**PROFESSIONAL CONCERNS COMMITTEE**

**September 1, 2016**

**Minutes**

**Members in Attendance:** K. McErlane, K. Schwarz, K. Ankem, , K. Katkin, J. Farrar, S. Weiss, G. Newell, D. Dreese, A. Watkins, B. Buckley, S. Nordheim, A. Miller, K. Fuegen, J. Hammons, J. Gilbert, T. Bonner, B. Zembrodt, S. Finke

**Members Not in Attendance**: L. Wermelling, Y. Kim, C. Scheadler, M. Carrell, K. Sander, M. Torres, B. Mittal, S. Neely, B. Puente-Baldoceda

**Guests:** Provost Sue Ott Rowlands, Vice Provost for Graduate Education, Research and Outreach, Samantha Langley-Turnbaugh

**Call to Order:** The meeting was called to order by Chair K. Katkin at 3:20pm.

**Adoption of Agenda:** The Agenda was adopted by acclamation.

**Approval of Minutes from May 5, 2016**: Approved by consensus.

**Secretary:** Belle Zembrodt was elected as secretary.

**Chair’s Report:** K. Katkinreported that although this is the first meeting of academic year 2016-17, a number of items had already found their way onto PCC’s Agenda.

From last academic year, carry-over items for PCC to continue to work on include:

* Revisions to intellectual property policy;
* Academic freedom provisions of the NKU Faculty Handbook;
* Student cheating and sharing of information across faculty;
* Role of faculty senate in policy process including values and ethical responsibilities; and
* Campus policing issues.

In light of the departure from NKU of the campus police chief and university counsel, and the reorganization of the lines of administrative authority over the campus police department, K. Katkin asked whether PCC Members thought it remained necessary for PCC to address campus policing issues this year. No PCC Member spoke in favor of addressing this issue at present. Accordingly, PCC will not commence work on this item at present.

In addition, K. Katkin reported that the Provost has asked PCC to add the following new items to its 2016-17 Agenda:

* Revision of Faculty Handbook provisions on “tolling the tenure clock,” with an eye towards clarifying the impact of such tolling on the RPT process
* Revision of Faculty Handbook provisions on “phased retirement” to clarify tenure status of faculty members during the phase period;
* Revision of Faculty Handbook provisions on early promotion or tenure – Should higher substantive standard apply?
* Should RPT review be biennial rather than annual?
* Revision of consensual relations policy.

K. Katkin also noted that the University had initiated four policy proposals over the summer through its notice-and-comment policy process. These policy proposals are on the Agenda for this meeting, so that PCC can evaluate whether Senate should weigh in on any of them.

In addition, K. Katkin noted recent news reports that NKU has sought a judicial gag order against a female NKU undergrad who was raped by a fellow NKU student. K. Katkin asked whether this was an issue that the faculty should weigh in on. Several PCC members spoke in favor of PCC studying the matter further, with an eye towards bringing a faculty statement to Senate, if warranted. No PCC Member spoke against doing so. K. Katkin said he would gather news reports and legal filings, and would put the issue on a near-future Agenda.

Finally, a PCC Member asked whether PCC would take up the issue of processes and standards for promotion of non-tenure-track Professors of Practice and Clinical Faculty. K. Katkin said that the same NKU Faculty Handbook provisions that create these new ranks also delegate to the Colleges the responsibility to develop appropriate promotion processes and standards for these positions, and require that the relevant faculties vote to approve any such processes and standards. Accordingly, K. Katkin did not think PCC should take up this issue at present.

**New Business**

* **NKU Data Governance Policy, NKU Electronic Signature Policy, NKU Information Security Policy**

Over summer 2016, the University initiated and concluded three notice-and-comment policy proceedings related to data and information security. Faculty Senate and PCC did not meet during the summer months in which this policy review took place. K. Katkin reported that the initial policy proposals raised two concerns for faculty members.

First, the proposals initially used an improperly restrictive definition of “public” information, and also imposed improperly burdensome restrictions on dissemination of “public” information. In response to comments filed by K. Katkin in the notice-and-comment proceeding, however, the University corrected these problems before adopting the policies. Accordingly, K. Katkin did not think it was necessary for PCC to take up the definition of “public” information or the restrictions on its dissemination.

