

**Professional Concerns Committee**  
**Meeting Minutes for November 1, 2018**  
**UC 135**  
**3:15 pm**

**Members in Attendance:** Judy Audas, Kalyani Ankem, Tom Bowers, John Farrar, Kathleen Fuegen, Nicole Grant, Jane Hammons, Christopher (Collin) Herb, Alexis Miller, Kevin Munte, Gary Newell, Tammie Sherry (Teacher Ed Rep), Tracy Songer, Michael Washington, Maggie Whitson, Jackie Wroughton,

**Members Not in Attendance:** Shannon Alexander, John Clarkin, Linda Dynan, Jim Kirtley, Ban Mittal, Blas Puente-Baldoceda, Mauricio Torres

**Guests:** Sue Ott Rowlands, Nancy Campbell (Steely Library)

- 1. Call to Order, Adoption of the Agenda**
  - a. Unanimously approved
- 2. Approval of the Minutes from the October 18, 2018 PCC meeting.**
  - a. 1<sup>st</sup>: Teacher Ed Rev
  - b. 2<sup>nd</sup> Kathleen
  - c. Unanimously approved
- 3. Chair's Report and Announcements**
  - a. Faculty Senate meeting, October 29, 2018
    - i. Chartwells Survey that was sent about Dining Services, please go take that.
      1. NOTE: No PCC members received this email.
      2. **Action:** John will reach out to see if this was actually sent to faculty
    - ii. Summer and Winter compensation policy is in development. PCC is encouraged to give feedback to your budget reps within your department. Note, PCC will have a chance to comment either through a formal policy review OR if it comes to PCC before – we will have a chance to look at it then.
      1. Summer pay
      2. Pay for independent study
      3. Winter pay issue
      4. Dec. 19<sup>th</sup> Budget Presentation meeting
    - iii. Consensual relationships changes to Faculty Handbook
      1. Goes to executive committee November 5<sup>th</sup> then to faculty Senate
    - iv. Evaluating Administrators – PCC is asking for a sub-committee on evaluation of administrators.

1. Background on why this came up: Not clear what happens to the evaluations once they are filled out. University provides a channel for evaluation but the administrators are NOT seeing the feedback for themselves or their direct reports. This hasn't happened in at minimum two years
2. John will contact Matthew Zecate (Faculty Senate president) to see about access to these reviews by the administrators and why they aren't shared. Once he gets this answer, we will create a sub-committee to help with the go forward
3. Reach out to John if you are interested
4. Kalyani Ankem

v. Nominate your Faculty Senate reps by Nov. 2<sup>nd</sup>

**4. New Business, Discussion Item, Library Funding Resolution (See Appendix A)**

a. Resolution: Steely Library provides resources and services used by the entire campus community and critical to the mission of the University. Without a strong library, the quality of both research and instruction suffers. The Faculty Senate of Northern Kentucky University endorses the development of a **sustainable funding model for Steely Library**. We call upon NKU's administration to work, in conjunction with the Dean and the faculty of Steely, to implement a funding model that allows the library to continue providing access to the databases, electronic journals, monographs, and other resources necessary for the academic and scholarly success of our students, faculty, and staff.

**b. Discussion**

**i. Eliminating Print books?**

**1.** Will not be a positive solution as many students still use this.

**ii. Awareness was part of this resolution.**

**iii. What about just using Source Finder?**

**1.** Eventually that will become too costly

**2.** Also it's a 3 – 4 day turn around

**iv. Solution of Sources (This is discussion around the Next steps after PCC has supported the sustainable funding model and the FS passes it)**

**1. Library Fee for Student**

**a.** Would have to apply to all students and then factor into the tuition of all students. The board would raise tuition (if they felt like they needed to) and if there is a library fee, it would have to come out of that tuition.

**i.** Challenge: Loose on that part of the tuition

**ii.** Challenge: Board is not ready to give the student more fees as in the past it has just been bundled.

**2.** Increased allocations that would come from somewhere else in the University.

**c. Vote (with changes in language around the Sage Journal)**

**i. Motion: Jim Kirtley**

ii. 2<sup>nd</sup>: Kathleen Fuegen

5. **New Business, Discussion Item, Tenure** statement (**See Appendix B**)

- a. Background: John wrote this as an opportunity to educate and defend tenure that was brought up around the tenure issue with HB 200.
- b. This was written to help give the president ammunition from the faculty side to help him support and defend tenure.
  - i. John is going to work more on the statement. Notes in Appendix B
  - ii. Will create 2 pieces:
    1. An amended longer statement meant to inform the president's message of defense and support of tenure to the Board of Regents and the public.
    2. A shorter statement that the president could use publicly and to the board of regents.

