

Professional Concerns Committee Minutes for March 16, 2017

SU 109
3:15 pm

Members in Attendance: K. McErlane, S. Alexander, K. Ankem, K. Schwarz, K. Katkin, J. Farrar, S. Weiss, A. Watkins, B. Buckley, B. Mittal, M. Carrell, K. Sander, A. Miller, K. Fuegen, S. Nordheim, S. Neely, J. Hammons, T. Bonner, B. Zembrodt, J. Gilbert, S. Finke, B. Puente-Baldoceda

Members Not in Attendance: G. Newell, L. Wermeling, D. Dreese, Y. Kim, H. Ericksen, M. Torres

Guests: Provost Sue Ott Rowlands

1. Call to Order, Adoption of Agenda – Agenda was adopted unanimously.
2. Approval of Minutes from PCC Meeting of March 2, 2017 – Minutes were approved unanimously.
3. Chair's Report and Announcements –
 - Gerry St. Amand will be interim President
 - Early Childhood Center. The University is seeking an external partner for the ECC. The ECC will continue operations through July 2017, but after that its future is uncertain. The ECC recently has required a \$200,000 annual subvention from the university. But it provides essential benefits to faculty, staff, and students. The university may be placing too much emphasis on ECC's cost, and not enough benefit on the substantial benefits that it yields to the NKU community. Perhaps if someone else ran ECC, it could be cost-effective and high quality. If so, the perhaps NKU's decision to seek a partner might be beneficial. The Provost suggested that PCC invite NKU VP for Student Affairs Dan Nadler to discuss this issue. K. Katkin said he would invite Dr. Nadler to the April 6 PCC meeting.
4. Old Business
 - Voting Item: **Statement of Solidarity – Technical Amendments**

At its March 2 meeting, PCC approved a revised version of the Statement of Solidarity. Subsequently, however, on March 6, 2017, a second travel ban was announced via Executive Order 13780. Then, on March 9, 2017, NKU Staff Congress voted to endorse the statement. Accordingly, K. Katkin suggested that the approved statement be amended to reflect these developments. A motion was made to amend the statement previously approved. Motion seconded. All were in favor. The amended

version of the Statement of Solidarity was forwarded to Faculty Senate, and is appended to these Minutes.

5. New Business

- Voting Item: **Alternative Credentialing of Faculty, Policy Proposal**

The university has initiated a notice-and-comment proceeding to adopt a policy on credentialing faculty members to teach particular courses. We need to adopt such a written policy to comply with SACS accreditation standards. The Provost explained the proposed draft policy to the PCC. No PCC Member raised any objection to the policy proposal. No PCC Member proposed any amendments. Accordingly, no votes were taken. K. Katkin informed the Provost that PCC had no objection to the proposed policy and would not make any recommendation to Faculty Senate.

- Discussion Item: **Research Data Management, Policy Proposal**

The University has initiated a notice-and-comment proceeding to adopt a policy on research data management. The draft policy proposal is dense and poorly written. It defines terms of art (such as “exceptional university support”) that are not used anywhere in the document. Various PCC Members expressed concern that, if adopted, the draft policy would impose a list of new administrative burdens on faculty members that would be: (1) lengthy; (2) unclear in meaning and application; (3) possibly unnecessarily burdensome to comply with; and (4) pose traps for unwary faculty members to get into trouble.

The Provost suggested the following administrators be invited to discuss the proposal with PCC: NKU Chief Information Officer Tim Ferguson; NKU Archivist and Associate Professor Lois Hamill; and NKU Vice Provost for Graduate Education, Research and Outreach Samantha Langley-Turnbaugh. A PCC Member suggested that if Tim Ferguson were to come, PCC should take the opportunity to also discuss problems with the Information Security Policy with him, as well.

K. Katkin said he would look into inviting some of these administrators to PCC. But he admonished that what really is needed is a document that provides a simple (but complete) summary of faculty responsibilities under the policy. Ideally, this checklist should indicate which of these responsibilities are already imposed by existing NKU policy (or by law), and which would be new under the policy. Such a checklist would facilitate structured PCC discussion of the proposal, and also would facilitate faculty compliance with the policy after it is adopted.

- Discussion Item: **Faculty Recruitment Procedures – Ranking of Candidates:**

A year ago, on April 7, 2016, PCC voted to recommend to the Provost:

That Paragraph Nine of the “Faculty Recruitment Procedures” document issued by the Provost’s Office be amended to include the following language:

The faculty search committee will send the list of final candidates to the next appropriate level in ranked order of acceptable or non-acceptable with rationale. If at any level of the decision process there is a deviation from the search committee's preference, that level should provide a rationale and meet with the search committee before any offer of employment is made.

A PCC Member requested that the PCC follow up on this recommendation. In response, the Provost stated that the administration does not want to receive a ranked list. Instead, it wants to receive descriptions of the strengths and weaknesses of each candidate. However, she also stated that if a chair deviates from the recommendations of the search committee, the chair must meet with the search committee before s/he moves forward. A PCC Member noted that there is no way to determine whether the chair has deviated from the recommendations of the search committee if the candidates are unranked.

The Provost stated that the problem with ranking is that it takes the authority away from the chair, who is the one with the hiring authority. In response, K. Katkin noted that under the NKU Statement of Collegial Governance, it is faculty bodies—not administrators—that have primary responsibility for making recommendations over academic personnel decisions and academic personnel policies, “and their recommendations should be implemented except for compelling reasons . . . [that] should be clearly stated in writing.”

The Provost acknowledged that if at any level there is a disagreement, there should be a discussion. Dean approves the chair's decision. The Provost signs the letter. The Provost said she will consider revising the faculty recruitment procedures document to remove any references to whether the faculty committee should, or should not, rank the candidates. She noted that different guidelines apply to the appointment of a Chair.

