

Professional Concerns Committee Agenda for April 19, 2018

SU 109
3:15 pm

1. Call to Order, Adoption of Agenda
2. Approval of Minutes from PCC Meeting of April 5, 2018
3. Chair's Report and Announcements
4. Old Business
 - Discussion item: Appointment of Administrators With Academic Rank – Proposed Faculty Handbook Amendments (1 attachment)
 - Discussion item: State Legislation To Weaken Tenure Protection (3 attachments)
 - Information Item: "Business School Ethical Dilemma" article (1 attachment)
5. New Business
 - Discussion item: Communicable Disease Policy (proposal) (1 attachment)
 - Discussion item: Web Privacy (proposal) (1 attachment)
6. Adjournment

McDaniel Amendment To Gut Tenure Protections

Final Enacted Text of **Ky. HB 200, Part III, ¶ 27**, *as amended in Free Conference Committee Report (April 2, 2018) and enacted over Governor's veto (April 13, 2018)*

8 **27. Faculty Employment:** Notwithstanding KRS 164.230 and 164.360, each Board of
9 Regents or Board of Trustees of a state-funded university or the Kentucky Community and
10 Technical College System may reduce the number of faculty, including tenured faculty, when the
11 reduction is a result of the Board discontinuing or modifying an academic program upon
12 determining that program changes are in the university's or college's best interest due to low
13 enrollment, financial feasibility, budgetary constraints, or declaration of financial exigency.

14 Notwithstanding KRS 164.230 and 164.360, when a faculty reduction occurs pursuant to
15 this section, the board shall provide ten days' notice in writing to the faculty member or members
16 being removed as a result of the reduction stating the Board's reasoning. The provisions of this
17 section supersede any and all policies governing the faculty employment approved by a Board of
18 Regents or Board of Trustees.

April 10, 2018

Via Email: Nancy.McKenney@eku.edu

Dr. Nancy McKenney
President
KY Conference of the AAUP

Dear Dr. McKenney:

Given recent budget reductions and difficult decisions which need to be made, it is imperative that we maintain our commitment to academic freedom and processes within Murray State University.

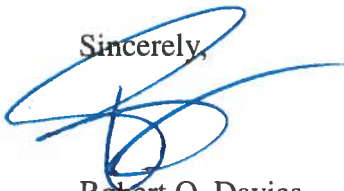
As per your email note, it is my understanding that the Kentucky Conference of the American Association of University Professors developed the endorsement below, based on a statement provided by President Eli Capiluto from University of Kentucky, in support of tenure and due process for faculty. As President of Murray State University, I fully endorse the spirit and intent of the following statement:

The Biennial Budget includes language stating that tenure may be disregarded in cases of financial exigency. Our existing University policies provide a process for removal of faculty and we will abide by the due process requirements of our policies as they currently stand. If any changes are to be made in our policies, the administration and the faculty, including the Faculty Senate, will work together to develop those changes, all of which would require review and approval by our Board of Regents.

We pledge to maintain our commitment to academic freedom and we will ensure that faculty tenure and retention policies and procedures are transparent and fair, retaining and providing all due process as required by state and federal statutes and the Constitution. Tenure is a vital element in the search for truth and it is interwoven into the fabric of our University's work to create and expand knowledge, educate our students and improve lives in Kentucky and beyond. Our University policies and procedures will continue to embrace that understanding.

Thank you.

Sincerely,



Robert O. Davies
President

<http://www.kyforward.com/university-kentucky-biennial-budget-net-reduction-3-saving-university-press-path-forward/>



University of Kentucky: On Biennial Budget — net reduction 3%, saving University Press, ‘path forward’

Apr 4th, 2018

Dear Campus Community,

On Monday evening, the General Assembly passed a Biennial Budget that now goes to the Governor for his review. For the 2018-19 fiscal year, the state budget includes a reduction of \$16 million in our base appropriation but does provide a performance funding pool of \$31 million for postsecondary education institutions.

We likely will receive between \$8 million to \$10 million from this pool, which will yield a net reduction in our base appropriation of approximately three percent.

The Biennial Budget retains funding for essential mandated programs across our campus. The budget proposal also includes \$20 million of state bonds in each of the next two years to provide substantial support for the research we do that aims to treat and solve the health maladies that too many Kentuckians face through too much of their lives.

This substantial investment in our research enterprise (and the confidence in and commitment to our work it represents) will allow us to better leverage our new research building to be opened in August 2018 and the federal government’s expanding financial investment in health-related research.

The General Assembly has chosen not to fund the University Press of Kentucky. We received \$672,000 in the current fiscal year; and we will be working with our partner institutions to identify ways to sustain the financial viability of the Press over the long term.

Additionally, the General Assembly has chosen to no longer fund the annual appropriation of \$1,053,000 to UK HealthCare for hospital direct support.

The Biennial Budget also includes language regarding tenure and how colleges may respond to financial exigencies. The University of Kentucky's administration has been clear throughout the budget negotiations in Frankfort that our Governing Regulations provide a process for the removal of faculty and we will abide by the due process requirements of our Governing Regulations and the Constitution. If the current language remains intact, we will determine whether changes to our Governing Regulations are required. If so, the administration and faculty leadership, including the University Senate, will work together to develop changes to the Governing Regulations that would require review and approval by our Board of Trustees. Any changes will maintain our long-shared commitment to academic freedom; and we will ensure that our faculty tenure and retention policies and procedures are transparent and fair, retaining and providing all due process as required by state and federal statutes and the Constitution. Tenure is a vital element in the search for truth and interwoven into the fabric of our University's work to create and expand knowledge; educate our students; and improve lives in Kentucky and beyond. Our Governing Regulations will continue to embrace that fundamental understanding.

The budget passed today makes all the more urgent the work we are doing together to develop a financial strategy that will position our campus for success over the long term. This initiative – known as “Our Path Forward” – represents our intention to take even greater control of our financial future, not by cutting programs and reducing payroll, but by methodically and objectively reviewing how we do our current work more effectively and how we seek new areas of growth and opportunity. This effort has generated input throughout the campus and is led by a series of workgroups that include faculty, staff, and students. We will continue to provide updates and seek feedback from the campus as we go forward together.

Eli Capilouto
President

David Blackwell
Provost

Katherine McCormick
Senate Council Chair

MEMORANDUM

To: PCC

From: K. Katkin, Chair

Re: Appointment of Administrators With Faculty Rank: Proposed Faculty Handbook Amendments

Date: April 19, 2018

At our PCC Meeting of April 5, 2019, we discussed the need for Faculty Senate to recommend amendments to the NKU Faculty Handbook that would ensure that external candidates who are hired into the university as full-time administrators with faculty rank (and sometimes tenure) be properly vetted to ensure that their academic qualifications are commensurate with the faculty rank they seek to obtain. On the following pages, I set forth a set of proposed amendments that are intended to accomplish that goal. These amendments would affect Sections 1.8, 1.9, and 2.10 of the current NKU Faculty Handbook, and would cross-reference (but not amend) Sections 1,2, 3, 5, and 16.12. For each of the three Sections that I propose to amend, in this Memorandum I set forth the current text of the Section, followed by the proposed amended version (with the proposed amendments underlined).

