

Professional Concerns Committee Minutes for Nov 17, 2016

SU 109
3:15 pm

Members in Attendance: K. McErlane, K. Ankem, K. Katkin, J. Farrar, S. Weiss, Caroline Macke (Sub. for L. Wermeling), A. Watkins, B. Buckley, M. Carrell, S. Nordheim, M. Torres, A. Miller, K. Fuegen, J. Hammons, J. Gilbert, T. Bonner, B. Zembrodt, S. Finke, B. Puente-Baldoxeda

Members Not in Attendance: S. Alexander, K. Schwarz, G. Newell, D. Dreese, Y. Kim, H. Ericksen, K. Sander, S. Neely,

Guest: Faculty Senate President Michael Baranowski

1. Call to Order, Adoption of Agenda – adopted at 3:15
2. Approval of Minutes from PCC Meeting of Nov 03, 2016 - adopted
3. Chair's Report and Announcements

Faculty Senate President Michael Baranowski addressed the PCC to discuss the timeline for presenting the proposed resolution about the gag order to Faculty Senate. M. Baranowski reported that the Senate Executive Committee would like to hold off on bringing it to full senate until the January meeting in order to give PCC Members and Senators more time to obtain feedback from their departmental colleagues. M. Baranowski also stated that the November Senate Agenda is already very busy, and that a delay until January would give Senate more time to discuss PCC's proposal during the Senate meeting. M. Baranowski also reported that President Mearns is concerned about the impact of the resolution on settlement negotiations in the underlying lawsuit, and would prefer that Senate delay action until after the case is settled (or settlement negotiations fail).

K. Katkin reported that Judge Bertelsman has issued two new court orders in Jane Doe's Title IX lawsuit against NKU, and that President Mearns had asked K. Katkin to report these orders to PCC –

1. NKU has to turn over all documents evidencing any sexual assault, rape, and/or unwanted advances that occurred on campus and in offsite living quarters in the last seven years,
2. Ancillary (non-Title IX) claims against named individual defendants have been dismissed.

K. Katkin stated that neither of these new court orders relate to the gag order or to any issues addressed by PCC in the proposed resolution.

The PCC discussed the absence of the Provost from the meeting. Some PCC Members stated that they are grateful for the Provost's usual attendance, because it provides a beneficial channel for the administration to hear faculty concerns, and demonstrates that the administration is listening to faculty. Other PCC Members disagreed, stating that the continuous presence of the Provost stifles some faculty voices during the meeting. The Provost decided she would not attend today's meeting nor the next one. When she does come back, she may leave after a certain time.

K. Katkin reported the results of the Senate Budget Committee's recent survey. The survey asked the faculty how a future raise pool should best be allocated. Addressing equity and salary compression received the most votes. Merit and across-the-board raises were nearly tied. The Budget Committee is working on formulae for implementing internal and external equity adjustments. With respect to external equity adjustments, CUPA will be the guide at the departmental level.

K. Katkin reported that both the Provost and a PCC Member recently suggested that PCC should address whether RPT should be an annual or biennial process going forward. PCC Members agreed that we should take up this issue presently. Suggestions were raised that we should also take up additional RPT issues, including: conditions to be removed; higher standard for tenure in non-mandatory year; mentoring vs. adversary process. K. Katkin said that he will put a broader review of RPT issues on a near-future Agenda.

K. Katkin reported that the university's advancement functions and staff have mostly been outsourced to the NKU Foundation, which operated outside the governance of the Board of Regents, and which does not have a faculty member on its board. Senate Executive Committee has raised the issue of appointing a Faculty Senate representative to the board of the NKU Foundation. If we are successful, we will need a faculty member to serve in this capacity.

Faculty members are also needed to serve on Faculty Senate Grievance Committees, and on the Research Data Management Committee. Faculty Senate elections will precede the January Senate meeting.

4. Old Business

- Voting Item: **Reviewing Centers & Institutes** (2 attachments)

Written comments were received from 3 PCC Members and distributed to PCC. These comments are attached below. After discussion, PCC voted to recommend adoption of M. Carrell's proposed amendments Concerning B. Buckley's comments, the PCC voted to recommend the inclusion of the word "ordinarily" in the three bullet-pointed descriptions in Section IV that relate to the "primary focus" of centers. The PCC also voted to recommend insertion of the words "where appropriate" in the section on external reviews, in order to avoid unnecessary administrative burdens where possible. With respect to K. Fuegen's comments, the PCC voted to recommend that the director

of a center and its executive team should have a final opportunity to meet with the Provost before any final termination decision is made, unless the termination is state-mandated. The PCC also voted to recommend the adoption of several other grammatical and stylistic changes, which are reflected in the attached memorandum. The PCC concluded that the tone of the entire document is discouraging, and will likely have the effect of inhibiting faculty participation in centers and institutes.

