

MEMORANDUM

To: Ken Katkin, PCC Chair

From: Lili Ma, Faculty Senator, Department of Chemistry

Re: Comments on “Retired Faculty Participation on Sponsored Projects” Policy

Date: Oct 19, 2016

As a faculty senate representative, some concerns on the recent policy entitled “Retired Faculty Participation on Sponsored Projects” were brought to my attention. The detailed policy is attached for your references. Briefly, this policy has the overall effect of making it much more challenging for retired faculty to continue to engage in research.

Some background on research active emeritus faculty at NKU

Emeritus faculty doing research provides many benefits to the University and our students. NKU is a growing university with expanding undergraduate research program. More research opportunities are needed for undergraduate students. In the chemistry department, undergraduate students cannot work alone in the lab due to safety concerns. The involvement of emeritus faculty in research will not only expand the research program, it will also provide students hands-on experience in a safe laboratory setting. Emeritus faculty at other universities (e.g, Murray State University, University of Cincinnati, the Ohio State University, to name a few) routinely conduct research.

NKU also has a long history of emeritus faculty who are/were active in research. Take the Department of Chemistry and Department of Biological Science for example. The biological science faculty member, Dr. John Thieret, was a well-known taxonomist. He retired around 2000, but was actively doing research until the last moment of his life. He was the editor of three journals in his field, and he published several books. The NKU Herbarium is named after him. The chemistry department faculty member, Dr. Robert Kempton, retired in 2010 and has been actively conducting research since then. He had undergraduate students working with him during the past summers. The biological science faculty, Dr. Miriam Kannan, will retire soon, and the only reason she wants to retire is the fact that she can devote more time to research. Dr. Kannan has just applied for grant support from National Geographic Society, and is applying to serve as a co-PI on a 5 million dollar grant involving 5 institutions. She is retiring to have time to work on these grant supported projects. Both Dr. Kempton and Dr. Kannan are Regents Professors who have been recognized for their achievements in research.

The major concerns on this policy are as follows:

- Paragraph 2. *“Only full-time permanent faculty and staff may apply as primary investigators or project directors for sponsored projects at NKU.”*
 - Some external grants are awarded only to emeritus faculty. For example, the Dreyfus Senior Scientist Mentor Program supports *“emeritus faculty who maintain active research programs with undergraduates in the chemical sciences.”* The Senior Scientist Mentor Program provides a \$20,000 award over two years, intended mostly for undergraduate stipends. Modest research support is also allowed (http://dreyfus.org/awards/senior_scientist_mentor.shtml).
 - No rationale was presented for this policy change. If this policy statement stands, no faculty at NKU will be eligible to apply for a grant of the type given above. It is suggested to revise or remove this statement.

- Paragraph 2. *“Full-time members of faculty may participate in a sponsored project beyond their retirement date, but upon that date the project must transition to a new full-time NKU Primary Investigator.”* This raises several questions:
 - What happens if no other faculty member wants to assume the responsibilities of PI?
 - What happens if no other faculty has the expertise to administer the grant? This is the most likely scenario.
 - Assuming a new PI is found and the grant provides stipends, who gets them - the original, now retired PI, or the new PI?

- Paragraph 5. *“A retired faculty member ... may be compensated ... as a contractor, but not as an employee.”* This statement has tax consequences. As a contractor, the emeritus faculty member will be required to pay, in addition to the normal income taxes, double payroll taxes (social security and Medicare taxes), amounting to 15.3% of the stipend rather than the normal 7.65% of the stipend that all employees pay. This double payroll tax burden comes in spite of the fact that many funding agencies, including NIH, provide the employer portion of the payroll taxes as part of the grant’s indirect costs.

A simple solution to the payroll tax issue appears to be at hand (Paragraph 2; last sentence of the original policy). The policy should read that a retired faculty receiving a stipend from a funding agency that pays payroll taxes shall be given a temporary appointment (“credentialing”). A temporary appointment is obviously easy to do for the purpose of allowing the faculty member to mentor students. It will be just as easy for the purpose of allowing the funding agency to disburse indirect funds as intended.