- **Discussion Item: Performance Review Process During Faculty Leaves:**

A faculty member requested that PCC consider recommending that faculty members on medical leave should be allowed to postpone or skip the annual performance review process during the pendency of their leave. This issue is not addressed in the faculty handbook now. The PCC and the Provost discussed the issue. The Provost stated that under current budgeting processes, she was concerned that a delay in the annual performance review may cause a delay in any merit raise awarded. K. Katkin said he would bring some draft handbook language to a near-future meeting. This language would create the possibility of a delay at the faculty member's election, but would not address the issue of merit pay increases. Merit pay increases are not addressed in the handbook at present.

- **Discussion Item: Voter Registration In Kentucky**

Face-to-face approach is most effective method.

Adjourned – 4:50pm

MEMORANDUM

To: Faculty Senate
From: PCC
Re: Revised "Statement of Solidarity – We Are NKU"
Date: March 16, 2017

The PCC unanimously recommends that Faculty Senate adopt the following resolution:

On January 27, 2017 and March 6, 2017, by Executive Orders 13769 and 13780, the US government sought to suspend entry into the United States by nationals of six Muslim-majority nations, and to bar entry by Syrian refugees. These Executive Orders would bar entry of students, faculty and staff members, or visiting scholars and researchers from any of the named countries.

As a public institution committed to promoting the free and open expression of diverse perspectives and opinions, Northern Kentucky University ordinarily does not—and should not—adopt particular positions on contested political issues. However, as recently noted by [President Lee Bollinger of Columbia University](#), "it is also true that the University, as an institution in the society, must step forward to object when policies and state action conflict with its fundamental values, and especially when they bespeak purposes and a mentality that are at odds with our basic mission." [Bard College President Leon Botstein](#) has similarly called upon "[t]he presidents of our colleges and universities [to] defend the principles that have enabled institutions of higher education to flourish. These are freedom and tolerance, and openness to individuals no matter their national origin or religion."

On behalf of the General Faculty and Staff of Northern Kentucky University, the Faculty Senate and Staff Congress resolve that the travel ban contemplated by Executive Orders 13769 and 13780 conflicts with our university's institutional values and is at odds with our basic mission. The [NKU Fuel The Flame \(2013-18\)](#) document, which sets forth our mission and values, identifies a key component of our mission as "preparing outstanding graduates for a global society." To achieve this objective, we "promote a culture that fosters and celebrates . . . inclusiveness, diversity, and global awareness in all dimensions of our work." We believe that "[d]iversity, inclusion, and equity are key components to achieving excellence." To attain our primary goal of Student Success, we employ the following means to promote inclusive excellence and global awareness:

- Infuse global and multicultural perspectives into the curriculum and co-curricular programs;
- Increase diversity among the students, faculty, and staff;
- Expand international educational experiences; and
- Grow international student enrollment.

The same themes of inclusion and non-discrimination are echoed in other policy documents at NKU. The [NKU Values & Ethical Responsibilities Statement \(2016\)](#), for example, reaffirms that “NKU is committed to tolerance, inclusion and respect for others, regardless of differences, [and] . . . seeks to foster positive campus change through greater diversity, equity, inclusion and accountability.” The same Statement also clarifies that “Northern Kentucky University does not discriminate based on national origin, race, color, age, gender, gender identity, gender expression, sexual orientation, religion, physical or mental disability, genetic information, pregnancy, and Uniform Service or veteran status. . . .” Similar statements appear in Section 16.11 of our [NKU FACULTY POLICIES AND PROCEDURES HANDBOOK](#); in the [NKU Harassment Avoidance Policy \(2012\)](#); and in the [NKU Affirmative Action/Equal Opportunity Policy \(PDF\)](#). On January 31, NKU President Geoffrey Mearns publicly reaffirmed our own university’s commitment to these long-held values and strategies.

Faculty bodies and staff and administrators at many American universities have decried the travel ban for undermining the continuing commitment of American academia to remain open to the international exchange of people and ideas. Speaking on behalf of more than 600 universities, the [American Council on Education \(ACE\)](#) recently proclaimed that “[i]nternational exchange is a core value and strength of American higher education. Moreover, our nation’s welcoming stance to scholars and scientists has benefited the U.S. through goodwill and a long history of scientific and technological advances that have been essential to the economic growth our country has experienced for decades.” More pointedly, [the Association of American Universities \(AAU\)](#), on behalf of 62 leading research universities, recently “urged the Administration, as soon as possible, to make clear to the world that the United States continues to welcome the most talented individuals from all countries to study, teach, and carry out research and scholarship at our universities.”

In temporarily enjoining implementation of Executive Order 13769, the U.S. Court of Appeals noted that “the teaching and research missions of [public] universities are harmed by the Executive Order’s effect on their faculty and students who are nationals of the seven affected countries. These students and faculty cannot travel for research, academic collaboration, or for personal reasons, and their families abroad cannot visit. Some have been stranded outside the country, unable to return to the universities at all. The schools cannot consider attractive student candidates and cannot hire faculty from the seven affected countries, which they have done in the past. . . . [Public universities] have a mission of “global engagement” and rely on such visiting students, scholars, and faculty to advance their educational goals.”

RESOLUTION

Today, in accordance with Northern Kentucky University's core values of inclusiveness and nondiscrimination, 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 all acts of violence and bias against any religion or immigration status, and stand in support of those of all faiths, belief systems, races, ethnicities, nationalities, political affiliations, gender expressions, or sexual orientation. In so doing, we reaffirm our deep commitment to the freedom of speech of all community members, including the freedom to express political or religious opinions of all varieties. We also resolve, however, never to tolerate acts of discrimination, violence, bias, or hate against any individual member of our university community.