6. **Adjournment 4:20pm**

Respectfully submitted,

Tracy Songer, PCC Secretary  
4:20pm

## Appendix A (with Notes)

### RE: Steely Library Funding Resolution

#### Background

In the spring of 2018, Steely Library announced the cancellation of three databases, including MLA International Bibliography, Credo Reference, and LexisNexis, as well as several electronic journals. The decision to cancel these resources was not made lightly, but was due to a lack of available funds. This deficit was due to several factors, which include a flat materials budget, a budget cut, and serials inflation. A detailed process was followed to identify the items that would be cut.

The loss of MLA International Bibliography was of significant concern to faculty in the Department of English. While access to this specific database has been restored for at least one year, using funds obtained from outside of the library, this situation is representative of a major challenge facing Steely Library—the lack of a sustainable funding model which will ensure that students, faculty, and staff have access to the print and electronic resources that they require to meet their research and instructional needs. Without a change, Steely is again facing the prospect of significant cuts to library resources, some of which may be implemented as early as December 2018.

To clarify the challenges facing Steely Library, consider the following:

1. Steely's materials budget has remained at 1.2 million per year since 2008.
2. The inflation rate for continuing subscriptions is around 7% each year.
3. The library's purchasing model makes it difficult to simply cut many individual databases or journals:
  - a. First, many purchases are made through consortial agreements with other libraries in the state. Steely relies on these agreements to gain access to resources at a lower price that is negotiated by the consortium and are unable to just opt out of certain parts of the agreement. Removing the library's participation in such agreements might allow the library to cancel some resources that are not heavily used at NKU, but at the cost of losing access to other resources that are needed. These resources would then need to be purchased individually.
  - b. Second, many resources come as part of packages provided by publishers and database vendors. While a specific database or journal may be lightly used, these are often all or nothing packages, so the library cannot simply remove certain resources without cancelling the entire package, which may contain other more highly-used resources.
4. 96% of the materials budget goes toward electronic subscriptions. As a result, the library has to significantly limit the amount of print books purchased each year.
5. Since so much of the materials budget is consumed by existing electronic subscriptions, it is a major challenge to purchase the resources needed to support any new programs.

6. The lack of resources means that faculty, staff and students need to use the SourceFinder service (Interlibrary Loan) to obtain needed materials. However, not having a current, relevant collection limits the library's ability to participate in the reciprocal borrowing and lending agreements that allow SourceFinder to work.

The lack of library resources impacts both faculty and students. Existing faculty members may not have access to the materials needed for their research. NKU may also struggle to recruit talented faculty members if unable to provide them with the expected level of research support. Our students may not be able to access materials needed to complete their assignments or to undertake their own research projects, which negatively impacts their ability to succeed while at NKU and in their future careers. With the increase in the number of 7-week courses begin taught, the cancellation of full-text journals and databases will become an even greater problem, since students and faculty in these courses often need immediate access to resources.

This situation is not unique to Steely Library. The current model of scholarly publishing is placing tremendous challenges on academic libraries across the country. Steely Library has made efforts to minimize the impact on our students and faculty, however, the decade of consistent cuts has eroded the collection to the point that the library is now faced with the prospect of cutting essential resources, some of which may impact program or university accreditation.

For 2018-2019, Steely Library is preparing for a cut of approximately \$80,000. Among the resources **that are in danger of being cut** likely to be cancelled is the e-journal collection from Sage, ~~as soon as December 2018~~, which includes hundreds of titles in the sciences, social sciences, and humanities. Additional cuts can be expected at the end of the fiscal year 2019. As faculty members and librarians, we do not want to cut any resources. Doing so is antithetical to our profession. However, we are facing a reality that, without the development of a sustainable funding model, we will be forced to make additional cuts this year and each year in the foreseeable future, and these cuts will impact greater and greater segments of the NKU campus.

Resolution:

**Steely Library provides resources and services used by the entire campus community and critical to the mission of the University. Without a strong library, the quality of both research and instruction suffers. The Faculty Senate of Northern Kentucky University endorses the development of a sustainable funding model for Steely Library. We call upon NKU's administration to work, in conjunction with the Dean and the faculty of Steely, to implement a funding model that allows the library to continue providing access to the databases, electronic journals, monographs, and other resources necessary for the academic and scholarly success of our students, faculty, and staff.**

## Appendix B (with Notes)

Statement on tenure at Northern Kentucky University:

**(Moved from strike at the bottom)** Northern Kentucky University reaffirms its commitment to tenure protections for all faculty members and academic freedom for all in the university community. We intend to honor the provisions and processes delineated in the Faculty Handbook, which was developed according to collegial governance.