Retired faculty who continue to do research and work with students do so, for the most part, without compensation. For those who are fortunate enough to have a grant proposal funded, the principal benefits are stipends for student researchers and money for equipment and supplies. A summer stipend for the PI is an additional benefit. The fact that NKU would propose a policy forcing retired faculty with stipends to pay additional, self-employed taxes is inexplicable.

Other concerns include:

- Paragraph 1. The sentence beginning with “*In making its decision NKU must take into account ...*” This sentence presumably applies to all faculty (full-time, part-time, emeritus, tenure track, non-tenure track). Either remove it or add a statement saying that requests for space, resources , *etc.* from retired faculty will be evaluated the same way all other requests are evaluated.
- The policy does not address the issue of liability for the retired faculty, an issue that we thought should have been front and center in the policy.

MEMORANDUM

To: PCC

From: Prof. Mark Bardgett, Regents Professor of Psychological Science

Re: NKU Policy on “Retired Faculty Participation on Sponsored Projects”

Date: Jan 20, 2017

My main issue with this policy is that it undermines research and student engagement in research at NKU. If a faculty member is a productive researcher who can obtain grants to support her/his salary, involve students in research, and has the support of their home department, then I don't understand why a university would not welcome such activity. I see three problems with this policy:

- 1) We would lose direct costs from grants that offset or add funds for equipment, faculty, staff, and student salary support.
- 2) We lose indirect cost funds to the institution.
- 3) We lose tuition dollars from students who would otherwise engage in directed research with the retired faculty member.

Finally, I know of no other public university in the Commonwealth who has such a policy.

I appreciate that retirement means that one is no longer a full-time, permanent employee of the institution, and that retaining this person past their retirement date presents complications from a Human Resources point of view. But surely, these complications are not so great as to discourage us from supporting productive lines of research. If welcomed and approved by the department, a retired faculty member should be able to continue as temporary employee as long as they maintain grant activity that supports their employment and involves students in the process.

On the next page, I have raised several, more specific issues about the policy.

Based on all of the problems and issues noted above and below, my own opinion is that the policy is unnecessary, and perhaps harmful. In the latter sense, I mean that there may be legal repercussions for accepting a research award and then not completing the proposed research because the faculty member is later prevented from doing so because of the policy. Moreover, funding agencies may develop an unfavorable view of institutions that fail to support promising lines of research simply because the faculty member has retired. If our reputation of research support is undermined in the minds of these agencies, it may then impact decisions by such agencies to fund other applicants from NKU.

It would seem better to me to resolve the salary/tax issues on a case-by-case basis, since there are likely to be few faculty making requests to continue with their research or to apply for grants after retirement.

Retired Faculty Participation on Sponsored Project Policy

I. Policy Statement

Several important considerations determine whether NKU will sponsor, totally or in part, retired faculty members' participation on sponsored projects, and whether it will authorize research appointments for retired faculty members. In making its decision NKU must take into account the contribution of the proposed research to the NKU community, its demand upon physical and administrative facilities, pre- and post-award administrative support, and its direct and indirect effects upon other research and programs of the university.

Only full-time permanent faculty and staff may apply as primary investigators or project directors for sponsored projects at NKU, unless those sponsored projects are solely for retired faculty. Full-time members of faculty may participate in a sponsored project beyond their retirement date, but upon that date the project must transition to a new full-time NKU Primary Investigator. Once retired, a former faculty member may participate on a sponsored project as a Co-Primary Investigator or other personnel, subject to approval by the appropriate chair, dean, and Vice Provost for Graduate Education, Research, and Outreach.

A retired faculty member serving as a Co-Primary Investigator on a sponsored project may supervise students with approval from the department chair and dean. Credentialing by the Office of the Provost is required if the retired faculty member supervises students who are receiving academic credit for the research experience.