Current Text of Section 1.8:

1.8. ADMINISTRATORS WITH FACULTY RANK

1.8.1. FULL-TIME ADMINISTRATORS WITH ACADEMIC RANK

Full-time administrators with academic rank are members of the University administration who hold faculty rank in probationary or tenured positions. Such persons may be assigned teaching responsibilities. This provision is intended to encompass high-level administrators, e.g. the President, vice presidents, deans, and other similarly situated persons.

Proposed Amended Text of Section 1.8:

1.8. ADMINISTRATORS WITH FACULTY RANK

1.8.1. FULL-TIME ADMINISTRATORS WITH ACADEMIC RANK

Full-time administrators with academic rank are members of the University administration who hold faculty rank in probationary or tenured positions. Such persons may be assigned teaching responsibilities. This provision is intended to encompass high-level administrators, e.g. the President, vice presidents, deans, and other similarly situated persons.

The initial appointment of full-time administrators with academic rank shall be at the academic rank appropriate for the qualifications presented. Qualifications for academic rank shall be evaluated according to the criteria set forth in Sections 3 and 5 of this Handbook and the applicable departmental guidelines promulgated under Section 3.1 of this Handbook. These qualifications apply to promotion in rank (see Section 1.9 Qualifications For Appointment To Rank. See also Section 16.12. Appropriate Terminal Degrees for Faculty).

Current Text of Section 1.9:

1.9. QUALIFICATIONS FOR APPOINTMENT TO RANK

The initial appointment of faculty shall be at the rank appropriate for the qualifications presented. These qualifications apply to promotion in rank (see Section 16.12. Appropriate Terminal Degrees for Faculty).

Proposed Amended Text of Section 1.8:

1.9. QUALIFICATIONS FOR APPOINTMENT TO RANK

The initial appointment of faculty, *including full-time administrators with academic rank*, shall be at the rank appropriate for the qualifications presented. These qualifications apply to promotion in rank (see Section 16.12. Appropriate Terminal Degrees for Faculty).

Current Text of Section 2.10:

2.10. FACULTY RECRUITMENT AND APPOINTMENT

The Office of the Provost annually issues updated faculty hiring guidelines. These guidelines, along with periodic training sessions, serve to standardize procedures for faculty hiring. The provisions of this Handbook govern all appointments of faculty. (See, e.g. Section 1, Definitions of Faculty Status, and Section 2, Faculty Appointments; and Section 16.12, Appropriate Terminal Degrees for Faculty.)

The decision to award credit for prior service will be negotiated at the time of the initial appointment between the candidate and the department chair in consultation with the department's Reappointment, Promotion, and Tenure Committee. All recommendations for prior service must receive approval of both the appropriate dean and the Provost, and must be transmitted in writing to all of the affected parties: candidate, department chair, RP&T Committee, appropriate dean, and the provost. Credit for prior service in a full-time, tenure-track appointment in the rank of instructor, assistant professor, or associate professor at an accredited, four-year institution of higher learning may be counted toward the normal six-year probationary period. The awarding of prior service does not alter the schedule of non-renewal: regardless of the amount of prior service awarded toward tenure, faculty members with two or fewer years of service at NKU are subject to the non-renewal schedule stated in Part One, Section 3.2. However, if circumstances warrant, the candidate may request in writing a renegotiation of credit for prior service. This request must be made within the first two years of the candidate's initial appointment and would require the recommendation of the RPT Committee, chair and dean and the approval of the provost.

Proposed Amended Text of Section 2.10:

2.10. FACULTY RECRUITMENT AND APPOINTMENT

The Office of the Provost annually issues updated faculty hiring guidelines. These guidelines, along with periodic training sessions, serve to standardize procedures for faculty hiring. The provisions of this Handbook govern all appointments of faculty, *including appointments of administrators with academic rank*. (See, e.g. Section 1, Definitions of Faculty Status, and Section 2, Faculty Appointments; and Section 16.12, Appropriate Terminal Degrees for Faculty.)

The decision to award credit for prior service will be negotiated at the time of the initial appointment between the candidate and the department chair in consultation with the department's Reappointment, Promotion, and Tenure Committee. All recommendations for prior service must receive approval of both the appropriate dean and the Provost, and must be transmitted in writing to all of the affected parties: candidate, department chair, RP&T Committee, appropriate dean, and the provost. Credit for prior service in a full-time, tenure-track appointment in the rank of instructor, assistant professor, or associate professor at an accredited, four-year institution of higher learning may be counted toward the

normal six-year probationary period. The awarding of prior service does not alter the schedule of non-renewal: regardless of the amount of prior service awarded toward tenure, faculty members with two or fewer years of service at NKU are subject to the non-renewal schedule stated in Part One, Section 3.2. However, if circumstances warrant, the candidate may request in writing a renegotiation of credit for prior service. This request must be made within the first two years of the candidate's initial appointment and would require the recommendation of the RPT Committee, chair and dean and the approval of the provost.

In the case of appointment of an administrator with academic rank, the decision to award academic rank and/or tenure will be negotiated at the time of the initial appointment between the candidate and the applicable department chair in consultation with the department's Reappointment, Promotion, and Tenure Committee. All recommendations for academic rank and/or tenure must receive approval of both the appropriate dean and the Provost, and must be transmitted in writing to all of the affected parties: candidate, department chair, RP&T Committee, appropriate dean, and the provost.



Business School Ethical Dilemma: A Case Study

Michael R. Carrell, Northern Kentucky University
Sara Sidebottom, Northern Kentucky University

Abstract

The Dean of an AACSB accredited College of Business received a written complaint from a department Chair concerning the potential research misconduct of five tenured faculty within the College. The potential misconduct included six peer-reviewed papers. Over the next eighteen months, four faculty committees and three top University administrators reviewed the case and all unanimously agreed that a substantial number of published works had been either plagiarized, or were the result of data manipulation or data falsification. All of the faculty involved were represented by legal counsel. The University Provost, in the middle of a semester, after reviewing the case placed three faculty on paid leave and one resigned. Eventually all five faculty resigned, were terminated or retired. The university was applauded by AACSB and other university administrators for how it handled the case. To hopefully enable others to avoid potential pitfalls in similar investigations, the authors offer ten "lessons learned" at the conclusion of the case.