**(Background knowledge)** The “1940 Statement of Principles on Academic Freedom and Tenure” delineates the purposes for academic freedom and tenure. “Institutions of higher education are conducted for the **common good**...The common good depends on the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research.” (emphasis added) It continues, “Tenure is a means to certain ends, specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure are indispensable to the success of an institution in fulfilling its obligations to its students and to society.” The 1940 statement has been endorsed by more than 250 scholarly and education groups.

The 1940 statement defines academic tenure in this way. “After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.” Thus, while tenure is frequently criticized as affording protections to undeserving and underperforming faculty members, termination for cause has been a recognized reason for revocation of tenure. Likewise, it has long been understood that “termination of a continuous appointment because of financial exigency should be demonstrably bona fide.”

Furthermore, the 1940 statement states that “Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.”

Unfortunately, the Kentucky budget for the 2018-2019 biennium, HB 200, in Part III, General Provisions, section 27, Faculty Employment removes these protections for faculty members at a “state-funded university.”

27. Faculty Employment: Notwithstanding KRS 164.230 and 164.360, each Board of Regents or Board of Trustees of a state-funded university or the Kentucky Community and Technical College System may reduce the number of faculty, including tenured faculty, when the reduction is a result of the Board discontinuing or modifying an academic program upon determining that program

changes are in the university's or college's best interest due to low enrollment, financial feasibility, budgetary constraints, or declaration of financial exigency.

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

According to a March 28, 2108 *Courier-Journal* article, Senator Chris McDaniel, the sponsor of this provision, stated "The protections for academic freedom are still intact (under state law)...This language just affects the potentially eliminated programs." This statement is very misleading for a number of reasons.

The bill's provision allows for the reduction in the number of faculty, including tenured faculty, upon a simple determination that the changes are in the "best interest" of the university. Furthermore, the board only need to give ten days written notice. The bill expressly states that the section supersedes all policies governing faculty employment.

Accordingly, there are no tenure protections in Kentucky. The "best interest" requirement, while somewhat limited by "low enrollment, financial feasibility, budgetary constraints, or declaration of financial exigency," is a low standard. Furthermore, there is not requirement that the board follow a process for these determinations. It is not difficult to imagine situations where a firing in the "best interest" is applied to any faculty member problematic to the board or administration. The faculty member is afforded no due process, no right to appeal, and no opportunity to find other employment. It is unprecedented that a faculty member could be removed with only ten days' notice except in the most extreme of circumstances, such as being a danger to self and others.

The awarding of tenure at Northern Kentucky University is the culmination of a rigorous process which requires a probationary faculty member to demonstrate their contributions to the university and community in the areas of teaching, research, and service. This process is not taken lightly, and the process is stringent. Tenure provides stability to university programs and research; this continuity improves the quality of programs and the teaching and research in those programs. Ultimately in NKU's quest to produce highly qualified graduates, tenure for faculty is a vital ingredient.

These provisions have the potential to severely affect the morale of existing faculty members at Kentucky institutions. In addition, they will severely impact the ability to recruit and retain high quality faculty. Indeed, the Coalition of Senate and Faculty Leadership (COSFL), a "statewide forum...representing the eight public institutions of higher education in the Commonwealth of Kentucky and the Kentucky Community and Technical College System (KCTCS)," strongly opposed the pending budget bill in a statement issued April 4, 2018. COSFL states that the proposed

changes “will cripple universities as engines for growth and development in our communities. The devastating harm to our students and state will reverberate for decades to come.”

**(Lead with this.. moved).** ~~Consequently, Northern Kentucky University reaffirms its commitment to tenure protections for all faculty members and academic freedom for all in the university community. We intend to honor the provisions and processes delineated in the Faculty Handbook, which was developed according to collegial governance.~~

**PCC Discussion:**

**11.1.18**

- Take the negative tone out (perhaps not naming senators)
- Reorder to lead with the “punch” – noted in body
- Take out the shelf life. Maybe talk briefly about the “historical” aspect of tenure – but relate to why it’s important in 2018 with light reference to the 1940 statement.
- Things to keep in Mind: Who is the audience:
  - Step one: This statement that is more from President Vidya to Faculty in support of tenure. Asking him to take the lead and support tenure and help defend it with the board of regents.
  - Step two: Make it more public and “readable”
- Why is tenure so important – make that a bit stronger
  - Impact on students (more faculty retention)