At the discretion of the department chair and dean, and based on the availability of resources, retired faculty participating on sponsored projects may be provided office space, office support, mailing privileges, and laboratory space, when used for professional purposes in support of NKU's mission and the grant objectives.

When a retired faculty member seeks appointment as a senior research scientist/scholar on the sponsored project of a full-time faculty member at NKU, he/she will be given pre-and post-award administrative support and the additional title of senior research scientist/scholar, to be held during the period of the sponsored project. This designation requires the approval of the department chair, dean and Vice Provost for Graduate Education, Research, and Outreach.

A retired faculty member who is appointed as senior research scientist/scholar under the above conditions may be compensated for effort from the sponsored project on a part-time or full-time basis as a contractor, but not as an employee. Faculty member may not be paid as an employee and a contractor in the same year. The contractor rate will be set at the rate of compensation at the time of retirement, consistent with the guidelines in Title 2 in the Code of Federal Regulations (2 CFR), subtitle A, chapter II, part 220 (see below). Retired faculty may not work

Commented [N1]: So then this policy is not just about retired faculty, but applies to post-doctoral fellows and part-time faculty as well. Is that what is intended with this statement? If so, then the title of the policy needs to be re-worded.

Commented [N2]: I don't know what this means. Does this mean that they are not allowed to apply if a student or other faculty member is listed on the application?

Commented [N3]: What if there is no one with the expertise to take over the research or no one willing to take over the project? Is the research terminated on the PI's retirement day? Are all personnel and students on the award let go on the same day as well?

Commented [N4]: Why not designate the retired faculty member as a temporary faculty member? That way, there would be no need to credentialing, they are not offered fringes, and the tax issues noted below are addressed.

Commented [N5]: Why not? I am assuming that there is a regulation that serves as the basis for this rule, but that is not made clear here.

more than 30 hours/week. Fringe benefits will not be paid to a contractor. In no case may compensation exceed the available funding from the sponsored project.

Title 2 in the Code of Federal Regulations (2 CFR), subtitle A, chapter II, part 220 states that institutions must follow their own policies and salaries are to be consistent with those paid by the institution. http://www.whitehouse.gov/omb/circulars/a021/a21_2004.html

Commented [N6]: Again, why not? If the retired faculty member is showing 100% effort, then they will be expected by the granting agency to work the same number of hours as a full-time employee. I suspect that the issue is that full-time employees have to be offered benefits, but there must be some way to establish a full-time temporary position that does not involve benefits.

Commented [N7]: Will the contractor's income be taxed? Or will the contractor be responsible for paying taxes? If the latter, will their pay be raised in order to cover the taxes that they will owe? It seems that designating the retired faculty member as temporary faculty would

MEMORANDUM

To: PCC

From: Prof. Robert Kempton, Regents Professor of Chemistry, Emeritus

Re: NKU Policy on “Retired Faculty Participation on Sponsored Projects”

Please allow me to first give you some background. I retired from NKU in May, 2010. Since my retirement I have continued to engage in research year round to this day. For most of the past six years (and the 35 before that) I have had undergraduate research students working with me (I have none now). My current research has been supported by two NIH-AREA grants. Stefan Paula (who is now at Purdue) was PI and I was co-PI on both grants. In addition to supplies and student stipends the grants paid me stipends for the summers of '10-11 and '14-15. In addition to the NIH grants, in 2013 I submitted a proposal to the Senior Scientist Mentor program of the Dreyfus Foundation (http://www.dreyfus.org/awards/senior_scientist_mentor.shtml). I did not receive the award. The Camille and Henry Dreyfus Foundation was established in the 1940's by the two brothers who founded Celanese Corporation. It has several different types of grants, all supporting research in the chemical sciences. *The Senior Scientist Mentor program accepts proposals only from emeritus faculty working with undergraduates.*

Here are my comments about the policy:

Paragraph 1. The sentence beginning with “*In making its decision NKU must take into account ...*” This sentence presumably applies to all faculty (full-time, part-time, emeritus, tenure track, non-tenure track). Either remove it or add a statement saying that requests for space, resources, etc. from retired faculty will be evaluated the same way all other requests are evaluated (see Note).