Introduction

On February 6, 2002, the interim chair of the Department of Economics, Finance and Information Systems (EFIS) at Northern Kentucky University filed a written complaint with College of Business dean. The memorandum simply stated: "There appears to be the possi-



bility of research misconduct in the attached research papers. According to the *NKU Faculty Policies and Procedures Handbook*, I am forwarding them to you for your review." All six papers were multiple-authored, and had been included in the annual reports of faculty in the department in 2000 or 2001. Five of the authors were tenured faculty in the EFIS department, and two were husband and wife. The wife, Dr. Jane Doe*, and her husband, Dr. John Doe*, at the time were the only tenured, finance faculty in the College, and Dr. Jane Doe had recently completed a four-year term as department chair. Dr. Victor Blake* had received tenure within the past year and was appointed Chair of the Department of Finance. The former EFIS department had been divided into three departments, economics, finance and information systems at the start of the 2001-02 academic year. The other two authors were Dr. Charles Smith* and Dr. William Brown*, both tenured Associate Professors of economics within the former EFIS department. In addition, Dr. Smith had served as the Chair of the EFIS department Reappointment, Promotion and Tenure (RPT) Committee at the time Dr. Blake was awarded tenure. Two of the six papers in question included two co-authors who were Assistant Professors of finance in the former EFIS department, but had left the University at the time the complaint was filed. (* = not real name)

The interim chair had previously presented the six papers to the dean with a verbal request that he review them for possible research misconduct. After his initial review, the dean consulted the University's Legal Counsel who subsequently advised him to carefully follow the *NKU Faculty Policies and Procedures Handbook* given the serious nature of the issue. The Handbook, Part II, Section VIII, Scientific/Research Misconduct provides a process to investigate potential research misconduct, in response to a written complaint. Thus the dean advised the interim chair that, according to Section VIII of the Faculty Policies and Procedures



Handbook, for him to take action, she needed to submit her complaint in writing. The interim chair, after contemplating the potential consequences of implicating five colleagues who were tenured faculty within her department, filed the written memorandum with the dean a few days later. Upon receiving the written complaint, the dean carefully reviewed the six papers and advised NKU Provost and Vice President for Academic Affairs of the situation. After again consulting with University Legal Counsel, the dean, in accordance with the *NKU Faculty Policies and Procedures Handbook*, appointed a Preliminary Hearing Committee.

The Preliminary Hearing Committee

Upon receipt of a written complaint, the Faculty Handbook provides the dean the option of conducting an investigation into research misconduct alone or as part of a three-member panel. The dean given the number of faculty involved, the number of papers involved, and the seriousness of the complaint, decided to appoint a three-member panel as the Preliminary Investigative Committee which include himself, the former College of Business dean and a highly respected tenured faculty member in the NKU College of Law.

The Preliminary Hearing Committee members each read the six papers in question and decided that the substantial duplication of whole paragraphs and failure to properly cite earlier works raised serious questions that could only be answered by the authors. Thus, the Committee decided to ask questions of each author, and to minimize discussion among the authors, they were required to report to a conference room one at a time. Each one was scheduled immediately following the other, starting with the one whose name appeared on all six papers, followed by the one whose name appeared as the second most on the papers, etc.



The faculty were not told in advance why they had been summoned to the conference room. At the start of each hearing, the faculty member was asked if they were familiar with the papers (which they were handed), what exactly, was their contribution to each paper in which they were listed as a co-author, and could they explain the obvious duplication of material (the interim chair had color-coded duplicated parts.) At this point, the committee members generally believed that while substantial in volume, the research misconduct mostly consisted of failing to properly cite earlier work and sloppy, careless work that led to duplicated material, perhaps by only one or two of the five faculty. The first faculty member to testify, however, substantially altered the entire scope and nature of the investigation.

Dr. Victor Blake testified that he, and he alone, had written all six papers. However, he further explained that the papers were substantially duplicated works stemming from only one or two data sets, and that there existed several more mostly falsified and duplicated papers dating back to the year he was hired, 1995. The reason for this pattern of research misconduct over several years, he informed the Committee, was due to the direct pressure that his Chair, Dr. Jane Doe, and her husband, Dr. John Doe, put on him as a junior non-tenured faculty member to create new papers by “re-treading” old ones which they gave him. The Does pointed out repeatedly that they controlled his tenure decision because Dr. Jane Doe was chair and Dr. John Doe sat on and controlled the RPT Committee which also contained the two economics faculty members who were co-authors on some of the six papers. In addition, Dr. Blake testified that the general practice was for Dr. John Doe to give him an old paper, tell him what minor changes to make such as the title, names of variables, and sub-headings and where to submit the “revised” work. In particular, Dr. John Doe told him that he (Dr. John Doe) would decide



what names would be listed as authors, and in what order. The Committee, stunned by the testimony of Dr. Victor Blake, asked why he decided to tell them the whole story. His response was that he just could not live with it any longer and that he wanted to tell the whole truth no matter what the consequences might include.

The second faculty member to testify was Dr. John Doe. His responses to the questions were also somewhat surprising because he generally replied that he had not carefully read them (even though he was listed as a co-author), and that his only contributions had been to discuss them "in concept" with Drs. Jane Doe and Victor Blake. He contended that such limited involvement was typical for a "senior faculty" member when working with a junior faculty member. Dr. John Doe indicated that he was unaware of any improper duplication of material or failure to reference earlier papers. The third faculty member to testify, Dr. Jane Doe, generally gave the same responses her husband had provided. The Committee had not been able to keep the two of them from meeting in his office before she testified, and thus, were not surprised when they provided similar answers. One highly unusual aspect of her testimony came after she left the room. Several minutes later, as the next faculty member was ready to testify, she returned to the room to pick up her purse, which she had hidden under the conference table. At the start of her testimony she had placed a cassette tape recorder on the table and asked permission to tape the hearing. The Committee denied her request and she placed the recorder in her purse which was under the table. After she retrieved her purse, the Committee members speculated that she had intentionally left it in the room to record their discussion of her testimony after she left the room.

The fourth and fifth faculty to testify, Drs. William Brown and Charles Smith, gave different accounts



of their involvement. Each was only listed as a co-author on one of the six papers and each contended that they had been given specific tasks to perform as their contribution. Dr. Brown, however, noted that none of his input appeared in the final version of the paper, which he had presented at a meeting.

The dean, in a March 7, 2002 memorandum to the provost and all of the accused faculty, reported the Preliminary Investigative Committee found sufficient evidence of research misconduct to warrant a formal investigation. The memo cited:

1. papers with duplicated paragraphs of background material and methodology, but different data sets; and/or
2. a reporting issue due to the failure in some papers to reference the earlier paper and thus give proper credit.

In addition, due to the testimony received in the hearing, the committee listed other serious concerns:

3. the practice of senior faculty putting pressure on junior faculty to add their names to work when they contributed little or nothing.
4. faculty submitting those works in their annual reports

The Ad Hoc Investigative Committee

The *NKU Faculty Policies and Procedures Handbook* provides that if a Preliminary Investigative Committee finds sufficient evidence of research misconduct, the dean shall appoint an Ad Hoc Investigative Committee to conduct a thorough investigation. The March 7, 2002 memorandum by the Preliminary Investigative Committee noted that sufficient evidence of research misconduct and other misconduct did exist, and thus the dean, after consulting with University General Counsel, and the provost, appointed three tenured and highly respected faculty to the Committee: a professor of Mathematics, a professor of Chemistry, and the De-



partment of Management and Marketing chair. The dean in accordance with the *NKU Faculty Policies and Procedures Handbook*, required the Committee members sign a confidentiality agreement which required them to keep the investigation private. The investigation took nine months to complete but its existence remained unknown within the University (except for those directly involved) due largely to the confidentiality agreement and the decision by legal counsel to have documents printed after normal business hours by a few University personnel who were sworn to secrecy. These efforts protected the University from potential future lawsuits that might claim breach of contract (faculty rights as provided in the *NKU Faculty Policies and Procedures Handbook*), defamation, on violation of due process. In similar situations, such lawsuits have been filed against other universities (Billings, 2004).