Second, with respect to use of computers for calculating and reporting student grades, the university adopted stringent data security policies of which many NKU faculty members today might be in violation. For example, seemingly it is now a violation of NKU policy for faculty members to email grading spreadsheets to themselves or to their college registrars, even if such spreadsheets do not include students’ names. K. Katkin recommended that the PCC take up this issue. Discussion ensued. PCC Members spoke both for and against taking up the issue. Several Members stated that we need more clarification about what the new policy means. What is the definition of student academic information? Is It policy too heavy? Is storing information at home a violation of FERPA? How is electronic signature more secure than email? How can one communicate with prospective students without violating privacy?

The Provost suggested that PCC invite representatives from IT and from University Counsel to discuss reasons for the policy, training for methods of secure information available to faculty, consequences of violating information security policy, and FERPA requirements. K. Katkin said that he would do so.

* **Human Subjects Research**

The Provost requested that PCC approve amendments to the “Human Subjects Research” section of the NKU Faculty Handbook that were needed in order to remain in compliance with federal guidelines for the Institutional Review Board (IRB). Vice Provost for Graduate Education, Research and Outreach, Samantha Langley-Turnbaugh addressed PCC to explain the proposed amendments and the need for their adoption. Dr. Langley reported that changes were not substantive, but were needed to ensure compliance with federal guidelines for the IRB. Some discussion ensued. No objections were raised. K. Katkin said that this issue will be a voting item at the next PCC meeting.

* **Emeritus Faculty on sponsored projects**

Currently, the University has proposed a new policy to prohibit “retired” or “former” faculty members from serving as principal investigators on grant-funded research projects, but to allow them to continue to work on the projects. K. Katkin recommended that PCC should weigh in on this policy proposal. In particular, K. Katkin was concerned that the use of the phrases “retired” or “former” faculty members in the draft policy was inconsistent with the NKU Faculty Handbook, which states that “[e]meritus faculty are tenured faculty or administrators who hold faculty rank, who, upon retirement, . . . have been conferred emeritus status by the Board of Regents. Such persons hold the title and rank held immediately prior to their retirement, followed by the title ‘emeritus.’ ” NKU Faculty Handbook § 1.7.1 (emphasis added). Because emeritus professors retain their rank and title and their affiliation with the University, K. Katkin proposed that PCC should recommend wording changes.

The Provost stated that not all “retired” or “former” faculty members achieve the rank of emeritus professor, but that the policy must apply to all such faculty members. The PCC discussed the issue. No PCC Member voiced agreement with K. Katkin’s proposal that PCC should take up this issue. Accordingly, K. Katkin stated that this item would be dropped from PCC’s Agenda going-forward.

* **Academic freedom of faculty members**

K. Katkin noted that in 2015-16, PCC and Senate voted to approve certain language on academic freedom in the NKU Statement of Values and Ethical Responsibilities, which the President also approved. However, the Board of Regents did not approve the inclusion of the language in the NKU Statement of Values and Ethical Responsibilities because the Regents concluded that such language instead belonged in the NKU Faculty Handbook. Accordingly, at a minimum, in 2016-17 the PCC must recommend that the previously-approved language at issue be added to the “Academic Freedom” section of the Faculty Handbook. K. Katkin inquired whether PCC should also take up the issue of academic freedom more broadly, with an eye towards considering recommending more substantial revisions to the academic freedom section of the Faculty Handbook. Several PCC members spoke in favor of doing so, and none spoke against it. K. Katkin said he would add this item to a future Agenda. In connection with that item, K. Katkin will distribute AAUP and University of Chicago statements on academic freedom.

* **Senate Role in Policymaking Process**

K. Katkin noted that since 2014, the university’s notice-and-comment policymaking process has excluded the Faculty Senate from any formal role in university policymaking. Faculty Senate leadership has raised this issue repeatedly with President Mearns. In 2015-16, Faculty Senate leadership asked PCC to recommend revisions to the NKU “policy on policies” to restore a formal role for Faculty Senate in NKU’s policymaking process. This item is therefore a carryover from last year. However, the President and the Provost now also support restoring a formal role for Faculty Senate in NKU’s policymaking process. Accordingly, the Provost stated that she and her staff have begun to draft some proposed revisions to “policy on policies” to use as a starting point for thinking about what Senate’s role should be. K. Katkin expressed gratitude to the Provost for taking on this initiative, and said that PCC will take up this item at a future meeting, ideally in connection with documents to be received from the Provost’s office.

**The meeting was adjourned at 4:50p.m.**

Respectfully submitted,

Belle Zembrodt