Paragraph 2. “*Only full-time permanent faculty and staff may apply as primary investigators or project directors for sponsored projects at NKU.*” I plan on reapplying for the Dreyfus grant (*vide supra*). If this policy statement stands, neither I nor anyone else at NKU will be able to apply for a grant of this type. No rationale was presented for this policy change. It should be removed.

Paragraph 2. “*Full-time members of faculty may participate in a sponsored project beyond their retirement date, but upon that date the project must transition to a new full-time NKU Primary Investigator.*” This raises several questions:

- a. What happens if no other faculty member wants to assume the responsibilities of PI?
- b. What happens if no other faculty has the expertise to administer the grant?
- c. Assuming a new PI is found and the grant provides stipends, who gets them - the original, now retired PI, or the new PI?

Paragraph 5. *“A retired faculty member ... may be compensated ... as a contractor, but not as an employee.”* This statement has tax consequences. As a contractor, the emeritus faculty member will be required to pay, in addition to the normal income taxes, double payroll taxes (social security and Medicare taxes), amounting to 15.3% of the stipend rather than the normal 7.65% of the stipend that all employees pay. This double payroll tax burden comes in spite of the fact that many funding agencies, including NIH, provide the employer portion of the payroll taxes as part of the grant’s indirect costs. In the summers of 2010 and 2011 my NIH grant paid the employer’s portion of the payroll tax, as intended. In 2014, despite many efforts to change my status, I was paid as a contractor. In 2015, I did not have to pay double payroll taxes (long story).

A simple solution to the payroll tax issue appears to be at hand (Paragraph 2; last sentence). This policy should read that a retired faculty receiving a stipend from a funding agency that pays payroll taxes shall be given a temporary appointment (“credentialing”). A temporary appointment is obviously easy to do for the purpose of allowing the faculty member to mentor students. It will be just as easy for the purpose of allowing the funding agency to disburse indirect funds as intended.

Overall, this proposed document reads like a policy in search of a problem. I would be happy to meet with you &/or the policy committee, at your convenience.

Sincerely,

Bob Kempton

Note: When I retired I gave up my research space to the incoming faculty member taking my place (Lili Ma), and took over a small section of space in the research lab across the hall. I am there now. I also have a desk in the department’s part-time faculty office. These changes were approved by the Chemistry Department. No one else was involved.

MEMORANDUM

To: PCC

From: Prof. Ken Katkin, PCC Chair

Re: Proposed NKU Policy on “Retired Faculty Participation on Sponsored Projects”

Date: Aug 25, 2016

On Aug 15, 2016, NKU initiated a notice-and-comment proceeding to solicit comment on a proposed policy on “Retired Faculty Participation on Sponsored Projects.” If adopted as drafted, this policy would effectively downgrade the status of emeritus faculty members, and would make it harder for emeriti to being paid for work performed in furtherance of externally-funded research.

In this Memorandum, I raise several concerns about the proposal. Other PCC members may have other concerns, as well. After considering these and any other concerns raised by PCC members, PCC should consider whether it would like to file comments in this proceeding. These are my concerns:

- (1) Throughout the current draft policy proposal, emeritus faculty members are repeatedly and tendentiously referred to as “retired” or “former” faculty members. This word-choice disparages the status of emeritus faculty and misleadingly connotes that emeriti no longer hold rank, title, or affiliation with the university. In fact, the NKU Faculty Handbook makes clear 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). In order to avoid belittling our emeritus faculty, throughout the document the words “former” and “retired” should everywhere be replaced with the word “emeritus.”
- (2) The current draft policy creates ambiguity about the classification of faculty members going through phased retirement. Many such faculty members might carry less-than-full-time workloads during the phase period. Do such faculty members nonetheless qualify as "full-time" and “permanent” faculty members under this policy? Should they? Should a sentence be added to clarify that: “irrespective of teaching load, tenured faculty members undergoing phased retirement shall qualify as full-time permanent faculty members for purposes of this policy.”