The Ad Hoc Investigative Committee, over a period of nine months, (March 2003 - December 2003) reviewed the six papers submitted by the interim chair. Since the issue of duplication of material from earlier papers was a major issue of concern, the Committee decided to seek other works authored or co-authored by the faculty involved as far back as 1995, the year Dr. Victor Blake joined NKU, and by his admission, the year the activity began. Copies of other previously submitted works were obtained from the Office of the Dean, which maintained copies of all research works included in the annual reports of faculty. In a few cases, copies of paper presentations were missing from faculty files. At the request of the Investigative Committee, the dean was able to locate copies of missing papers from faculty at other universities who had attended the conferences. In total, the committee identified and investigated twenty-three papers that were published between 1995 and 2001, each co-authored by two or more NKU faculty in the same department. The papers were published in only six different proceedings or journals: 8 in Proceedings of Southeast Chapter of INFORMS Annual Meeting, and 5 in the Midwest Review



of Finance and Insurance. Four of the papers were present at meetings, but were not published (Kearns, 2002).

The Investigative Committee was faced with an extremely difficult and complex task. In comparison to most plagiarism cases involving one or two authors, the Committee uncovered twenty-three works each with multiple authors. In addition to the issues of potential plagiarism, falsification, and failure to reference other works, the Committee also had the issue of senior faculty pressuring junior faculty submitting those works on their annual reports.

Of the twenty-three papers investigated, Dr. Victor Blake was listed as an author on all twenty-three; Dr. John Doe on 17; Dr. Jane Doe on 17; Dr. W. Brown on 5; Dr. C. Smith on 2; and two former faculty, Dr. Dean Kiefer on 6 and Dr. Jackson Vaughn* on one. The Committee limited its investigation to three areas of research misconduct included in the *NKU Faculty Policies and Procedures Handbook* (Kearns, 2002).

- Fabrication or falsification of research results.
- Serious deviation from accepted practices, in the form of redundant or duplicate publications and the failure to cite previous papers.
- Plagiarism in the form of falsely claimed authorship on plagiarized material.

All of the five faculty involved in the investigation hired attorneys to represent them. The lawyers frequently “stonewalled” the Investigative Committee, potentially to frustrate or extend the process. The *NKU Faculty Policy and Procedures Handbook* allows the faculty to be represented by attorney. The Committee interpreted this provision to mean the attorneys could only advise their clients, and not subpoena or cross examine witnesses at the hearings. The faculty attorneys were allowed, however, to require that all Committee request for documents be channeled



through them, and thus, they were able to prolong the investigation (Billings, 2004).

Although the term 'plagiarism' was included in the *NKU Faculty Policy and Procedures Handbook*, it was not exactly defined. In fact, the definition and meaning of the word plagiarism is not clear because the courts use the term interchangeably with copyright infringement. In essence, plagiarism is the "passing off of another's idea as one's own", generally without proper attribution, and most commonly, only in an issue in university settings. Plagiarism is not a crime, but often is prohibited by policy at most universities and can result in serious consequences, including, for faculty, the loss of employment, or in the case of students, a failing grade or expulsion (Billings, 2004).

The Investigative Committee, given limited definition or explanation of research misconduct in the *NKU Faculty Policies and Procedures Handbook*, took time to research the issues of plagiarism and falsification of duplication of publications and referenced their findings in the final report. It noted, for example, that two of the journals in which some of the 23 papers were published had explicit policies about duplicate or redundant publications which generally provide that by submitting a paper for review the authors certify that the work has not previously been published, accepted for publication, presented or submitted elsewhere. The Investigative Committee posited that these were generally accepted expectations of academic submissions. The Committee also defined two forms of plagiarism: (1) material that is copied verbatim or approximately copied without citation; and (2) "ghost" authorship, or when a person attaches his/her name to a work knowing they have not made a significant contribution to the framing, design, data collection or analysis, literature review or interpretation of the results of the research. The Committee wisely noted that authorship of academic research brings certain



privileges and benefits including recognition, salary increases, tenure and promotion considerations, and in the case of the NKU College of Business, a reduced teaching load under an "Active Scholar Policy". Thus, the Committee reasoned, authorship also brings certain responsibilities including significant contribution to the work and verification of its content (Kearns, 2002).

The Investigative Committee held thirteen interviews or formal hearings with the five faculty involved and reviewed 23 published papers as well as several binders of additional evidence submitted by the faculty. The general findings of the Committee included 28 examples of "deceitful duplication of material: from one paper to another or "fabrication/falsification of the research results". The Investigative Committee presented a written report of general findings including a detailed color-coded analysis of the duplication in the twenty-three papers to Provost Rogers Redding on December 23, 2002, in accordance with the *NKU Faculty Policies and Procedures Handbook*.

Specific findings of examples of research misconduct by each of the five faculty involved were Kearns, 2002)

Dr. Victor Black	33 finds of research misconduct
Dr. Jane Doe	37 findings of research misconduct including 10 false claims of authorship.
Dr. John Doe	27 findings of research misconduct including 14 false claims of authorship of paper he said he never read.
Dr. W. Brown	16 findings of research misconduct.
Dr. C. Smith	6 findings of research misconduct primarily, admitting to little or no contributions to the works.

In general, Dr. Blake told the Investigative Committee the same story he told the Preliminary Hearing Committee: that he was constantly pressured



by Drs. Jane Doe and John Doe to recycle old papers given to him by Dr. John Doe and to add the names of other faculty as authors. The Does constantly reminded him that Dr. Jane Doe had to provide an affidavit for his H1-Visa and that they controlled his tenure decision. The Does again denied Dr. Blake's claims and generally responded to committee questions that they made contributions on a "conceptual level" or that without making any significant contributions they were given guest "authorships." However, in a letter to the dean, following his resignation, a former faculty member in the department confirmed Dr. Blake's story that the Does regularly demanded that their names be added to papers written by junior faculty. Drs. W. Brown and C. Smith, as senior, tenured faculty, however, did not confirm the viewpoints of Drs. Blake and Kiefer. Instead, they contended that for the limited number of papers on which they were involved, they provided the work that was requested of them. These papers, however, were largely duplicates of other previously published and did not include any original contributions.

Provost Decision

The provost took several days to read the extensive (660 pages), thorough report of the Investigative Committee. The *NKU Faculty Policies and Procedures Handbook* provides the faculty the opportunity to appeal the findings of the report, which they did. The provost denied their appeal and accepted the report. On February 14, 2003, he met individually with all five faculty and their attorneys to inform them that he would immediately place them on mandatory leave with pay or they could immediately resign. Dr. V. Blake chose the option to resign effective that day and Dr. W. Brown chose the option to retire at the end of the academic year. The other three faculty, with advice of legal counsel, chose to fight. The four faculty (other than Brown) and their attorneys were told to



proceed immediately to their offices where the dean would be waiting to collect their keys as they cleared out their personal belongings. This step was taken as a precaution against potential sabotage of University equipment and to provide for the security of their computers.

