 2016-17)  
Professor of Law  
Salmon P. Chase College of Law  
556 Nunn Hall  
Northern Kentucky University  
Highland Heights, KY 41099  
(859) 572-5861 phone  
(859) 572-5342 fax  
[katkink@nku.edu](mailto:katkink@nku.edu)

## MEMORANDUM

To: PCC

From: Ken Katkin, Chair

Re: Amended Proposed Revisions to Faculty Handbook re Health Insurance Benefits for Short-Term Non-Tenure-Track Temporary (NTTT) Faculty Members

Date: January 11, 2018

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Section 1.4 of the NKU Faculty Handbook governs certain terms and conditions of employment for full-time, non-tenure-track, temporary faculty members (NTTTs) at NKU. In this context, in pertinent part, the fourth paragraph of Section 1.4 of the Handbook currently states that for full-time NTTTs, "health insurance is provided by the University if the appointment is full-time for the complete academic year."

To comply with the Affordable Care Act, however, the University now provides health insurance to full-time NTTTs who are expected to work on average 30 hours or more per week for three months or more, even if those NTTTs are contracted to work for less than a complete academic year. Therefore, to bring the Faculty Handbook into conformity with the current practice required under the Affordable Care Act, and also to reflect comments received at the Faculty Senate meeting of December 15, 2017, Section 1.4 of the Handbook should be amended.

Therefore, I propose that PCC revise its prior recommendation to Faculty Senate to now propose that the relevant language in the fourth paragraph of Section 1.4 of the NKU Faculty Handbook be amended by adding the following words:

"health insurance is provided by the University if the appointment is full-time for the complete academic year. **If the appointment is full-time for less than one complete academic year, health insurance is provided by the University as needed to comply with local, state, or federal laws or regulations.**"

On the following page, the paragraph at issue is set forth as it currently appears in the Faculty Handbook, and as it would appear, as amended.

**NKU Faculty Handbook Section 1.4, fourth paragraph (current language):**

Non-tenure-track, temporary faculty are provided with Social Security contributions by the University. In addition, health insurance is provided by the University if the appointment is full-time for the complete academic year.

**NKU Faculty Handbook Section 1.4, fourth paragraph (with amendment highlighted):**

Non-tenure-track, temporary faculty are provided with Social Security contributions by the University. In addition, health insurance is provided by the University if the appointment is full-time for the complete academic year. **If the appointment is full-time for less than one complete academic year, health insurance is provided by the University as needed to comply with local, state, or federal laws or regulations.**

**NKU Faculty Handbook Section 1.4, fourth paragraph (as amended):**

Non-tenure-track, temporary faculty are provided with Social Security contributions by the University. In addition, health insurance is provided by the University if the appointment is full-time for the complete academic year. If the appointment is full-time for less than one complete academic year, health insurance is provided by the University as needed to comply with local, state, or federal laws or regulations.

To: Sue Ott Rowlands, Provost and Executive Vice President for Academic Affairs  
From: Allen Cole, University Registrar at NKU

Subj: Shortened Semester Recommendation

FINAL: Jan 4, 2018

**The recommendation is that the concept is worth exploring campus-wide.**

***Rationale:***

Supporting student success and the educational experience are key motivations, whereby shortening each of the two semesters of Fall and Spring by one week could provide the following:

- a. more options for an enhanced and robust Winter Session
- b. consistency between all 3 semesters (Fall, Spring, Summer) as each would have 15 weeks available for instruction time
- c. a better alignment with the emerging 7-weeks sub-sessions that will happen over all semesters.

The two models that were examined and compared directly to NKU were UC and WKU. But, each does not fit exactly to NKU current needs, from an overall structure perspective. Aspects of each were helpful, however. The new energy at NKU around online and 7-weeks sessions, which will be held year-around, is a factor to build into the calendar. So, shortening the two main semesters by 1 week could yield some structural benefits. We could add 1 week to Summer (for consistency of 15 weeks for every semester) and have more strategic time between semesters, for processing and preparation.

Winter Session would remain as is, with its niche and purpose, but have an additional week.

***Notable Impacts to explore:***

The group also explored possible class time period grids that would need to be scrutinized by the campus, as time periods would change (e.g. 50 min periods become 55 min). And maybe a change to 15 minutes between classes could be made. The impact on campus space utilization is another factor to be considered, as there would be less class periods than currently exist, but with HIC/Founders, then there are potentially more classrooms available for use. Also, must determine how science/weekly labs fit into such a revised class schedule.

A noticeable change will be the start of Spring Semester classes on the Tuesday after MLK holiday, which adds 1 week to Winter Session and allows for more preparation time for the Spring semester.

Spring Break needs to be placed between the two 7-weeks sub-sessions.

Conversely, Fall Semester would not feel much different, except to start a week later in August. The December commencement would be the same time as current. The two days of fall break should be changed, either eliminated or moved to one day off, on a Friday, where less impact would be felt in lost class instruction time.

***Other considerations:***

Some Summer related questions are: a) What is the impact, if any, on financial aid? b) What is the impact, if any, on faculty work load and 10-month faculty contracts, c) What is the impact, if any, on Summer camps or special groups (Governor's Scholars), and d) What academic policies might need to be changed?

The 5-week MBA sessions would have less time between each session in Fall and Spring Semesters, but Summer *might* allow for an additional MBA session.

Starting a week later in January would help with the arrival and orientation of international and transfer students.

Teaching placements for education students in local schools may need adjusting, due to a later start in Spring Semester.

***Other items specific to the Provost's charge:***

- a. SACS and federal requirements can be fulfilled with properly planned class times.
- b. Review of peer institutions shows that within the KY publics only WKU uses the shorter semester length. UC and other Ohio colleges use the shorter semester, as well.
- c. The NKU admission office has not noticed any competitive disadvantage when recruiting students who are also considering WKU or UC.
- d. Best Practices can be fulfilled by adjusting the allocated class minutes as needed.

***The 11 members of the Work Group are:*** Allen Cole, University Registrar

Frank Robinson, Norse Advising	Frank Braun, Chair of the Council of Chairs
Mary Paula Schuh, Campus Planning	Arnie Slaughter, Student Affairs
Susannah Coaston, Faculty in Counseling	Traci Freeman, Nursing Faculty
Ben Jager, President's Office	Francois LeRoy, International
Keith Walters, Chemistry Chair	Diane Williams, Learning PLUS

The Academic Affairs Council endorses this recommendation at its meeting on 1-4-2018.