- (3) The current draft policy proposal states that “[c]redentialing by the Office of the Provost is required if the [emeritus] faculty member supervises students who are receiving academic credit for the research experience.” It is not clear whether such credentialing is currently required when emeritus faculty members teach ordinary courses at NKU. Should PCC consider recommending that the same credentialing process that applies when emeritus faculty teach courses should also apply when emeritus faculty members supervise student research?
- (4) The current draft policy proposal states that when an emeritus faculty member seeks appointment as a senior research scientist/scholar on the sponsored project of a full-time faculty member at NKU, the emeritus faculty member “will be given the additional title of senior research scientist/scholar, to be held during the period of the sponsored.” Although the grant of an additional title seems unobjectionable, the perceived need for such a title might possibly reflect insufficient appreciation that the rank and title of emeritus professor would already be held by anyone affected by this policy. For that reason, perhaps this sentence should be amended to read:

When an emeritus faculty member seeks to participate in work on a sponsored research project at NKU, the emeritus faculty member will be given pre- and post-award administrative support and may also be given the additional title of senior research scientist/scholar, to be held during the period of the sponsored project. This designation requires the approval of the department chair, dean and Vice Provost for Graduate Education, Research, and Outreach.

These thoughts are offered as a starting point for PCC’s consideration of this issue.

Retired Faculty Participation on Sponsored Projects

| | |
|---------------------------------|---|
| Policy Number: | Reserved for future use |
| Policy Link: | |
| Responsible Official: | Provost |
| Responsible Office: | Provost |
| Effective date: | Click here to enter a date. |
| Next review date: | Click here to enter a date. |
| Supersedes policy dated: | N/A |
| Approved by: | Choose an item. |

I. Policy Statement

Several important considerations determine whether NKU will sponsor, totally or in part, retired faculty members' participation on sponsored projects, and whether it will authorize research appointments for retired faculty members. In making its decision NKU must take into account the contribution of the proposed research to the NKU community, its demand upon physical and administrative facilities, pre- and post-award administrative support, and its direct and indirect effects upon other research and programs of the university.

Only full-time permanent faculty and staff may apply as primary investigators or project directors for sponsored projects at NKU. Full-time members of faculty may participate in a sponsored project beyond their retirement date, but upon that date the project must transition to a new full-time NKU Primary Investigator. Once retired, a former faculty member may participate on a sponsored project as a Co-Primary Investigator or other personnel, subject to approval by the appropriate chair, dean, and Vice Provost for Graduate Education, Research, and Outreach. A retired faculty member serving as a Co-Primary Investigator on a sponsored project may supervise students with approval from the department chair and dean. Credentialing by the Office of the Provost is required if the retired faculty member supervises students who are receiving academic credit for the research experience.

At the discretion of the department chair and dean, and based on the availability of resources, retired faculty participating on sponsored projects may be provided office space, office support, mailing privileges, and laboratory space, when used for professional purposes in support of NKU's mission and the grant objectives.

When a retired faculty member seeks appointment as a senior research scientist/scholar on the sponsored project of a full-time faculty member at NKU, he/she will be given pre-and post-award administrative support and the additional title of senior research scientist/scholar, to be held during the period of the sponsored project. This designation requires the approval of the department chair, dean and Vice Provost for Graduate Education, Research, and Outreach.

A retired faculty member who is appointed as senior research scientist/scholar under the above conditions may be compensated for effort from the sponsored project on a part-time or full-time basis as a contractor, but not as an employee. The contractor rate will be set at the rate of compensation at the time of retirement, consistent with the OMB Circular A-21 guidelines (see below). Retired faculty may not work more than 30 hours/week. Fringe benefits will not be paid

to a contractor. In no case may compensation exceed the available funding from the sponsored project.