The university provost, Legal Counsel and College of Business dean, in a meeting prior to February 14, 2003, had discussed the decision to place the faculty on mandatory leave at the end of the semester, which had begun six weeks prior, to minimize disruption to students and the University campus, or immediately place them on mandatory leave. The research misconduct of the faculty, in no way known to them, had adversely affected their classroom performance. The provost, however, decided the severity of their behavior required them to be immediately withdrawn from the campus entirely. This decision required that the dean, without consulting any chairs or faculty, be prepared to replace faculty in fifteen classes in only four days. They agreed that only qualified faculty be hired as replacements and that all AACSB accreditation standards be met. In anticipation of this probability, the dean had placed an ambiguous employment ad in the local newspaper two weeks prior and had interviewed several potential new adjunct faculty, telling them they may be need shortly.

On February 15, 2003, the provost, in response to a request by the dean, called an emergency meeting of the College of Business faculty and announced his decision. Most faculty were totally unaware of the investigation that had taken place over the prior year. It was feared that they might "circle the wagons" and accuse the provost and/or dean of unfair treatment of the faculty involved. Instead, the faculty were generally supportive, especially after hearing that a committee of three respected tenured faculty had conducted the investigation and uncovered a pattern of research



misconduct which included 23 papers over a period of eight years. One senior faculty member commented that he was not surprised and had expected something was going on, and was upset because the faculty involved had unfairly taken merit increases, which would otherwise have gone to other deserving faculty.

During the week following February 14, 2003, the dean escorted each of the replacement faculty to their classes, introduced them and announced that the previous faculty members had been placed on mandatory leave, or resigned, with no further explanation. Some students became angry and insisted on a meeting with the provost. In response, the provost, dean and legal counsel held a special meeting with all interested students. The most common complaint by the students was that their lives were being adversely affected, and for many of them, it was their last semester of classes. In particular, they were concerned about the quality of the replacement faculty and the fact that no finance faculty remained who could write letters of recommendation. In response, the dean offered to write letters of recommendation and they were assured that the classes would continue as described in the course syllabi. Also, seniors were provided a "To Whom It May Concern" letter they could provide potential employers, which assured them that the students' education had not been affected by the research misconduct.

In a letter to the AACSB dated February 26, 2003, the provost outlined the research misconduct investigation, his decision to place faculty on leave and the process by which replacement faculty were hired. The AACSB Managing Director of Accreditation responded, in a letter dated March 28, 2003, that the information should be shared in the "next scheduled review of your College of Business by AACSB International". Therefore, the dean and provost believed they had taken appropriate action as far as AACSB was concerned.



University Peer Review Advisory Committee

According to the *NKU Faculty Policies and Procedures Handbook*, a faculty member with tenure can be terminated only after a review of a statement of charges and a formal hearing by the university Peer Review Hearing Committee (1994). The Peer Review Advisory Committee had not previously reviewed a case concerning termination for research misconduct. Normally the Committee hears grievances concerning tenure and promotion decisions. After weeks of hearings and review of the Investigative Committee Report of December 23, 2002 the five full-time tenured faculty members of the Peer Review Advisory Committee unanimously recommended termination proceedings

Peer Review Hearing Committee

The next step according to the *NKU Faculty Policies and Procedures Handbook* is for a Peer Review Hearing committee to review the recommendation of the Provost and Peer Review Advisory Committee, conduct hearings (accused faculty have the right to offer witnesses and cross-examine all witnesses) consider evidence submitted by all parties and make a recommendation. The burden of proof rests with the University (1994). After weeks of hearings, the Committee unanimously recommended termination for cause based on neglect of duty for the three remaining faculty members in the case (Dr. Jane Doe, Dr. John Doe, Dr. C. Smith).

Board of Regents

A special meeting of the NKU Board of Regents was called in August 2003 to consider the president's recommendation of termination for cause based on neglect of duty for the three faculty. Shortly before the meeting, Drs. Jane Doe and John Doe resigned. The Board of Regents met and accepted their resignation and terminated Dr. C. Smith for neglect of duty.



Altogether, the investigation, starting with the day the interim chair filed a complaint, required eighteen months of investigation by over twenty University personnel, thousands of hours and \$15,000 in printing costs alone (Billings, 2004). In the end, five tenured faculty in the college were either terminated for cause or resigned under the threat of termination. In a written agreement with the faculty who resigned, the University committed it would not intentionally make any effort to adversely affect the future employment opportunities of the faculty involved. However, if asked for a reference, University personnel can offer to provide a copy of the Investigative Committee report.

AACSB Action

A new feeling of peace and quiet existed as the Fall 2003 semester began in the College of Business. From February 2002 to August 2003, the research misconduct investigation had severely disrupted the lives of the five tenured faculty who were involved, two department chairs and the dean. Once the issue became public in February 2003, a high degree of tension existed in the College until the August Regents meeting. The accused faculty tried to generate support from other faculty and disrupt activities in the College. In general, all was back to normal for about a month - until September 11, 2003. On that day, the dean, provost and president received a letter from John Kraft, Chair AACSB Maintenance Accreditation Committee informing them that the University was assessed a fee of \$3,500 and "placed on continuing review immediately" and that a review team would visit the College in December. The team would resolve the following issues:

1. Did the initial accreditation of the school rely on faulty data about faculty contributions? If so, is the school creditable without those contributions?
2. How is the school managing this large disruption in faculty resources? What interim and



eventual steps are being taken to assure faculty resources sufficient for the programs offered?

3. Did faulty faculty management practices lead to this problem? What is being done to avoid this problem in the future?

The letter required a response report to the three issues by October 1, 2003. The dean, in a report, dated September 30, 2003, characterized his response to the letter as "shock and dismay" because provost had sent a letter to AACSB months earlier and had received a response indicating the information should be shared in the next maintenance review. None of the questions raised in the September 11, 2003 letter were raised in the March 14, 2003 letter from AACSB. However, a report that responded to the three questions was provided. The response to the three questions is provided. A chronology of events was also provided in the report. In a letter dated October 21, 2003 John Kraft notified the dean that the Maintenance Accreditation Committee had reviewed and accepted the review report and had decided to take Northern Kentucky University off of continuing review, without a visit by the Continuous Review Team. In addition, the letter stated that "Northern Kentucky University acted appropriately and decisively to correct the internal research misconduct".