- Discussion Item: **Intellectual Property Policy** (3 attachments) Postponed until January. K. Katkin will write up the PCC's suggestions for further discussion in January.

5. New Business

- Discussion Item: **Financial Conflict of Interest Disclosure For Research** (1 attachment) Is out for policy review now. Meeting adjourned before we could take up this item.

The meeting was adjourned at 5pm.

MEMORANDUM

To: Dr. Samantha Langley, Vice Provost for Graduate Education, Research, & Outreach

From: Professional Concerns Committee

Re: Draft Policy on Establishing, Reviewing, and Discontinuing Academic Centers & Institutes

Cc: Provost Sue Ott Rowlands

Date: Dec 1, 2016

The Professional Concerns Committee (PCC) of the NKU Faculty Senate has reviewed the draft policy proposal entitled “Establishing, Reviewing, and Discontinuing Academic Centers and Institutes.” The PCC now offers the following comments and suggestions on the draft policy.

General Comments

1. The PCC agrees that a comprehensive written policy is needed to govern the establishment, review, and discontinuance of academic centers and institutes. The present proposal would add clarity, which the PCC believes is needed.
2. The PCC was unanimous in its view that the present draft policy proposal, if adopted, will discourage faculty members from initiating new proposals for centers and institutes and from continuing to participate in existing centers and institutes. From a faculty perspective, the proposal imposes new and additional administrative burdens on participation in centers and institutes, without offering corresponding benefits or rewards to faculty members who participate, or to the university as a whole. While the preambular language in Section I speaks of “a commitment of resources,” the sense of many PCC Members was that centers at NKU generally operate with little or no resources, and that this *status quo* is unlikely to change going forward even if performance review procedures are made more burdensome. Accordingly, the sense of the PCC is that this document is a “negative” document, designed to make it harder to initiate centers, easier to close them, and more burdensome for faculty members to operate them.
3. Several PCC Members expressed an understanding that Kentucky state law (or the Council on Post-Secondary Education) requires certain centers and institutes at NKU—including CINSAM—to exist and to remain in existence. If so, then any policy that is adopted may need to provide for separate treatment of such centers and institutes. The PCC has not researched this issue.
4. The PCC also found the bullet-pointed format of the draft document to be unwieldy, and unnecessarily difficult to work with and to comment on. If the draft policy is adopted, the PCC recommends that the document be formatted with shorter numbered paragraphs and with consecutive Section numbers, rather than bullet points. (The current draft jumps from Section

IV to Section VII, for example. In the entire draft, only Section VII is subdivided into numbered subsections).

Specific Comments

1. On Page 2, Section IV, first paragraph: In the second sentence, the word “most” should be changed to “normally.” The sentence would now read: “It is expected that **normally** institutes would involve faculty from multiple departments and schools/colleges.”
2. On Page 2, Section IV, first paragraph: In the final sentence, the word “only” should be inserted before the word “offer.” The sentence would now read: “Although centers and institutes do not have primary jurisdiction over academic curricula, they may **only** offer courses in cooperation with academic units.”
3. On Page 2, Section IV, third paragraph: In the only sentence before the bullet-points, the words “identify its primary focus within the university mission” should be replaced with the words “provide activities in one or more of the following areas.” The sentence would now read: “A center or institute will **provide activities in one or more of the following areas**: research, instruction or outreach.”
4. On Page 2, Section IV, third paragraph: In each of the three bullet-pointed sentences, the word “ordinarily” should be inserted after the phrase “center or institute.” The three bullet-points should read as follows:
 - A research center or institute **ordinarily** has research as its primary mission. Although classified as a research center, such a unit may also provide instruction, training, technical assistance, or public service programs. Although such units do not have jurisdiction over academic curricula, they may offer courses in cooperation with academic units.
 - An outreach center or institute **ordinarily** has public service or technical assistance as its primary mission. Research, instruction, and training activities may also be conducted as secondary components of the mission. Although such units do not have jurisdiction over academic curricula, they may offer courses in cooperation with academic units.
 - An instructional center or institute **ordinarily** has training or instruction as its primary mission. These units may also conduct research and public service activities. Although instructional centers and institutes do not have primary jurisdiction over academic curricula, they may offer courses in cooperation with academic units.
5. On Page 2, Section IV, after the bullet points, an additional sentence should be added that reads: “**In appropriate circumstances, a single center or institute may carry more than one of the preceding designations.**” This sentence is necessary to accommodate the continuation of existing hybrid centers, including CINSAM.
6. On Page 3, Section VII.2, under “Establishment of a New Academic Center or Institute,” the policy describes pre-proposal and full proposal stages. The PCC is concerned that the proposer is asked to provide information that s/he does not have. For example, “Description of space,