OMB Circular A-21, 10.d.(1)(e) states that institutions must follow their own policies and salaries are to be consistent with those paid by the institution.

http://www.whitehouse.gov/omb/circulars/a021/a21_2004.html

II. Entities Affected

Faculty, Deans, Provost, Office of Research, Grants & Contracts, Vice Provost for Graduate Education, Research and Outreach, Department Charis, Human Resources and Office of the Comptroller

III. Authority

Chair, Dean, Vice Provost for Graduate Education, Research and Outreach, and Provost

IV. Definitions

V. Responsibilities

Department Chairs, Deans, and Vice Provost for Graduate Education, Research and Outreach must approve requests. Credentialing requires approve by Provost if student supervision involved.

VI. Committee

VII. Procedures

VIII. Reporting Requirements

IX. Exceptions

X. Training

XI. Communications

References and Related Materials

References:
Related Policies:
Related Forms:
Revision History:

DRAFT

MEMORANDUM

To: PCC
From: Ken Katkin, PCC Chair
Re: Proposal For Biennial RPT Review
Date: January 12, 2017

At its meeting of Dec 1, 2016, PCC determined that RPT review should generally be changed from annual to biennial. At that time, PCC did not resolve whether informal intermediate annual review should be provided to some or all candidates at the departmental level. Nor did the PCC vote on any specific language of Faculty Handbook amendments that would be needed to implement any change from the current process. Accordingly, this Memorandum seeks to facilitate continued deliberation on these issues by providing language of possible draft handbook amendments that PCC might recommend.

Current Faculty Handbook

At present, Title 2 of the NKU Faculty Handbook (on “Contracts”) requires that RPT review must be annual. Specifically, Section 2.2 of the Faculty Handbook states that “Ordinarily an initial appointment will be for one year for all ranks. If a person is appointed to the faculty during an academic year, the term of his/her contract will end at the end of that academic year.” Similarly, for reappointment of probationary tenure-track assistant professors, Section 2.3.2 of the Faculty Handbook states that “Reappointments of an assistant professor will be for one-year terms, provided, however, that the total time in probationary appointments, including university-recognized credit for prior service, does not exceed seven years.” Section 2.5 of the Faculty Handbook then clarifies that upon expiration of each one-year term, a probationary tenure-track faculty member may not be reappointed for another term except via the ordinary RPT Process. Accordingly, RPT must take place each year for a probationary tenure-track faculty member to be reappointed to a subsequent one-year term. Finally, Section 2.5 implicitly reaffirms that RPT review must be annual for probationary tenure-track faculty members by conflating “contracts” with “years.” (“If a person does not receive tenure before the end of the sixth year of probationary contracts, including university-recognized credit for prior service, the seventh contract shall be a terminal contract.”). The pertinent handbook provisions, in full, currently read as follows:

2.2. INITIAL APPOINTMENT—PROBATIONARY

Ordinarily an initial appointment will be for one year for all ranks. If a person is appointed to the faculty during an academic year, the term of his/her contract will end at the end of that academic year.

2.3. REAPPOINTMENT—PROBATIONARY

2.3.1. INSTRUCTOR

An instructor who is reappointed shall receive a one-year contract, which may be renewed. No person shall hold the rank of instructor for more than seven years. If an instructor does not qualify for promotion before the end of his/her sixth year in rank, including any University-recognized credit for prior service, the contract for the seventh year shall be a terminal contract (see Section 2.5, Probationary Contracts). Non-tenure-track, renewable faculty holding the rank of instructor before the adoption of this Handbook (1994) may be reappointed at this rank beyond the seven year limit.

2.3.2. ASSISTANT PROFESSOR

Reappointments of an assistant professor will be for one-year terms, provided, however, that the total time in probationary appointments, including university-recognized credit for prior service, does not exceed seven years. If an assistant professor does not receive tenure before the end of the sixth year of probationary appointments, including university-recognized credit for prior service, the contract for the seventh year shall be a terminal contract (see Section 2.5, Probationary Contracts).

2.4. PART-TIME FACULTY

The term of employment for part-time (non-tenure-track or non-tenured) faculty shall not exceed one academic year.