Lessons Learned

In the months and years that have followed the authors of this work, who were two of the key administrators in the case, have discussed the case with at least two hundred other administrators from other universities. Somewhat surprisingly we have learned that many colleges and universities have investigated cases involving suspected faculty research misconduct, and that too often the university was not well - prepared. Most often university policies regarding plagiarism are dated and were written in expectation of a "clear case" in-



volving one faculty member on one publication with obvious results. In reality, according to the many administrators we have met and discussed their cases, cases today are far more complex, and without clear written policies and procedures in place, the university experiences a difficult time investigating the case. Therefore, we offer the following lessons learned from our case that involved five faculty and twenty-three works over a five year period in hope that others may benefit from our experience by examining their current policies and practices and making any needed changes before a case arises:

- At the time an administrator first reviews a complaint concerning potential research misconduct, efforts should be made to determine the potential impact on the University. How difficult is the issue? Are there multiple parties involved? What period of time should be reviewed? Will faculty who must conduct a review require reassigned time? Whose budget will be impacted for costs? In this case over \$15,000 was spent on copying alone.
- Once presented with a case, an administrator should be required to immediately consult with university legal counsel, and ask for assurances from provost/president that an investigation will potentially result in serious consequences including termination.
- Immediately following an investigation, the university should notify the appropriate accreditation body of any serious findings.
- Before a case is filed, the appropriate university body should review all university policies regarding plagiarism and anticipate stumbling blocks in the process. Is the current process too cumbersome? Where can the process be manipulated by outside counsel? How can the process insure due process without creating



loopholes or pitfalls? Is every step in the current process really necessary?

- Recommend periodic faculty review of all internal procedures especially those which may have a negative impact upon employment. In other words, request review of faculty handbooks to provide a balanced investigation process. Review should be performed even when no investigation is ongoing. Delay critical analysis of internal procedures until the expiration of time within which legal action may be taken (statutes of limitation).
- The university should control the investigation process. A handbook should clearly define the role of faculty legal representation as advisory only. Full-blown legal representation in clearly internal procedures can result in unreasonable delay and/or high-jacking of the process. It is *not* a legal process.
- A university should require by written policy signatures on all key documents, including annual reports, committee reviews, etc., and should keep copies of all faculty research publications. It is particularly important that each member of a faculty review committee sign each review to acknowledge their participation in the process. One defense taken by some of the faculty involved was that they were unaware of annual reviews, even when they served on the committee. Another claim was that their annual reports were not their own work - because they had not signed them.
- University policy should require all parties to maintain the confidentiality of the process during an investigation of research misconduct, otherwise, the result can be a "poisoned environment" caused by the faculty while the administration must remain silent.
- Administrators should provide annual reminders to faculty committees charged with tenure and



promotion performance review of the importance of attention to detail in carrying out their duties under a handbook. This translates to reading the materials submitted and checking the citations.

- Related faculty couples working in the same college present risks, university policies should anticipate and address the situation, and prescribe appropriate actions.

References

- Billings, R. (2004). Plagiarism in Academia and Beyond: What is the Role of the Courts? *University of San Francisco Law Review*, 38(3), 391-430.
- Faculty Policies and Procedures Committee. (1994). *Faculty Policies and Procedures Handbook*. Highland Heights, KY: Northern Kentucky University.
- Kearns, T., Kempton, R., & Shank, M. (2002). Investigative Report: General Findings of the Investigation into papers by Victor Blake, Jane Doe, John Doe, W. Brown, C. Smith. 2002, 3-56.

© Michael R. Carrell and Sara Sidebottom

Michael R. Carrell is Dean of the College of Business at Northern Kentucky University in the greater Cincinnati area. He received his doctorate from the University of Kentucky, and MBA and B.A. in Economics from the University of Louisville. In addition he completed the Harvard Law School Program on Negotiation and three programs on mediation training. Recently he was named the Founding Director of the Alternative Dispute Resolution Center at Northern Kentucky University. His academic career includes 28 years as a college dean or department chair.

His professional career included various positions as personnel director and labor negotiator in the Louisville area, enabling him to build a management consulting practice while teaching at the University of Louisville. In addition, he was elected to the City of Louisville Board of Aldermen for



five terms, and served as President of the Board and Mayor Pro-tem for three terms.

Dr. Carrell has authored over 50 scholarly works in some of the leading management and human resource journals. He has also published several books in the fields of negotiation, collective bargaining and labor relations, organizational behavior, and human resource management. During his academic career he has received awards for both outstanding research and teaching.

Sara Sidebottom is the Vice President of Legal Affairs and General Counsel for Northern Kentucky University located in the greater Cincinnati area. She received her Juris Doctorate from Salmon P. Chase College of Law, and her Bachelor of Arts from the University of Kentucky. Sara maintained a General Civil and Criminal law practice for sixteen years, including ten years as a Public Defender and six years as a prosecutor. She served as District Judge, in Kenton County immediately preceding her employment by Northern Kentucky University.

Ms. Sidebottom began her career as a public school teacher for seven years until the completion of her law degree. She continued to teach part-time as an Assistant Professor at the University of Cincinnati until 1999. She is currently admitted to practice before the Kentucky Supreme Court, U.S. District Court-Eastern District of Kentucky-Southern District of Ohio, U.S. Court of Appeals-Sixth District, and the U.S. Supreme Court. Sara is the co-founder of the Northern Kentucky Women's Lawyers Association and the former Vice Chair of the Kentucky Commission on Women.

COMMUNICABLE DISEASE

POLICY NUMBER: RESERVED FOR FUTURE USE

POLICY TYPE: ADMINISTRATIVE

RESPONSIBLE OFFICIAL TITLE: VICE PRESIDENT, STUDENT AFFAIRS

RESPONSIBLE OFFICE: OFFICE OF HEALTH, COUNSELING, AND STUDENT WELLNESS

EFFECTIVE DATE: UPON APPROVAL

NEXT REVIEW DATE: APPROVAL PLUS FOUR YEARS

SUPERSEDES POLICY DATED: 12/6/2011

BOARD OF REGENTS REPORTING (CHECK ONE):

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM)

PRESIDENTIAL REPORT (INFORMATION ONLY)

I. POLICY STATEMENT

Describe the policy's substance, core provisions, or requirements. A policy should be clear, concise, and written in plain language.

This policy is to ensure that consistent procedures are followed when there is an occurrence of a communicable disease among Northern Kentucky University (NKU) faculty, staff, administrators, and students who reside on or off campus.

II. ENTITIES AFFECTED

Describe the positions, units, departments, groups of people, or other constituencies to which the policy applies or has a material effect.

Faculty, staff, administrators, and students who reside on or off campus.

III. AUTHORITY

If applicable, please provide citations to any sources of authority for the policy. Examples include state or federal laws, Governing regulations, Board of Regents minutes, or an external accreditation agency.

[902 KAR 2:020. Reportable disease surveillance.](#)

IV. DEFINITIONS

Define any terms within the policy that would help in the understanding or interpretation of the policy.

Communicable disease - Infectious diseases that are spread from person to person through a common vehicle, e.g., food, water, or I.V. fluids; contact; airborne transmission; or via insect vector.

Reportable diseases - Include those required as outlined in [902 KAR 2:020](#) to be reported to the Northern Kentucky Health Department (NKHD) or the Kentucky Department of Public Health (KDPH) in Frankfort.

Epidemic - A communicable disease affecting a disproportionate number of individuals within a population.

Pandemic - A communicable disease that has progressed to worldwide distribution.