facilities, and equipment needs for the next five years and how those needs will be met" implies that the proposer can control space allocation. Further, how would the proposer know whether necessary funds will be available for a five-year budget? The PCC is concerned that this policy sets the hurdle too high for faculty and staff who wish to establish a new center. As such, it may discourage innovation.

7. On Page 5, Section VII.4, the draft policy addresses "Termination or Realignment of Academic Centers and Institutes." The same subject is later addressed on Page 7, Section VIII, in the list of bullet points. It would be helpful if the subject were addressed in one single section or subsection, rather than piecemeal in different parts of the document.
8. On Page 6, Section VIII, in the final bullet point of the first list (i.e. half-way down the page), the words "where appropriate" should be added. The bullet-point would now read: "List of potential external reviewers, **where appropriate.**"
9. On Page 6, Section VIII, in the sentence that follows the final bullet point of the first list, the words "When external review is implemented," should be inserted at the beginning of the sentence. As amended, the sentence fragment would now read: "**When external review is implemented,** the external reviewer's report will include an overview of the strengths and weaknesses of the center/institute and will address the following:"
10. On Page 7, Section VIII, following the bullet point on "discontinuance," a penultimate sentence should be added. It should read: "**In the event that any of the latter three alternatives are recommended, the director and executive team of the center/institute shall have the opportunity to discuss the recommendation with the Provost before further action is taken.**"

CONCLUSION

The PCC is grateful for the opportunity to provide recommendations and suggestions and this proposal, and respectfully submits these comments.

Proposed NKU Policy on Establishing, Reviewing, And Discontinuing Academic Centers & Institutes,

Comments Received from PCC Members (11/03/2016)

(1) **M. Carrell** offered two suggested edits to the centers & institutes document: (1) On page 2, under “definitions,” (third line), change the word “most” to “normally”; and (2) on Page 2, sixth line, insert the word “only” between “may” and “offer.”

(2) **B. Buckley** reported that colleagues in her department raised the following questions/concerns:

1. What is the purpose of having a center/institute identify its primary focus? It was felt that this is unnecessary and raised concerns over whether the number of centers falling into a particular category would somehow be limited.
2. The necessity of an external review was viewed as quite burdensome as this is a more stringent requirement than departments and programs that undergo periodic review.
3. A concern was raised over the increased time investment required for those who manage centers/institutes which would take away from the primary mission of the organization.

(3) **K. Fuegen** submitted the following questions and comments:

1) Under Center Oversight, the policy states that "Not later than the fourth year following the initial appointment, and not less frequently than every five years thereafter, each center or institute will undergo a program review..." (p. 3). The nature of the review, i.e., the information that the center director is expected to provide, is not described. Also, though it's implied in the paragraph, it's not explicit that the VP for Graduate Education (VPGERO) actually conducts the review. If the center director disagrees with the VPGERO regarding recommendations, does the center director have any recourse?

2) Under Establishment of a New Academic Center or Institute, the policy describes pre-proposal and full proposal stages. I worry that the proposer is asked to provide information that s/he does not have. For example, "Description of space, facilities, and equipment needs for the next five years and how those needs will be met" implies that the proposer can control space allocation. Further, how would the proposer know whether necessary funds will be available for a five-year budget? I am concerned that this policy sets the hurdle too high for faculty and staff who wish to establish a new center. As such, it may discourage innovation.

3) Under Termination or Realignment of Academic Centers and Institutes, the policy states that "A center or institute may be discontinued for a variety of reasons..." (p. 5). The list of reasons is vague. May a center be discontinued only after a review? At any time? For any reason?