2.5. PROBATIONARY CONTRACTS

Faculty who have probationary contracts do not have tenure. Reappointment to a probationary contract is conditioned upon successful performance and recommendation for reappointment as specified at Sections 3, Evaluation; 4, Reappointment; 5, Promotion; 6, Tenure, and 7, Appointment, Promotion and Tenure for Librarians. A person may not hold a probationary appointment for more than seven years, including university-recognized credit for prior service. If a person does not receive tenure before the end of the sixth year of probationary contracts, including university-recognized credit for prior service, the seventh contract shall be a terminal contract.

Proposed Amendments to Implement Biennial Review

To implement biennial review, the one-year terms in Sections 2.2 and 2.3.2 would need to be changed to two-year terms, and the language in Section 2.5 would need to be amended to clarify that a person who does not receive tenure by their sixth year shall receive a terminal contract in her seventh year, rather than in her seventh contract. (Because non-tenure-track instructors and part-time faculty members are not subject to RPT, Sections 2.3.1 and 2.4 would not need to be amended). Thus, to implement biennial RPT review, the following amendments to the 2016 Faculty Handbook would be needed:

- (1) On Faculty Handbook Page 24, Section 2.2, the phrase “one year” is replaced by the phrase “two years,” and the phrase “at the end of that academic year” is replaced by the phrase “at the end of the following academic year.”

- (2) On Faculty Handbook Page 24, Section 2.3.2, the phrase “one-year terms” is replaced by the phrase “two-year terms,” and the phrase “shall be a terminal contract” is replaced by the phrase “shall be a one-year terminal contract.”
- (3) On Faculty Handbook Page 25, Section 2.5, the phrase “the seventh contract shall be a terminal contract” is replaced by the phrase “the contract for the seventh year shall be a one-year terminal contract.”

If these amendments were made, the language quoted above would then read as follows:

2.2. INITIAL APPOINTMENT—PROBATIONARY

Ordinarily an initial appointment will be for **one-year two years** for all ranks. If a person is appointed to the faculty during an academic year, the term of his/her contract will end at the end of ~~that~~ **the following** academic year.

2.3. REAPPOINTMENT—PROBATIONARY

2.3.1. INSTRUCTOR

An instructor who is reappointed shall receive a one-year contract, which may be renewed. No person shall hold the rank of instructor for more than seven years. If an instructor does not qualify for promotion before the end of his/her sixth year in rank, including any University-recognized credit for prior service, the contract for the seventh year shall be a terminal contract (see Section 2.5, Probationary Contracts). Non-tenure-track, renewable faculty holding the rank of instructor before the adoption of this Handbook (1994) may be reappointed at this rank beyond the seven year limit.

2.3.2. ASSISTANT PROFESSOR

Reappointments of an assistant professor will be for **one-year two-year terms**, provided, however, that the total time in probationary appointments, including university-recognized credit for prior service, does not exceed seven years. If an assistant professor does not receive tenure before the end of the sixth year of probationary appointments, including university-recognized credit for prior service, the contract for the seventh year shall be a **one-year** terminal contract (see Section 2.5, Probationary Contracts).

2.4. PART-TIME FACULTY

The term of employment for part-time (non-tenure-track or non-tenured) faculty shall not exceed one academic year.

2.5. PROBATIONARY CONTRACTS

Faculty who have probationary contracts do not have tenure. Reappointment to a probationary contract is conditioned upon successful performance and recommendation for reappointment as specified at Sections 3, Evaluation; 4, Reappointment; 5, Promotion; 6, Tenure, and 7, Appointment, Promotion and Tenure for Librarians. A person may not hold a probationary appointment for more than seven years, including university-recognized credit for prior service. If a person does not receive tenure before the end of the sixth year of probationary contracts, including university-recognized credit for prior service, ~~the seventh contract~~ **the contract for the seventh year** shall be a **one-year** terminal contract.