V. COMMUNICABLE DISEASES OF INTEREST

Certain communicable diseases are especially problematic on college campuses because of the close proximity of students to one another. These diseases include but are not limited to:

Reportable communicable diseases of interest:

- Hepatitis A
- Measles
- Meningococcal Infections
- Pertussis
- Rubella
- Tuberculosis
- Mumps

Non-reportable communicable diseases of interest:

- Epstein Barr Virus (Mononucleosis)
- Influenza (including H1N1)
- MRSA
- Pediculosis (lice)
- Rubeola
- SARS
- Scabies
- Varicella (chicken pox)

Communicable diseases may be reported one of the following ways:

- Calling the Northern Kentucky Health Department (NKHD), at 859-363-2070 during business hours, or after hours at 859-391-5357. This includes exposures, i.e., animal bites.
- Faxing the completed Kentucky Reportable Disease Form to NKHD Department of Epidemiology Services at 859-647-3851 or 859-578-3689.

VI. RESPONSIBILITIES

The responsibility for coordination of the implementation of the Communicable Disease policy lies with the direction of the Director of Health Counseling and Student Wellness (HCSW) in collaboration with the Vice President of Student Affairs and Dean of Students and/or the Senior Director of Human Resources and may include any or all of the following groups:

- President's Executive Team
- University Housing Office
- University Food Services
- Assistant Vice President for Facilities Management or his/her designee
- University Police
- University Marketing and Communication
- Director of Athletics

Director of HCSW - Shall notify the Vice President for Student Affairs when a communicable disease threatens the university community. The Director of HCSW is required to report the involved student, faculty, or staff member's information to the local health department per Kentucky statutes ([KRS 214.010](#), [KRS 214.020](#), [KRS 214.645](#) and [902 KAR 2.020](#)).

Director of Human Resources - Shall provide information on the location where the employee has been working to appropriate parties in those departments, as is necessary. Human Resources will advise the involved departments of procedures to be used to ensure the safety of employees that have come into contact with the infected faculty or staff member.

Vice President of Student Affairs and Dean of Students - Shall notify the President and members of the President's Executive Team when a communicable disease threatens the university community.

University Marketing and Communication – When deemed appropriate by the President's Executive Team, this office will announce that an epidemic/pandemic of a communicable disease has been confirmed and will state the related facts to inform and protect the university community.

Vice Presidents, Deans, Directors, Faculty, Staff, Administrators, Students – Shall promptly report all incidents of infectious disease.

Beyond the responsibility of the designated health professional to report the involved party's information to the local health department, every effort will be made to ensure confidentiality of the involved student, faculty, or staff person per Health Insurance Portability and Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA) guidelines.

Faculty/Staff/Administrator Illness

The employee should return to his/her home to recover until he/she is cleared by a physician or nurse practitioner. The Senior Director of Human Resources will ensure that the employee returns home safely. An employee who is sent home shall be informed about the procedures for returning to campus activities.

Once the faculty member, staff member, or administrator has recovered, he/she is required to notify Human Resources and before returning to campus activity provide documentation from a physician or nurse practitioner that he/she is no longer infectious and presents no risk to the university community.

The Director of HCSW or the Senior Director of Human Resources shall notify appropriate parties that the employee has been released from care and may return to full campus activity.

Student Illness

The options for a student with a communicable disease are:

- The student can return home to recover; or
- The student may recover on campus in isolation

These options are intended to prevent the spread of the communicable disease. The preferred practice is to return the student to his/her home of record, if possible. If the student resides off campus, arrangements will be made to get the student transported to his/her home of record for continued care and recovery if possible.

In the event that a student, or students with a communicable disease must remain in isolation on campus, the Director of HCSW or his/her designee, will, in consultation with the Vice President of Student Affairs and Dean of Students, determine the extent of involvement with other university offices in the management of the communicable disease. This decision will be based upon the Director of HCSW and Vice President of Student Affairs and Dean of Students evaluations of the risk to the university community in collaboration with the Northern Kentucky Health Department Epidemiology Services.

The university departments that may be included in the decision are:

- University Housing;
- Facilities Management;
- University Police;
- Athletics;
- University Marketing and Communication; and
- NKU's food service contractor.

The directors and/or designees of each of these offices will be contacted and together they will implement plans to care for the infected student(s) and to maintain a safe and orderly campus environment.

The **Director of University Housing** will provide information on the location in which the student is recovering to all appropriate parties within the University Housing Office, as necessary. The University Housing Office will advise housing staff of procedures to be used in communication with the infected student and in serving the residential needs of the infected student with the assistance of the HCSW staff.

The **Office of Business Operations** shall be responsible for coordinating meals for the infected student during the recovery period in isolation on university property.

The **Assistant Vice President for Facilities Management** or his/her designee will:

- Arrange for routine and special custodial services for the area in which the student is recovering;
- Be responsible for informing all custodial staff who are assigned to the isolation area of the diagnosis and mode of transmission of the disease; and
- Train the custodial staff (with the assistance of the HCSW) on the recommended methods of self-protection that should be used in carrying out routine and special custodial services.

The **Chief of Police**, with the assistance of HCSW, will:

- Inform police officers that a person(s) with a communicable disease is recovering on campus. Provide police officers with information about the disease;
- Provide police officers with the location where the student is recovering; and
- Provide police officers with the recommended methods of self-protection should the campus police need to come in close proximity of the infected student.

The **Vice President of Student Affairs and Dean of Students** will notify the necessary academic faculty and staff of the student's absence if the student is going to be out of class for an extended period of time.

When a student recovers at home, they are required to provide the Office of HCSW and provide a release and statement of non-communicability from a physician or nurse practitioner before returning to campus activity.

Students being isolated on campus or in the local community will be informed about the procedures for returning to campus activities and/or requesting assistance with campus needs by an HCSW staff member during their isolation. A physician or nurse practitioner shall provide documentation that a student is no longer infectious to others and that he/she presents no risk to the university community. The Director of HCSW or his/her designee will notify appropriate parties that the student has been released from care and may return to full campus activity.

VII. PROCEDURES

Describe the **MINIMUM ACTIONS** required to fulfill the policy's requirements. This section should **NOT INCLUDE** internal protocols, guidelines, optional or purely desirable actions.

Procedures for treating currently enrolled students, faculty, staff and administrators with communicable diseases are as follows:

1. (a) When Health, Counseling and Student Wellness (HCSW) or University Housing staff are notified that a student has been diagnosed with a communicable disease, the source will be established, and the Dean of Students will be notified of the situation. The Director of HCSW will be responsible for reporting the specifics of the confirmed communicable disease(s) to the appropriate public health agencies when required. Further actions will be coordinated with the Dean of Students or the Director of Human Resources in collaboration with the Director of HCSW, the Associate Director of Health Services, and the NKHD.

- (b) In the event a faculty member, staff member, or administrator contracts a communicable disease, the Senior Director of Human Resources will be notified of the situation. The Senior Director will then contact the employee and/or the employee's emergency contact person to confirm the diagnosis if the employee was not diagnosed by HCSW Health Staff. The Director of HCSW will be responsible for reporting the specifics of the confirmed communicable disease(s) to the appropriate public health agencies when required. Further actions will be coordinated with the Senior Director of Human Resources in collaboration with the Director of HCSW, the Associate Director of Health Services, and the NKHD.
2. In the event that an NKU student, faculty, staff member, or administrator is diagnosed with a reportable communicable disease on campus, the Associate Director of Health Services will notify the Director of HCSW, who will in turn notify the Dean of Students or the Senior Director of Human Resources. Together, the Director of HCSW and the Dean of Students or Senior Director of Human Resources shall determine the extent of the involvement of the other major university offices in the management of the communicable disease. This decision will be based upon the Director and Dean of Students' and/or Senior Director of Human Resources' evaluations of the risk to the university community in accordance with the recommendations of the NKHD, the Kentucky Department for Public Health (KDPH), and the Centers for Disease Control (CDC).
 3. The university departments that may be included in the decision are: University Housing, Facilities Management, Campus Police, University Marketing and Communications, and NKU's food service contractor. The directors of each of these offices may be contacted. Together in collaboration with the Associate Director of Health Services and the NKHD, they shall implement plans to care for the infected student(s) and/or faculty/staff and to maintain a safe and orderly campus environment.
 4. When a university student, faculty member, staff member, or administrator is involved in an outbreak of any communicable disease, the department of HCSW will be in charge of managing the outbreak, with assistance from the NKHD Epidemiology Services, unless otherwise notified.
 5. Steps to follow/assist with as necessary in collaboration with NKHD:
 - (a) Establish a diagnosis, using recommended laboratory, or if diagnosed off campus and notified by NKHD of diagnosis.
 - (b) Administer/arrange chemoprophylaxis to appropriate contacts in collaboration with and under the recommendation of NKHD epidemiology services per treatment guidelines outlined in *The Red Book*, (29th ed.).
 - (c) Prepare a news release for University Communications, NKU Campus Police, students, parents, and the public who call with questions. Public statements will only be issued by University Marketing and Communications.

VIII. REPORTING REQUIREMENTS

Describe any required reports related to the policy. Include the position title of the official or name of the department responsible for furnishing the report, and the internal and external bodies to which the report must be provided.

The Director of HCSW is required to report the involved student, faculty, or staff member's information to the local health department per Kentucky statutes ([KRS 214.010](#), [KRS 214.020](#), [KRS 214.645](#) and [902 KAR](#)

[2.020](#)). The Kentucky Department for Public Health [Reportable Disease Form](#) will be used for communicable disease reporting.

IX. 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.

Kentucky Department for Public Health: [Kentucky Reportable Disease Form](#)

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.

Click here to enter text.

REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
Revision	
Policy	12/06/2011
Choose an item.	

COMMUNICABLE DISEASE

PRESIDENTIAL APPROVAL

PRESIDENT

Signature

Date

Gerard St. Amand

BOARD OF REGENTS APPROVAL

BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)

- This policy was forwarded to the Board of Regents on the **Presidential Report (information only)**.
Date of Board of Regents meeting at which this policy was reported: ____/____/____.
- This policy was forwarded to the Board of Regents as a **Presidential Recommendation (consent agenda/voting item)**.
 - The Board of Regents approved this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing approval of policy.)
 - The Board of Regents rejected this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)

EXECUTIVE ASSISTANT TO THE PRESIDENT/SECRETARY TO THE BOARD OF REGENTS

Signature

Date

Benjamin Jager

WEB PRIVACY

POLICY NUMBER: RESERVED FOR FUTURE USE

POLICY TYPE: ADMINISTRATIVE

RESPONSIBLE OFFICIAL TITLE: CHIEF INFORMATION OFFICER AND DIRECTOR OF MARKETING STRATEGY

RESPONSIBLE OFFICE: OFFICE OF INFORMATION TECHNOLOGY AND OFFICE OF MARKETING AND COMMUNICATIONS

EFFECTIVE DATE: UPON APPROVAL

NEXT REVIEW DATE: APPROVAL PLUS FOUR YEARS

SUPERSEDES POLICY DATED: N/A

BOARD OF REGENTS REPORTING (CHECK ONE)::

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM):

PRESIDENTIAL REPORT (INFORMATION ONLY)

I. POLICY STATEMENT

Northern Kentucky University (NKU) is committed to respecting users of NKU's websites. For that purpose, this policy has been adopted to address the collection and use of information from NKU's websites. In order to maintain effective privacy practices, NKU retains the right to update this policy without notice.

II. ENTITIES AFFECTED

University employees (faculty, staff, and student workers), students, any general web user and other individuals (e.g., University affiliates, vendors, independent contractors) who access websites hosted by Northern Kentucky University.

III. PROCEDURES

NKU collects two types of information from users: (1) Information provided by the user in order to receive requested information and/or services, and (2) Information anonymously collected upon a user's visit to NKU's websites. Any information users voluntarily provide through a NKU website, such as an email address, name, or phone number, will never be sold or traded to other colleges, universities, non-profit organizations, or businesses, but targeted social media ads could be used with this information.

Information Provided by the User

Users may provide NKU with non-personally and personally identifiable information in order to utilize certain services and retrieve information. Such instances may not be noticeable to the user and include, but are not limited to: filling out surveys, purchasing goods and services, submitting tests, registering for courses, and submitting certain online forms.

Should the user choose to provide NKU with any personal information, NKU will use such information only to conduct official university business and will disclose it only when such disclosure may be appropriate to comply with applicable law, or to protect the rights, property or the safety of visitors to NKU's websites, the university community or the public. NKU does not sell, trade, or rent users' personal information to others.

Anonymously Collected Information

When a user visits one of NKU's websites, some information such as the visitor's Internet protocol (IP) address, Internet service provider, operating system, the site from which the visitor arrived, the time and date of the user's visit, and demographic and interest data of users may be collected automatically by NKU and third party vendors as part of the software operation of the website. This intake of information is not personally identifiable. NKU uses this information for internal purposes, such as but not limited to, seeing what pages are most frequently visited and to possibly remarket sites that were visited. Additionally, NKU is currently using Google's Universal Analytics, a web metrics service, to collect certain information automatically upon a user's visit. For more information regarding Universal Analytics, see [Google's privacy policy](#).

IV. EXCEPTIONS

Exceptions to this policy and associated standards shall be allowed only if previously approved by the NKU Chief Information Officer (CIO).

REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
New Policy	
Choose an item.	

WEB PRIVACY

PRESIDENTIAL APPROVAL

PRESIDENT

Signature

Date

Gerard St. Amand

BOARD OF REGENTS APPROVAL

BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)

- This policy was forwarded to the Board of Regents on the **Presidential Report (information only)**.
Date of Board of Regents meeting at which this policy was reported: ____/____/____.
- This policy was forwarded to the Board of Regents as a **Presidential Recommendation (consent agenda/voting item)**.
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 - The Board of Regents rejected this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)

EXECUTIVE ASSISTANT TO THE PRESIDENT/SECRETARY TO THE BOARD OF REGENTS

Signature

Date

Benjamin Jager