ADDENDUM

Provost's Answers To PCC Questions About Biennial RPT

From: Sue Ott Rowlands
Sent: Thursday, January 19, 2017 6:51 PM
To: Kenneth Katkin <katkink@nku.edu>
Subject: Re: PCC Questions About Biennial RPT

Thanks, Ken. These are great questions. Please see my answers in ALL CAPS below. Sue

From: Kenneth Katkin <katkink@nku.edu>
Sent: Thursday, January 19, 2017 6:44 PM
Subject: PCC Questions About Biennial RPT
To: Sue Ott Rowlands <sottrowlands@nku.edu>

After you left today's PCC meeting, we took up the proposal to change the frequency of RPT from annual to biennial. While I had been optimistic that we might bring that proposal to a vote today, it got derailed by a few questions that some members were hoping to have answered before they vote. I am forwarding these questions to you, in hopes that you can address them, either at the next PCC meeting or by return email.

- (1) For untenured faculty members already in their second, third, or fourth tenure-track years now: would such faculty members have the option to continue with annual—rather than biennial—RPT review during the next three years, if they so chose? (This option was not contemplated in the language I drafted for PCC's consideration today, but some PCC members would like it to be available). YES, I COULD ISSUE A FORM TO ALL TENURE TRACK FACULTY ASKING THEM TO STATE THEIR PREFERENCE: 1) CONTINUE UNDER THE ANNUAL REVIEW PROCESS UP THROUGH THE 6TH YEAR TENURE REVIEW, 2) SWITCH TO THE BIENNIAL REVIEW SCHEDULE (WE WOULD NEED TO SPECIFY MANDATORY REVIEW YEARS FOR EACH FACULTY MEMBER CHOOSING THIS OPTION). THESE DECISIONS WOULD THEN BE COMMUNICATED TO CHAIRS AND DEANS AND PLACED IN THE FACULTY MEMBER'S OFFICIAL FILE.
- (2) In interim off-years, could departmental RPT Committees provide informal RPT review, which would not be forwarded to anyone other than the candidate? YES
- (3) If so, could department Chairs also provide informal RPT review to candidates in the off-years? YES
- (4) If so, could Deans also provide informal RPT review to candidates in off-years. YES
- (5) If any or all of the preceding three levels of informal interim RPT review were made available to candidates in off-years, would the language of the faculty handbook need to be amended to reflect these options, or, alternatively, could these options be drafted into departmental RPT guidelines (subject to your approval)? I WOULD RECOMMEND THE LATTER FOR SIMPLICITY SAKE.

MEMORANDUM

To: Ken Katkin, PCC Chair

From: Kirsten Schwarz (PCC Member). Co-sponsored by John Alberti, Sharmanthie Fernando, Yaw Frimpong-Mansoh, Miriam Kannan, Ihab Saad, Christopher Wilkey

Re: Statement of Solidarity – We Are NKU

Date: December 19, 2016

The faculty members listed above respectfully request that PCC consider recommending to Faculty Senate that the following resolution be adopted.

In accordance with Northern Kentucky University's core value of inclusiveness, NKU faculty and staff resolve to stand with all members of the NKU community, of all backgrounds, including: race, gender identity, sexual orientation, religion, immigration status, and national origin.

We are committed to providing all our students, faculty and staff with a safe and welcoming environment, and ensure their continued ability to thrive on our campus.

We condemn Islamophobia and acts of violence and bias against Muslims. We also condemn any similar actions against other groups and stand in support of those of all faiths, races, ethnicities, nationalities, gender expressions or sexual orientation. We will never tolerate acts of hate against any individual on our campus.

PCC Chair's Comments:

- There is a related "unafraid educators" pledge that all US academics—including NKU Faculty members—are welcome to sign. It's online at: <https://actionnetwork.org/forms/join-unafraid-educators-across-the-nation-during-national-educators-coming-out-day>.
- I think it might be helpful to add an expression of commitment to freedom of speech in the statement, just to make it clear that we are condemning discrimination, bias, violence, etc., but not condemning statements of political or religious opinion.